Although using a hands-free device is permitted in Ontario, it is against the law to physically interact or manipulate the device by dialing or scrolling through contacts, or even by manually programming a GPS device. In fact, there is no conclusive evidence that using a hands-free device while driving is safer than using a hand-held device. So, the best practice is to let all phone calls go directly to your voicemail and not to look at or answer any texts or emails until you’ve finished driving. If you must send a reply or make a call, pull over to a safe spot off the road and bring your vehicle to a stop.

Mobile devices on worksites

Working on a busy jobsite or operating tools and heavy machinery requires your full concentration. Inattention or distraction can result in injury to yourself, injury to others, damage to property, or even death. If you’re looking at your emails or having a phone conversation, your mind is on something other than your work or your safety. You may even find yourself removing your safety glasses, gloves, hearing protection, or hard hat in order to use your device.

To protect against the distractions caused by the use of mobile devices on worksites, follow the guidelines below:

- Never use your mobile device on a worksite unless you have permission from your supervisor. That includes talking, texting, emailing, playing games, etc.
• Never use your device while you are doing anything that requires your full attention, such as operating a tool, machinery, equipment, or vehicle, or receiving work instructions or safety information.

• Wait until your lunch or rest break to use your device for personal calls or activities. But only use it in specially designated safe work areas, such as a site trailer or break room.

• Never use a mobile device near flammable fumes or liquid, or when you’re in a flammable environment.

• Turn off your mobile device completely when you’re working. The ringer may startle you or a co-worker.

• Let your calls go straight to voicemail when you’re working. You can listen to them at a more convenient time.

• To reduce the temptation to use your device on the worksite, keep it in your vehicle or store it in a lockbox at the site trailer while you’re working.

• If an urgent personal matter requires you to keep in touch with someone, such as a family member, tell your supervisor and work out a plan that lets you do it safely.

• If you need to access important work-related information on your device, stop working, inform your supervisor, and move to a safe work area.

If you’re a supervisor, communication is part of your job. However, you should not make or take calls while you’re directing work activities on the site. Limit it to the site trailer, site office, or other designated safe work area away from general work activities.

If you’re an employer, you must ensure every worker has ready access to a telephone or other system of two-way communication in the event of an emergency (O. Reg. 213/91, s.18). However, a policy on the appropriate use of cell phones or mobile devices should be part of your company’s health and safety program.

If you’re a worker, make sure you know what your company’s rules are, and follow them. If your company does not have a policy, encourage them to develop one. Remember: It’s not just you. Your co-workers can also become distracted, putting your life in danger.

You can find a sample cell phone policy and a sample mobile device policy on the ihsa.ca website in the Policy and Program Templates section under Company Health and Safety Rules.

* Information provided by the Ontario Provincial Police (OPP).