

In Vehicle Digital/Electronic Devices Policy and Guidelines

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Purpose

Purpose

The purpose of this document is to minimise the risks associated with the use of mobile technology devices and other distractions while driving a vehicle. Research shows that the use of mobile technology devices while driving can have a greater impact on reaction times than drinking alcohol. This policy addresses those risks and other risks associated with distractions while driving.

Refer to site specific policies for requirements about use of mobile devices on site.

Scope

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This policy applies to all Linde RSP employees and contractors to Linde RSP while:

- Driving Company owned or leased vehicles.
- Driving Contractor owned vehicles on Linde business.
- Driving rental vehicles where the rental fee is paid by the Company.
- Driving forklifts and similar machinery for Company business.
- Driving private vehicles for Company business.
- Using a Company supplied mobile device (handset and/or service), whilst driving private vehicles.

All authorised drivers of Linde RSP, who are not Linde RSP employees, **must** also comply with this policy while working for Linde RSP.

Audience

The intended audience is all Linde RSP employees.

Definitions

Term	Definition
Company	Refers to a company within Linde RSP.
Contractors	Includes employees and other workers engaged by contractors.
Legally parked	Means that the vehicle is stopped in a safe location, in line with applicable road rules and there is no intention to move the vehicle. This does not include: <ul style="list-style-type: none"> • Stopped in traffic • Stopped at traffic lights • In drive-through take away queues • Stopped by traffic control around roadworks or construction • In loading zones • Stopped across driveways <p>If in any doubt, find a designated parking space and park safely before using the device.</p>
Linde RSP	Means BOC Limited, Elgas Ltd, South Pacific Welding Pty Ltd, BOC Ltd NZ, BOC PNG Ltd, BOC Solomon Islands Ltd.
Mobile technology devices	Means mobile telephones, two-way radios, CB radios, tablets, smart watches and any other electronic devices used for communication and/or with smart capabilities.

Responsibilities

Responsibilities

All employees and contractors have responsibilities under this policy.

Business unit managers **must** seek to ensure that the policy is complied with within their area of responsibility.

General Prohibition on Use of Mobile Devices

General Prohibition

Employees and contractors **must not** use a mobile device in circumstances within the scope of this policy. This includes a prohibition on making and receiving calls even if there is a hands-free capability. The only exception to this is in emergency situations where the vehicle cannot be safely and legally parked before using the mobile device.

Mobile devices should be either switched off or placed on "silent" and in "airplane mode" while driving unless the mobile device is being used for navigation purposes in accordance with this policy.

Employees and contractors **must** comply with any applicable road laws.

Specific Prohibitions

Specific Prohibitions

Without limiting the general prohibition in *General Prohibition on Use of Mobile Devices (page 2)* the following specific prohibitions apply:

Use of a mobile device for navigation purposes

- Where a mobile device, including a phone, is used for navigation purposes, the destination is to be entered while the vehicle is legally parked and the mobile device **must not** be handled while driving. The device **must** be secured in a cradle and fixed to the vehicle in such a way that it does not distract or obstruct the driver's view of the road.

Text messages

- **Do not** make or read text or any other type of message when this policy applies. This includes receiving text or other messages verbally via a handsfree system.

Social media and other media

- **Do not** use any social media or other applications while driving, including checking social media and looking up websites. Ensure that any passengers do not use mobile devices in a way that can distract you. For example, do not allow passengers to watch videos with the volume audible to you.
- Listening to music, podcasts and audio books is acceptable provided they are set up while legally parked and the application is not adjusted or in any way accessed while driving.

Consequences of Not Complying with this Policy

Full compliance expected

Failing to comply with this policy is a breach of Life Saving Rule 1 Driving and Vehicles and is a very serious matter. Linde RSP expects full compliance with this policy at all times with no exceptions.

Linde will conduct an investigation into any breach of this Policy and the person may have restricted duties during this process.

In the case of an employee, it may result in disciplinary action up to and including termination of employment. It may also result in loss of incentives, restrictions regarding use of a Company vehicle including additional monitoring devices such as 2 way cameras and/or requirements to undertake further training. As with all disciplinary matters, this should be assessed using the Recognition & Consequence Management Framework.

In the case of contractors, it may result in loss of contract or authorisation to perform work for Linde RSP.

Important Questions and Answers

1	Can I use a Company device whilst driving my own vehicle in my own personal time?
	No. The policy applies to the use of a Company mobile technology device at any time.
2	What about the use of hands free phones?
	Studies show that there is no substantive advantage using a hands-free kit over a hand-held device. It still represents a high risk to drivers, so the use of hands-free phones while driving is also a breach of the policy.
3	Can I use my own device in my own vehicle whilst driving to or from work?
	In the strictest sense, you are not in the course of your employment while driving to or from work, so the policy doesn't explicitly cover this. You must still ensure that you comply with the applicable road laws. Loss of your driver's licence may impact your ability to perform your duties. In some cases that may result in disciplinary action up to and including termination of employment. We have put this policy in place for your protection and strongly encourage you to follow this in your personal life as well. There are significant risks in using a mobile device while driving and these don't lessen just because you are not on "Company business".
4	Can I use my own device in my own vehicle whilst driving on Company business?
	No. You may not use a mobile device, even if you are in your own car using your own device. If you are on Company business, then we have a duty of care to you. This includes driving to and from a location other than your normal site if it's for the purpose of your job.
5	Can I use my own device in my own vehicle whilst driving on a personal errand within normal business hours?
	The policy doesn't strictly apply if you are on a journey that clearly has no connection with your work. But of course, the safety risks still apply, so we would recommend you follow the policy. You also need to ensure you comply with applicable road laws. However, as most journeys within work time will have some connection with work (and will therefore be regarded as having been made in the course of your employment) you are strongly advised to adopt the policy at all times within business hours.
6	If I am driving, can I receive or make a work-related call using my own device in my own vehicle in my personal time?
	No. If you know it is a work call you should not take it. If you do not know it is a work call (and you take it in compliance of applicable road laws), you should end the call immediately once you know it is work-related and arrange to call back when safely and legally parked.
7	Can I use my own device in my own vehicle on Company premises (e.g. whilst driving in the work car park or on site)?
	No. We do not want you to put yourself at risk, and we have a duty of care to you while on Company premises, whether these are owned, leased, rented or managed by Linde RSP. We would regard this as a breach of our policy. You may use your device if you are in your vehicle on company premises when you're suitably parked with your handbrake or parking brake on and your engine switched off.
8	Does the policy apply to me using my own device in my own vehicle in my personal time on a non-work-related issue?
	No. But again, it's important to remember that the risks of using a mobile device don't change just because you're in your own time and you must also comply with applicable road laws. We strongly recommend you do not use the device while driving at any time.

9	If I receive an allowance for a device or a vehicle, does the policy apply?	<p>The policy doesn't explicitly cover situations where the device or vehicle are not Company assets or leased directly by the Company and you are in your personal time on non-work related activities.</p> <p>However, it's important to remember that the risks of using mobile devices while driving are severe and, no matter what time, we would strongly recommend you do not use the device while driving.</p>
10	What if there is an emergency and using my device would help?	<p>We would hope that you could assist in an emergency, but it's also very important that you and your passengers aren't endangered.</p> <p>If possible, you should stop and park your vehicle before you make the call. Causing or being involved in another incident wouldn't help the situation.</p> <p>Ultimately, we recognise that you will have to rely on your judgement in emergency situations to make the right decision at the time.</p>
11	Am I allowed to use my device if I am stuck in a major traffic jam and have not moved for a long time?	<p>No, this still means you are driving and need to be alert to what is happening. It is not the same as being legally parked.</p>
12	If I am driving a rental vehicle, does the policy apply?	<p>Yes. If the rental vehicle has been hired for Company business, then the policy applies at all times (e.g. even if you're driving to a restaurant at night).</p> <p>If the rental vehicle has been hired by you, then the policy applies in the same way as it would to your own vehicle.</p>
13	Does the policy apply to contractors who drive our vehicles or who drive on behalf of Linde RSP delivering our products?	<p>Yes, contractors must follow our policy when they are:</p> <ul style="list-style-type: none"> • On our premises • Driving our vehicles, and • Driving contractor operated vehicles used for our operations on our behalf <p>Adoption of our policy should be part of any contract negotiation or re-negotiation.</p>
14	What should I do if a colleague answers a mobile device when I am travelling with them, or answers my call and I believe them to be driving?	<p>You should ask them to end the call immediately and call back when legally parked. Then take the opportunity to politely remind them of the Company policy and the risks associated with using a mobile device while driving.</p>
15	Can a passenger in the vehicle use my mobile device?	<p>Yes, provided they do not affect the driver's concentration and the driver does not take part in the call.</p> <p>For example, if there are multiple questions to the driver about a subject, then this is likely to distract the driver as much as using the device themselves.</p>
16	Does the policy apply to the use of messaging services, email, and other social media applications?	<p>Yes, this policy also covers these uses as they are potentially even more distracting than a phone call.</p> <p>Devices can be left switched on provided they are on "silent" and in "airplane mode" (unless you are using it for navigation in accordance with this policy, but should not be used when driving).</p>
17	Does the policy apply to CB and two-way radios?	<p>Yes, these are equivalent communication devices to above.</p> <p>Whilst operating on depots they can be switched to receive messages, but must never be operated whilst driving.</p>

18	What about the use of in-vehicle GPS and navigation systems?
	<p>To be safe, adjusting and reprogramming these devices should only be done whilst legally parked in a safe location.</p> <p>When using a phone as a satellite navigation device it must be placed in a secure or permanently attached cradle for hands free operation and have call, messaging and notification functionality disabled.</p> <p>Prior to commencing the journey, ensure calls, messages and notification functions not related to navigation are turned off.</p>
19	Does the policy apply when driving forklift trucks and motorcycles, scooters etc.?
	Yes, the policy covers all forms of motorised transport.
20	How can I remove the temptation to use my mobile device while driving?
	<p>Keep the device switched off or on a silent ring tone and in "airplane mode" while driving (unless you are using it for navigation in accordance with this policy) or put the device out of reach in the vehicle.</p> <p>If for commercial or for security reasons your local rules require you to keep the device on while driving, make sure it is in a position where you cannot reach it while driving.</p> <p>You should stop at planned or needed rest periods or by prior agreement with your supervisor at the next safe place, to review any messages received or to return calls once you are safely parked.</p>
21	I am expecting an important call. What should I do?
	<p>Plan your journey so you are able to take frequent stops if you are expecting an important call. Some other options include:</p> <ul style="list-style-type: none"> • Use diverts to voicemail, messages or another person and check-in when you have stopped • Check the call log when you have stopped • Get a passenger to take the call if possible • Inform the person whom you are expecting that you will be travelling and arrange a specific time for the call so that you can stop
22	What should I do if a taxi driver starts to use a mobile device whilst driving me somewhere?
	<p>It's hard to insist that they stop, but most drivers when asked politely are happy to stop using their device.</p> <p>However, if Linde RSP has a regular contract with a company, then it should be considered in the agreement that devices are not to be used when driving Linde staff.</p>
23	What is the difference between talking to a passenger in the car and talking on a mobile phone?
	<p>The risk of having an accident is far greater whilst driving and talking on a mobile phone. Studies have shown that:</p> <ul style="list-style-type: none"> • Passengers are far less distracting because they can point out hazards or remind drivers of upcoming exits • They are more likely to change a conversation or stop talking when driving conditions change or become adverse • Because they are in the car, they are more likely to notice when the driver needs more focus
24	Can I listen to podcasts, Spotify, audio books or other audio services?
	<p>Yes, you can listen to audio services such as podcasts, music applications and audio books provided that you initiate the service while legally parked and you listen at a volume level which enables you to hear outside noises necessary to drive safely (e.g. sirens). These services must not be adjusted while driving. If you need to adjust the service you must pull over and not commence adjusting the service until you are legally parked. You should also ensure that you will not receive other notifications, calls or messages while the service is operating.</p> <p>Any streaming service that include a video component is not permitted under this policy, this is the case regardless of whether the video is hidden or the device is turned to face away from the driver.</p>

25	I make and receive many calls whilst on the road. This will affect the response time to my customers. What do I do about this?	
		<p>Inform your customers that you will be unable to receive calls whilst driving.</p> <p>Plan your journey so you are able to take frequent stops.</p> <p>Leave a message on your mobile that you will be unable to use your mobile while driving but will respond at the next stop.</p> <p>You don't have to stop working because you are driving. Pull over and stop, engage your handbrake making sure you are legally parked and you can talk on your mobile phone.</p>
26	What happens if the Driver is unaware of this policy?	
		<p>This policy is included in the employee welcome pack, site inductions and is assigned to every employee through their training profile.</p> <p>Ultimately, Line managers are accountable for ensuring that all employees are aware of all relevant policies and procedures. If the employee is not aware of the policy then consequence management may apply to the line manager.</p> <p>If a contractor is unaware of this policy and how it applies to them, consequence management may be applied to the person responsible for supervising and/or managing the contract.</p>

Document Information

About this Document

Version	Date	Author	Quality Reviewer	Approver
2.0	July 2021	Robert Brittliff Dean Bell (Technical Writer)	Michelle Blume	John Evans
1.0	July 2006	Rob Perini (Technical Writer)	Christopher Dow Manager, Processes and Systems, ISP Jane Sharp HR Adviser	Warwick Webb Director HR Services

Change History

Version	Description of Change
2.0	<p>Complete revision and update.</p> <p>Changed scope to RSP.</p> <p>Changed chapter number to VVP-02-11-RSP.</p>
1.0	<p>Global policy statement (VVP-01-10-BOC) and the following topics:</p> <ul style="list-style-type: none"> The Mobile Phone Policy Supports Our Values Why BOC has this Mobile Phone Policy Consequences of not Complying with the Mobile Phone Policy Important Questions and Answers <p>Published with South Pacific Scope (no change to global policy statement).</p>

Learning and Assessment Guide

VVP-02-11-RSP : In Vehicle Digital/Electronic Devices Policy and Guidelines

Prerequisites

Nil

As a result of training in the content of this document you will be able to:	Learning method:	Assessment method:	Reference:
Understand the policy and guidelines to be followed for using in-vehicle digital/electronic devices. Understand the consequences of not complying with the policy.	Self Study	Multi-Choice Test	This document
Assessment Complete	Sign		Date
Learner:			
Assessor:			