

## OSHA URGES EMPLOYERS: BAN TEXTING WHILE DRIVING

Everyone has seen it. You're driving along in your car and there in the next lane you spot another driver with a cell phone propped on the steering wheel, eyes locked on the screen, and thumbs working a keyboard, tapping out a text message. You watch the other car weaving back and forth, hoping that you can pass safely and that the texting driver will not cause an accident.

Texting while driving – the latest, most dangerous form of distracted driving – is a fast-growing hazard that endangers everyone. The human toll is tragic. The U.S. Department of Transportation (DOT) reports that in 2009 more than 5,400 people died in crashes linked to distraction and hundreds of thousands more were injured. With the explosive growth of cell phones and texting technology, the numbers will only get worse – unless we do something about it. There's no question that new communications technologies are helping businesses work smarter and faster. But getting work done faster does not justify the dramatically increased risk of injury and death that comes with texting while driving.

Most people know that it's dangerous to text and drive, but there's another fact that most people probably don't know: vehicle crashes are the leading cause, year after year, of worker fatalities. Because millions of workers' jobs require them to spend part or all of their work day driving — visiting clients and customers, making site visits, or delivering goods and services — the Departments of Labor (DOL) and Transportation (DOT) and other safety agencies, organizations and allies have joined forces in a campaign to stop distracted driving and save lives

President Obama took the first step in 2009 with an Executive Order banning texting for all Federal employees. Thirty-two states and the District of Columbia have already passed measures to make their roadways safe from this hazard and OSHA, DOT and other agencies and organizations have given this issue high priority.

Employers have a special role to play in this effort because of their legal obligation under the Occupational Safety and Health Act (OSH Act) to protect workers' safety. OSHA started by reaching out to employers to remind them that their obligation applies to *all* of their employees, including the millions of people who do their work behind the wheel of a vehicle – whether they drive full-time or just now and then.

Companies are in violation of the OSH Act if, by policy or practice, they require texting while driving, create incentives that encourage or condone it, or structure work so that texting is a practical necessity for workers to carry out their job. On OSHA's [distracted driving webpage](#), you'll find a letter to employers and a video in which David Michaels, the Assistant Secretary of Labor who heads OSHA, lays out the safety challenge posed by texting and driving and employers' roles in addressing this challenge. Also available on the webpage is a [Distracted Driving: No Texting brochure](#) which explains to employers and supervisors the importance of never requiring texting by their workers while driving

Now OSHA is asking employers to do their part by declaring their vehicles “text-free zones” and reinforcing that declaration with worker education and with policies that explicitly ban texting while driving. OSHA is also asking employers to revise any practice and procedure, written or unwritten, that either condones or requires drivers to text behind the wheel as a necessary part of doing their job.

OSHA believes that most employers will willingly step up to this challenge, and will seize on this safety campaign as an opportunity not only to enhance protection for their workers, but also to project a positive, responsible image of their businesses to their customers and communities. OSHA’s staff will support the efforts of these employers by providing educational materials and model policies for their use. The instruction to prohibit texting while driving will be an important part of the assistance delivered to employers every day by agency staff all across the country.

At the same time, OSHA is also reaching out to workers to let them know that an employer who requires them to text while they are behind the wheel – whether by policy or through procedures that make it a practical necessity of their job – is violating the OSH Act. When OSHA receives a credible complaint that such violations are occurring, the agency will investigate and, where warranted, issue citations and penalties to end this practice.

Young workers are especially vulnerable to the hazard of texting while driving. Not only is texting their preferred method of communication, they are also – as new workers – less likely to know their safety rights and more hesitant to assert them. Working with other Labor Department agencies and stakeholders, OSHA will make special efforts to reach and educate this at-risk group.

Texting while driving is a big and growing hazard and it will take a strong, concerted effort to bring this problem under control. [Association name] supports the national campaign to combat distracted driving and to prohibit texting while driving. We urge our members, associates and allies to join in this effort. Together we can help reduce the great danger posed by drivers who send, receive and read text messages while behind the wheel of their vehicle.

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