



KENORA CATHOLIC DISTRICT SCHOOL BOARD

400 Personnel and Staff Relations Procedures

AP 420: Handheld Cellular Devices

The Kenora Catholic District Board understands and accepts the responsibilities of an employer as contained in Bill 118, the Countering Distracted Driving and Promoting Green Transportation Act, 2009.

The Director of Education has developed this administrative procedure to ensure safe working conditions for all staff members. The director and system and school administrators are committed to promoting safety in the work place and when traveling for work-related activities.

By taking a pro-active approach the Kenora Catholic District School Board will effectively minimize the risks for all employees while they are engaged in driving for the board.

1. Legislation

1.1 **Bill 118:** Bill 118, Countering Distracted Driving and Promoting Green Transportation Act, 2009 amends the Highway Traffic Act

1.2 **Limitations:** Bill 118 expressly prohibits the presence in a vehicle of

- Hand-held wireless communication devices and electronic entertainment devices, including “cell phones” and “blackberry” devices.
- A television visible to the driver
- A computer visible to the driver
- Any other device with a display screen if the display screen is visible to the driver

1.3 **Exemption:**

1.3.1 The hand-held device prohibition does not apply to the use of cell phone and blackberry devices

- in “hands-free” mode
- if the vehicle is stopped
- if the vehicle is off the traveled part of the road and is not obstructing traffic

- if the driver is contacting ambulance, police or fire department emergency services

1.3.2 The legislation does not apply to the use of

- global positioning system(GPS) navigation devices
- collision avoidance systems
- instrument display screens providing information regarding the status of systems in the vehicle

2. Impact

2.1 Operation of Motor Vehicles: While in the employe of the Kenora Catholic District School Board, whether in rented or privately owned vehicles, all employees are expected to adhere to the new prohibitions and limitations.

2.2 Violation

- 2.2.1 Employees who violate this procedure are engaging in prohibitive conduct for which they may be personally liable at law, should damages result from their misconduct.
- 2.2.2 Non-compliance will result in disciplinary measures as determined by the employee’s immediate supervisor, in consultation with the appropriate superintendent of education and the human resources manager.

Legal References:

Bill 118, the Countering Distracted Driving and Promoting Green Transportation Act, 2009

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