
Cell Phone/Electronic Device Use Policy

Prepare by: Sanford & Tatum Insurance Agency

NorTex Glass and Mirror

Location: Sherman, Texas

Effective Date: July 17, 2012

Revision Number: 1

PURPOSE

NorTex Glass and Mirror recognizes that employees are our most valuable asset and that they are the most important contributors to our continued growth and success. Thus, we are firmly committed to employee safety and will be everything possible to prevent workplace accidents.

Crashes attributed to driver distraction are quickly on the rise, in large part because of widespread use of cell phone and other portable electronic devices behind the wheel. In fact, according to the National Highway Traffic Safety Administration, each year distraction-related deaths represented about 16 percent of total traffic fatalities. Researchers across the country have found that response times and attentiveness while using a mobile device are as low as those of drunk drivers. In fact, because of the dramatically increased risk of injury and death that comes with texting while driving, the Occupational Safety and Health Administration (OSHA) has stated that companies' legal obligation to create and maintain a safe and healthful workplace includes having a clear, unequivocal and enforced policy against the hazard of texting while driving. To protect employees driving on company business as well as others on the road, NorTex Glass and Mirror developed this Cell Phone/Electronic Device Use Policy, effective July 17, 2012.

SCOPE AND APPLICABILITY

The Cell Phone/Electronic Device Use Policy applies to all employees of NorTex Glass and Mirror who fit any or all of the following criteria:

- Driving on NorTex Glass and Mirror business in any vehicle, personal or otherwise
- Driving a company car, whether on company business or not
- Placing work-related calls, whether driving on company business or not
- Using a company-issued cell phone or other electronic device while driving

DEFINITIONS

Cell phone (also known as a **mobile phone, smart phone, handheld cell** or **handset**) – a mobile electronic device that engages in telecommunications including voice calls, text messaging/short message service (SMS) and/or e-mail. Cell phones also may include features like complete Internet access, games, multimedia messaging service (MMS), instant messaging (IM) service, digital audio (MP#) players, cameras, radios and global positioning systems (GPS). Any device that engages in these functions is included in this policy.

Electronic device – in this policy, electronic device means any portable apparatus that involves user interaction. This includes, but is not limited to, laptops, GPS systems, MP# players, cameras, pagers and personal digital assistants (PDs).

Headset (also known as **hands-free**) – an extension of the cell phone either connected to the handset via cord or wirelessly through Bluetooth technology that allows the user to engage in voice communication without holding onto the cell phone itself.

PROCEDURES

The following procedures apply to all NorTex Glass and Mirror employees falling under the conditions outlined above in **SCOPE AND APPLICABILITY**.

State Laws

NorTex Glass and Mirror is not responsible for any traffic violations or parking tickets acquired by violation of city ordinance, state or federal laws regarding your driving habits and operation of your motor vehicle. Any ticket issued is the employee's responsibility, even if the ticket is issued while conducting business for NorTex Glass and Mirror.

Note that cell phone driving laws vary greatly by state, and it is the employee's responsibility to be familiar with and abide by such laws. This is especially important for employees who travel on company business. Some states have laws banning all drivers from talking on handsets but permit the use of headsets, including Washington, Oregon, California, Utah, New York, Connecticut, New Jersey, Delaware, Maryland, and the District of Columbia.

As of November 2010, except for novice drivers and drivers of school buses, no state has completely banned all types of cell phone use (handheld and hands-free); however, all NorTex Glass and Mirror employees must comply with the company Cell Phone/Electronic Device Use Policy on top of abiding by any state or local regulations addressing the matter.

Commercial Truck Drivers

Federal legislation prohibits drivers operating Commercial Motor Vehicles (CMV) from texting using electronic devices, and provides sanctions including fines and possible license suspension for drivers convicted of texting while operating CMV's

For CMV drivers, texting includes:

- Short message service
- E-mailing
- Instant messaging
- Commands or requests to access a website
- Engaging in any other form of electronic text retrieval or electronic text entry for present or future communication.

Texting does not include:

- Reading, selecting or entering a telephone number, an extension number or voicemail retrieval codes and commands into an electronic device to make or receive a telephone call.
- Using voice commands to make or receive a telephone call
- Inputting, selecting or reading information on a global positioning system or navigation system
- Using a device capable of performing multiple functions (such as fleet management systems, dispatching devices, smart phones, citizens band radios and music players) for purposes other than texting.

All NorTex Glass and Mirror drivers must follow these federal regulations.

General Procedures

- Use of cell phones while driving is strictly prohibited – this includes all functions of the cell phone including, but not limited to, phone calls, text messaging/SMS, e-mail, MMS, Internet use, camera use, etc.
- Use of electronic devices – including laptops, PDAs, cameras and pagers – while driving is strictly prohibited unless specifically outlined below
- Voicemail must handle all calls while driving, and calls may only be returned when stopped or pulled off the road
- Passengers making or taking calls for the driver is permissible provided the interaction does not affect the driver's performance
- Regular callers must be informed that you will not be available while driving and should be notified of the best times to call based on driving schedule
- Employees who receive calls from co-workers who are driving are obligated to ask that the co-worker call back at a more appropriate time

Headset/Hands-Free Use

The use of Headsets or hands-free devices while driving is permissible IF:

- Device is pre-approved by NorTex Glass and Mirror for use
- Use of the device does not cause distraction (i.e., fiddling with the device or taking eyes off road to get it to function properly)
- Any dialing or use of the handset is handled while stopped or pulled to the side of the road
- Conversations do not interfere with the driver's ability to drive safely
- Road conditions are generally good and do not threaten your safety

Emergency Calls

The only exception to the cell phone use policy is calls placed to 911. If placing or accepting an emergency call, keep it short and use a hands-free option if available. Pull over if practicable.

GPS Systems

NorTex Glass and Mirror understands that sometimes, especially when traveling in unfamiliar areas, drivers require assistance with directions. GPS systems are extremely helpful devices, but they can also be distracting if used improperly. Employees must adhere to the following:

- Mounted GPS systems may not block or obstruct the driver's view in any way
- GPS systems must be voice narrated and must not require that the driver look away from the road to follow instructions
- Employees may not program the system while in motion
- Programming or otherwise engaging with the GPS screen may only occur while stopped or while pulled off the road

MP3 and Other Audio Devices

In some cases, worrying about music selection or touching dials and buttons on the radio, MP3 player or other audio device may be just as dangerous as cell phone use. It takes eyes and concentration off the road, which is not permissible under this policy. NorTex Glass and Mirror does allow employees use of personal, portable audio devices. However, while the company does not want to eliminate employees' ability to enjoy music while behind the wheel, certain guidelines are in place:

- Employees may not take eyes off the road to adjust music settings
- Programming music settings while stopped, pulled of the road or before departing is permissible behavior
- Employees may not under any circumstance use MP3 players or other handheld electronic audio devices with headphones – not only is it illegal in most states, it also impedes the driver’s ability to properly hear warning signs, signals or sirens

The No. 1 on-the-job fatality is transportation incidents, and at NorTex Glass and Mirror, it is our job to enforce procedures that mitigate this risk. It is for your safety, as well as the safety of everyone else on the road, that the company has put this Cell Phone/Electronic Device Use Policy in place.

All employees are expected to understand when this policy applies and follow all procedures. As technology evolves, NorTex Glass and Mirror also expects employees to use common sense and err on the side of caution when assessing electronic device use while driving. The company encourages all employees to take a proactive approach to road safety, so NorTex Glass and Mirror expects employees to report any problems or known violations of this policy to their supervisor.

Prior to working on any NorTex Glass and Mirror job site, each employee is expected to have read the entire Cell Phone/Electronic Device Use Policy, which includes

- Purpose
- Scope and Applicability
- Definitions
- Procedure
 - State Laws
 - General Procedures
 - Headset/Hands-Free Use
 - Emergency Calls
 - GPS Systems
 - MP3 and Other Audio Devices

If you have any uncertainty or questions regarding the content of these policies, you are required to consult your supervisor. This should be done prior to signing and agreeing to the NorTex Glass and Mirror Cell Phone/Electronic Device Use Policy.

I have read and understand NorTex Glass and Mirror’s Cell Phone/Electronic Device Use Policy, and I understand the requirements and expectations of me as an employee. I agree to adhere to all provisions and procedures outline in the policy, and I understand that failure to do so will result in discipline up to and including termination.

Employee Signature: _____

Date: _____

NorTex Glass and Mirror

Vehicle Use Policy

July 17, 2012

This policy applies to all NorTex Glass and Mirror drivers, including:

- Vehicles owned, leased or rented to NorTex Glass and Mirror
- Personally owned vehicles driven by employees on behalf of NorTex Glass and Mirror

The following procedures have been established to encourage safe operation of vehicles and to clarify insurance issues relating to NorTex Glass and Mirror and its drivers:

- All drivers must adhere to safety policies including the Vehicle Use Policy and Cell Phone/Electronic Device Use Policy
- All drivers must have a valid driver's license
- NorTex Glass and Mirror will check Motor Vehicle Records periodically – driving privileges may be suspended or terminated if your record indicates an unacceptable number of accidents or violations
- Should your record fall into our insurance carrier's guidelines of an "unacceptable driver," your employment may be terminated

Your supervisor must be notified of any change in your license status or driving record

When operating your own vehicle for NorTex Glass and Mirror business:

- Your personal auto liability insurance is the primary payer – NorTex Glass and Mirror's insurance is in excess of your coverage
- You should carry at least \$300,000 per occurrence liability coverage
- You must provide evidence of insurance coverage to NorTex Glass and Mirror each year via either a copy of your policy's declaration page or a certificate of insurance
- NorTex Glass and Mirror is not responsible for any physical damage to your vehicle – you must carry your own collision and comprehensive coverage
- You must accurately and truthfully report mileage for expense reimbursement

In the event of an accident, you must:

- Take necessary steps to protect your life or the lives of others around you
- Comply with police instructions
- Not assume or admit fault – professionals will determine liability and negligence after thorough investigation
- Report the accident to NorTex Glass and Mirror as soon as possible.

I have read and understood the provisions of the NorTex Glass and Mirror Vehicle Use Policy and I agree to comply with all the listed requirements.

Employee's Signature

Date