



Are Your Employee's Using Cell Phones Inappropriately While Driving? What it Could Cost You!

The use of cellular telephones while operating a motor vehicle is a continuously growing concern which endangers all drivers and passengers on the road. As an employer, it is very likely that you have employee's driving vehicles (company or personal) for company business, while talking or texting on a cell phone. Cell phone use has become a part of our daily lives, so many of us may look past this potential risk. Have you ever stopped to think about what kind of hazards are involved in this situation, in regards to the employer and the safety of the employee?

According to a recent report published by the National Safety Council, motor vehicle crashes are the number one cause of workplace fatalities. Distractions are the primary cause of the crashes and cell phone use is the number one driver distraction. By allowing your employee's to conduct company business on cell phones while driving, you are accepting an increase in crash risk 4x's higher than when cell phones are not being used. Aside from serious injury to your employee's or others on the road, look at how much several private and public employers have paid out over the past few years as a result of their employee's texting or using a cell phone while driving:

- ✓ \$ 21.6 million – a jury found a broker liable for talking on her cell phone and causing a fatal crash.
- ✓ \$ 20.9 million – a company lost a personal injury suit resulting from an employee using a cell phone when a fatal crash occurred.
- ✓ \$ 18 million – a transport company paid damages to a man left unable to walk or talk after a crash caused by a driver distracted by a cell phone.
- ✓ \$ 5.2 million – a paper company employee was using her company supplied cell phone when she rear ended a vehicle.
- ✓ \$ 1.5 million – a city paid the victim of a crash involving a city worker who was using his cell phone while driving.

Aside from any civil legal actions, your Department of Transportation regulated employees may also face potential criminal penalties with fines up to \$2,750 if caught texting while driving.

Recommendations for Employers:

- Conduct a Risk Assessment of your workforce. See which employees (if any) are potentially at risk and what can be done to address the issue.
- Create or revise vehicle policies or driving safety policies.

- Instruct employees that need to make a phone call or reply to an e-mail to pull over in order to do so.

For additional information or assistance on this subject, please contact Brian Perkins at bperkins@eastcoastrm.com or 724-864-8745.

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