

## Policies on cell phone usage during work hours

Information compiled on January 27, 2010

**The Question:** Do you have a policy on cell phone usage during work hours in company vehicles? If so, could you please send a copy?

**Asotin County PTBA** says...Please see the attached document; this is from the Asotin County PTBA's driver booklet (draft form)

**Ben Franklin Transit** says...Operators Guidebook

**2.5.2 Distractions.** Operators must not use personal cell phones, talk unnecessarily, read, eat, drink, change destination signs, complete reports or otherwise become distracted anytime the coach is in motion including while deadheading to or from a transit center or terminal point.

6.4.11 Cellular Phones. Do not use cellular phones while operating BFT vehicles, including relief vehicles or coaches. The only exception to this rule is the 170 Route. Use of the 170 cell phone is restricted to official BFT business. Operators may make calls or answer their voice mail at transit centers after they have provided for their passenger's needs. Operators caught using their cell phones while driving a BFT vehicle will receive progressive discipline.

**Everett Transit** says... See ET's policies attached

**Grant Transit** says... GTA has no such policy at this time.

**Island Transit** says...Here is a copy of our cell phone policy.

### 2.15 CELLULAR PHONE POLICY

The use of a **personal** cell phone while operating any ISLAND TRANSIT vehicle is prohibited at all times. A personal cell phone must be turned off at all times while operating a transit vehicle. Personal cell phone use will be permitted during a break/lunch period only.

If an accident is caused because of personal cell phone usage while operating an ISLAND TRANSIT vehicle, it will be considered unprofessional and reckless driving. This will be cause for disciplinary action which may include paying for damages to transit equipment and termination.

**Kitsap Transit** says... Kitsap Transit's policy:

“Operators personal cell phones are not to be used, while aboard a coach, to communicate with Dispatch or any other parties. Personal cell phone use is only allowed at terminals or transfer centers when your coach is parked, while you are off the bus and only if its use doesn’t interfere with your job duties. If it is necessary to contact Dispatch while you are in service either because you are in a “radio-dead zone” or because your radio is not working, the operator must stop the coach and secure it before using the cellular phone. At no time should an on-duty operator be wearing an earpiece of any kind, except for those that are medically prescribed, for electronic devices whether turned on or not (cell phone, IPOD, MP3 player, etc). Only in the case of a serious emergency, which disrupts service and radio communication (such as an earthquake) should cellular phones be used. Passengers may use cell phones on the bus. However, operators should not have passengers use cell phones to make calls for them.”

**Link Transit** says...Yes we do and is contained in the labor agreement.....please see attached.

**Mason Transit** says... See the attached document for the most recent released policy that incorporates cell phone usage.

**Pierce Transit** says...Please see the attached document.

**Pullman Transit** says... See the attached memorandum; it is what we have as our cell phone policy.

**Skagit Transit** says...We only have a small section in our Policy and Procedures Manual. Upon checking it out, it is very outdated. We have put out Driver Alerts to bus operators stating that they may not use their cell phones while they are driving.

**Spokane Transit** says...This is Spokane Transit's policy.

Operators shall not operate or use in any manner personal appliances such as personal radios or cellular phones [including the wearing in or around the ear area of any peripheral cell phone attachments (e.g., Bluetooth devices)], earphones, ear buds, scanners, recorders, personal digital assistants, or any audio or video device at any time while operating (moving or stationary) an STA vehicle or while occupying the operator’s seat of an STA vehicle. This includes text messaging.

At all times, cell phones must be set in the off, silent, or vibrate mode.

Any operator observed with any of the aforementioned devices in or around their ear area while operating or occupying the operator’s area of an STA vehicle (moving or stationary) will be subject to discipline up to and including termination of employment with STA.

This directive excludes the use of electronic communication equipment issued by STA for conducting STA business or in the event of an STA communications system failure.

**Valley Transit** says... Attached is our policy regarding cell phone use.



## Personal Cellular Phone Use

The Asotin County PTBA has not issued cellular phones to any employee of the transit system. Therefore, it is clear that any employee of the PTBA who is carrying a cellular phone is carrying a personal phone. Because the majority of the employees working at Asotin County PTBA are employed as drivers, it is also clear that drivers are taking their cellular phones with them on route. This presents a very serious concern that drivers are tempted to use their cellular phones while driving their bus or van. It is Asotin County PTBA's and the State of Washington's decision that this poses a very serious safety concern for everyone. Therefore it is our policy and it is state law that if an employee is observed using a cellular phone while driving a PTBA vehicle, that employee will be subject to disciplinary actions up to and including termination.

We do not intend to ban employees from using cellular phones, but we do intend to regulate their use while employees are driving. If you have no need for your cellular phone on route leave it in your car, locker, or home, but if it is an absolute must that you carry a cellular phone, for whatever reason, the following will be expected of you:

1. While on route keep the phone turned off.
2. If you can have voice mail on your phone, use it.
3. If you must use the phone do so only when you are stopped out of traffic and you are out of the bus (i.e. at Transfer Station, Walmart, Aquatic Center, pullouts on campus, or residential streets).
4. On Dial-A-Ride only use the phone when you can pull over to stop; this shouldn't be often.
5. Use the office phone as a message and emergency number; you can always use your cellular phone when safe to do so. We still can relay messages as we always have.
6. If you do forget and leave your phone on do not answer it while driving. **If you must answer it, pull over in a safe location as noted above and get out of the bus.**

Remember, our riders expect transit drivers to be professional and drive safely at all times. Using a cellular phone, while driving, does not give riders or other drivers the perception that we are professional. When driving we have enough distractions to contend with; adding a cellular phone only makes those distractions worse. This is a safety issue as well as state law; please look at it in that manner, no one wants to have an accident while driving and talking on the phone. Violation of this policy will result in disciplinary action, a ticket and may result in a ban on cellular phones for everyone. If every employee of the Asotin County PTBA does not adhere to this policy, we may be forced to ban personal cellular phones from even going out with drivers.

To: ALL OPERATORS  
From: George Baxter, Transit  
Date: December 4, 2000  
Subject: Personal Cell Phone Usage Policy Reminder

I have received numerous reports that some Operators are using personal cell phones while on duty and in doing so, they are creating a safety hazard and/or are not providing the level of customer service that is expected.

Operators need to adhere to the following rules concerning the use of personal cell phones:

- 1) Absolutely **at no time** may an Operator use a personal cell phone while driving a bus or paratransit van.
- 2) The cell phone must be **turned off and stored out of sight** while on a bus or paratransit van when:
  - A: The vehicle is in motion, or
  - B: There are passengers on-board the vehicle
- 3) Operators are not to stand outside their vehicle and use a cell phone while parked in a bus zone or while loading or unloading passengers. (This does not mean that an Operator can take their bus and park at a different location so that they can use their cell phone. Other policies govern the parking of buses.)
- 4) Do not allow the use of a personal cell phone to interfere with your job of departing as scheduled and providing good customer service (i.e. fare collection prior to departure time, providing information to customers, etc.). Personal telephone calls (whether on a cell phone or otherwise), should only be conducted when time permits in your schedule. Late departures due to personal telephone calls (especially at Hewitt and Hoyt) not only interfere with other employees and their schedules, they may also cause a customer to be late and/or to miss a connection.

Violating these rules or the Cell Phone Usage Policy will result in disciplinary action.

**SAFETY IS PARAMOUNT  
AND  
GOOD CUSTOMER SERVICE IS EXPECTED  
BY OUR  
CUSTOMERS**



TO: ALL OPERATORS  
FROM: George Baxter, Operations Manager  
DATE: January 27, 2010  
SUBJECT: Cell Phones/Head Phones

This is a reminder that Operators are prohibited from using cell phones (whether by voice or text) and/or wearing head phones while driving a bus or paratransit van or while dealing with the public. This prohibition includes all wireless audio receivers designed to be attached onto the ear/head (whether turned on or not).

# Memorandum of Agreement

IT IS AGREED by and between Teamsters Local 760 and Link Transit to amend Paragraph 20.5.3 of the Collective bargaining Agreement by replacing the existing language in its entirety as follows:

20.5.3 The following rules apply to the use of personal cellular devices (voice or text) and/or wearing of or use of head phones and all wireless audio devices designed to be attached to the ear/head:

1. **At no time** may an Operator use a personal cellular device while driving a Link coach, trolley, paratransit or service vehicle. Use of such a device while driving is considered a cardinal sin and an operator is subject to immediate termination for cause.
2. Personal cell phones must be **turned off and stored out of sight and off of the person** while operating a Link coach, trolley or paratransit vehicle when:
  - The vehicle is in motion, or
  - There are passengers on board or actively boarding the vehicle
3. Operators are not permitted to stand outside their service vehicle and use a personal cell phone at a time they are expected to be available to assist boarding guests.
4. Operators are not permitted to allow the use of a personal cell phone to interfere with their responsibility to departing as scheduled and providing exceptional guest service (i.e., fare collection, providing system information to guests, assisting guests, etc.)
5. Personal use of cellular devices is only permitted when on a break and you are not expected to be available to assist guests.
6. Link agrees that the use of personal cell phones for communicating with dispatch or a supervisor related to Link business or in case of an emergency occurring while in service is permissible as long as the bus is stopped and under control of the operator.

Violation of subsection 1 above will be considered gross insubordination and treated as a Cardinal Sin infraction.

Dated this \_\_\_\_\_ day of October, 2009.

For Link Transit:

For the Union:

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Richard DeRock  
General Manager  
Link Transit

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Paul Parmley  
Business Representative  
Teamsters Local 760

# Equipment & Property

## ACKNOWLEDGEMENT

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I acknowledge that I have received and/or use equipment or property belonging to Mason Transit, and that I have read the Equipment and Property Acknowledgement policy and agree to abide by such.

I understand that (1) Mason Transit property is provided for business use only, (2) any personal costs incurred to include, but not limited to, personal calls, text messages, receipt and transmission of photos, etc. are my responsibility and will be paid to the Finance Department (within 5 days of notification of personal usage) and (3) usage privileges may be revoked at any time in the event of abuse or failure to abide by applicable policies.

I understand that it is my responsibility to protect the equipment from loss, damage or theft, and that I may be expected to bear the cost of a replacement if the equipment cannot be presented and/or returned in good working condition.

I understand it is my responsibility to refrain from using a phone while driving, regardless of circumstances, and will pull off to the side of the road and safely stop the vehicle before placing or accepting a call, unless access to hands-free equipment is available. I understand that under no circumstances will any employee be allowed to place themselves at risk to fulfill business needs, and that if charged with a traffic violation resulting from the use of a cell phone while driving, will be solely responsible for all liabilities that result from such actions.

I understand that Mason Transit reserves the right to monitor use of all property for illegal or improper use. All material created, transmitted, accessed or stored on any of Mason Transit's property, including but not limited to data files, intranet and internet activity, voice mail and email is not private. Users do not have a right of privacy or the right to have any expectation of privacy with respect to the materials and information stored on the Mason Transit's property. The information can be read by authorized personnel and Mason Transit reserves the right to view an employee's email or otherwise monitor his or her use of the property. Information on the property may be copied and archived and may be available for an indefinite time. Deleted files can be retrieved and will be if necessary. By using the property of the Mason Transit, every employee agrees that he or she is aware of this policy and that records may be read or monitored by authorized individuals.

Employees will not access, download or distribute offensive or illegal material, or material that has no value in advancing the Mason Transit's operational objectives. Offensive material includes, but is not limited to: pornography; racially or sexually offensive messages; and messages which are intended to harass or may reasonably be regarded as harassment. Viewing such material is considered harassment and will be addressed according to Mason Transit's harassment policy.

Electronic files, including e-mail, attachments and metadata, are subject to Washington's Public Records Act (PRA), chapter 42.56 RCW. All employees are responsible for ensuring that their documents and electronic files – whether created by themselves or received from others (including voice mail) – are saved in such a way as to meet records retention requirements of the district and state. No files may be deleted in violation of the district's document retention policies or after receipt of a disclosure request. For more information on records retention, please refer to appropriate policies and contact the Mason Transit's public records officer.

MTA cell phone plans do not include a text messaging feature. Text messaging with MTA issued cell phones is NOT allowed unless employees demonstrate the need for text messaging capability for business related purposes, and obtain approval/authorization in advance from the General Manager. Unauthorized use

Taking photos with MTA issued cell phones is authorized only under extenuating circumstances for business related purposes as it relates to passenger/vehicle accident/incident response. Every effort must be made to use the digital/Polaroid cameras provided at each office location and/or contained in accident kits for the purpose of taking photos. Receiving and sending photos from a company issued cell phone is allowable to the extent that it relates to documenting passenger/vehicle accidents/incidents in MTA vehicles, bus shelters/stops, park and ride lots or owned/leased facilities.

Violations under this policy will be subject to disciplinary action up to and including termination. Please sign and date this acknowledgement and return it to the Human Resources Department.

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**Employee Name (Print)**

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**Employee Signature**

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**Date**

Equipment & Property Policy Acknowledgement (Assigned Equipment)

Employee Name: \_\_\_\_\_

Equipment/Property Description:

Make: \_\_\_\_\_ Model: \_\_\_\_\_

Serial Number: \_\_\_\_\_

Phone Number Assigned (if applicable): \_\_\_\_\_

List of Accessories:

\_\_\_\_\_  
**Employee Name (Print)**

\_\_\_\_\_  
**Employee Signature** \_\_\_\_\_ **Date**

**Issued by:** \_\_\_\_\_

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This acknowledges that the above listed equipment or property was returned.

\_\_\_\_\_ Good Working Condition (normal wear and tear accepted)

\_\_\_\_\_ Documented damage or loss condition

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Employee Name (Print)** \_\_\_\_\_ **Employee Signature**

**Received By:** \_\_\_\_\_



# POLICY

Effective Date: October 1, 2009  
Replaces: New  
See Also: [POL-1930.28 Using Agency-Provided Telecommunications Services](#)

Approved By: Lynne Griffith, CEO 

## **POL-1930.34 PROHIBITING USE OF PERSONAL ELECTRONIC DEVICES (PEDS) WHILE DRIVING AGENCY VEHICLES**

This Policy applies to anyone who drives a Pierce Transit-owned vehicle

### **1. Use of Personal Electronic Devices (PEDs) Having On/Off Switches Such As Cell Phones, Bluetooth Earpieces, Pagers, MP3 Players or Video Games Is Prohibited While Driving An Agency Vehicle Any Time The Vehicle Is In Motion**

Exceptions:

- When regular radio service is unavailable, employees may use a PED to report illegal activity, summon emergency help or prevent injury to a person or property
- This Policy does not apply to cell phones where an agency-issued telephone number is added to a personally-owned device when that device is being used to conduct agency business

### **2. PEDs May Be Used By Drivers Of Agency Vehicles When The Vehicle Is Stopped and Parked In An Area Designated Safe for Parking**

Use of PEDs must not interfere with the conduct of Agency business or interfere with the safety or security of Pierce Transit's employees, passengers, or other persons or vehicles

### **3. A Driver Of An Agency Vehicle Must Turn Off And Stow PEDs Out Of Sight At All Times While The Vehicle Is In Motion**

This includes when the vehicle is stopped for traffic lights, stops signs, or any other temporary stop during the time the vehicle is being driven

### **4. Use Of A PED While Driving An In-Motion Agency Vehicle In Violation Of This Policy May Result In Discipline Up To And Including Termination**



1401 W. Rose Street, Walla Walla, WA 99362  
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## Memorandum

**To:** All Operators  
**From:** Rick White  
**Subject:** Personal Communication Equipment  
**Date:** March 10, 1999

The ability to provide safe transportation to the public is of utmost importance. To address the potential problems associated with using personal communication devices while operating revenue service vehicles, the following policy has been developed:

Operators shall not operate or use in any manner personal appliances (excluding electronic communication equipment issued by Valley Transit for the purpose of conducting Valley Transit business) such as cellular phones, radios, earphones, scanners, recorders, or any audio or video device at any time while the vehicle is in operation. Such personal devices shall remain "off" while the vehicle is in operation. Use of personal communications equipment may be used only during layovers, or during breaks. The use of such equipment shall not interfere with the ability of Valley Transit to provide safe and reliable transportation to the public.