



Executive Summary

Why is cell phone use while driving a problem?

Motor vehicle crashes are the No. 1 cause of work-related death (CDC). They accounted for more than 40,000 deaths in the United States in 2017.

Beyond concern for the safety of employees, crashes are also costly to employers.

- Work-related crashes cost employers \$25 billion in 2013:
 - \$65,000 per nonfatal injury
 - \$671,000 per death

(NIOSH)

All employers face ongoing liability, insurance, productivity and absenteeism costs.

Driver distraction is a significant contributor to crashes, and cell phone use has played an increasingly larger role. According to NHTSA, fatalities from distracted driving decreased for the third consecutive year in 2018 to 2,628 from a high of 3,242 fatal crashes in 2015.

At any moment, approximately 9.7% of drivers on the road are using their cell phones (NHTSA). The actual percentage may be higher, because it is difficult to observe hands-free use.

The risks and costs associated with cell phone use while driving will continue to grow in the coming years. Here is what an employer can do.

Solution

The National Safety Council recommends employers issue an organization-wide policy prohibiting the use of cell phones while driving. **The policy should state:**

- Employees are not permitted to use electronic devices, either handheld or hands-free, while they are driving.
- Employees are not permitted to answer calls while driving. Incoming calls must be directed to voicemail.
- Employees are not permitted to read or respond to text messages and emails while driving.
- If it is necessary for an employee to make an emergency call (911), the employee must park the vehicle in a safe location before making the call.



What are the risks?

Three types of driver distraction are:

- Visual – eyes on road
- Manual – hands on wheel
- Cognitive or Mental – mind on driving

Cell phones are unique from other forms of driver distraction because they usually involve all three forms of distraction. Many people tend to focus on visual and manual distractions. However, mental distraction is very risky because people do not always recognize they are mentally distracted and this distraction lasts much longer than the other two types. While hands-free devices may be marginally safer than handheld, prohibiting driver use of technology is still the safest option.

Risks of Driving While Talking on a Cell Phone:

- More likely to commit driver errors and traffic violations
- Slower reaction time than drivers impaired at the 0.08 alcohol concentration level
- Looking but failing to see up to 50 percent of the driving environment
- More than one-third of the brain's processing resources are drawn away from driving tasks

How do cell phones compare to other driver distractions?

Talking on cell phones may not be the riskiest thing we do in our cars. But many other distractions are rare and/or occur for very short lengths of time. Cell phone conversations are common and can be lengthy.

Talking with passengers does not increase crash risk in the way that talking on a cell phone does. Adult passengers actually lower the crash risk and add a safety benefit to adult drivers. Passengers share awareness of the driving environment and can serve as “co-pilots.” People on the other end of cell phone conversations cannot provide this safety benefit or moderate their conversation when the driver faces a challenging traffic situation.

What are the implications for employers?

Two major implications are the safety of employees and employer liability. Allowing employees to conduct business on cell phones while driving is to allow a four times increase in crash risk. The risks are even higher when a driver is texting and emailing.

Jury awards and settlements in recent years have included amounts of \$21.6 million, \$18 million, \$16.1 million, \$5.2 million and \$2 million. The best protection is a policy that prohibits all work-related phone use among all employees in all vehicles.

What solutions are available to employers?

Even when people know the risks, voluntary compliance is very difficult. Education alone is not an effective solution.



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Safety, human resource and employment law experts recommend employers implement and enforce policies banning cell phone use while driving that include:

- Clear policy language
- Documented training and employee communication
- A requirement that employees read and sign the policy
- Disciplinary action with firm enforcement

Although not a shield from lawsuits, strictly enforced policies can help reduce risk of crashes, injuries and costly outcomes.

Among 2,000 National Safety Council members surveyed in 2009:

- Nearly 25 percent already banned both handheld and hands-free phone use while driving
- Of members without policies, 36 percent planned to create a policy within the next 12 months

Although productivity and employee accessibility is an initial concern of many, National Safety Council members and others have found employees were motivated to develop solutions to maintain productivity. Of 469 National Safety Council members with policies banning both handheld and hands-free use while driving, only seven companies (1.5 percent) reported a decrease in employee productivity.

Currently, no state law bans all adult drivers from using hands-free devices. Because no state law provides optimum prevention, NSC recommends employer policies exceed state law requirements. Technologies exist that can put phones in

“airplane mode” while driving, and they can be considered as a solution making it easier for employees to comply with policies and laws.

You can learn more about these technologies at [nsc.org/technology](https://www.nsc.org/technology)



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