

## **CELLULAR TELEPHONES**

While at work, we expect our employees to devote their fully energy and attention to conducting company business. Receiving personal phone calls or making personal phone calls using company cell phones during working hours is not appropriate. Likewise, employees shall refrain from making or receiving cellular telephone calls for non-business or personal matters during working hours. Cellular phones may only be used during an employee's company-established rest or meal period for non-business or personal reasons. Your job duties may require that you use a cellular telephone during working hours. If so required, you will be notified in writing.

If the company provides you with or pays for a cellular telephone for business use, you are required to exercise the utmost care in protecting the telephone from damage, loss or theft. We ask employees to refrain from making or receiving personal calls on company provided cell phones except in emergencies. Employees will be personally liable for the cost of non-business or personal calls and will be subject to discipline, up to and including immediate termination, for incurring personal charges for non-emergency situations.

If your job duties require that you use a cellular telephone during working hours, we expect you to use the cellular telephone in a safe, professional and courteous manner, taking into account our customer's needs first. You should be aware of circumstances around you while using the cell phone or to avoid accidents or injury while using the cell phone. We prohibit the use of cell phones for personal or non-business calls while operating a motor vehicle. We also prohibit the use of cell phones for business reasons while operating a motor vehicle in performance of your job duties. If you must use a cell phone for business reasons while operating a motor vehicle, you must pull over and park in a safe, legally authorized area and may not use the cell phone in a manner that distracts you while driving.

Employees are strictly prohibited from using cell phones for any improper purpose. Some specific examples of prohibited uses include but are not limited to:

1. Transmitting, retrieving, downloading, or storing harassing messages or images that are offensive, derogatory, defamatory, harassing, off-color, sexual in content, or otherwise inappropriate in a business environment.
2. Taking inappropriate pictures or digital images of another employee, vendor, customer, or other person.
3. Sending, receiving or taking picture or digital images of confidential, private or copyrighted materials without prior authorization. All written records, files, and computer data of the company, of customer and/or of vendors are the property of the company and are considered confidential. No employee is authorized to take pictures or digital images of any confidential information. For purposes of this paragraph, confidential information includes any and all information concerning transactions with customers, proprietary information concerning transactions or customer purchases, customer information, payroll or personnel records of past or present employees, financial records of the company or customers, all records pertaining to purchases from vendors or suppliers, correspondence and agreements with distributors and documents concerning operating procedures of the company.
4. Soliciting personal business opportunities, or personal advertising.

5. Gambling, monitoring sports scores, or playing electronic games.

Violations of this policy may result in disciplinary action, up to and including termination. Employees who misappropriate copyrighted or confidential and proprietary information, or who take or distribute harassing messages, pictures, images or information, may additionally be subject to criminal prosecution and/or substantial civil money damages.

This form is provided as a Member Benefit of the California Restaurant Association,  
[www.calrest.org](http://www.calrest.org) or 800.765.4842

While all information released by the California Restaurant Association (CRA) is intended to provide accurate information on the subject covered, the CRA does not provide legal advice and any information provided by the CRA shall not constitute legal advice. Likewise, this form is not and should not be considered legal advice. You are encouraged to consult your attorney, accountant, or other appropriate professional, as needed.