

ERM Global Policy

Mobile/Cellular Telephone, Computer and all other Personal Digital Assistant (PDA) Device Use While in a Vehicle



1.0 PURPOSE

The purpose of this policy is to establish a global standard regarding the prohibition of use of any Mobile/Cell phones, Computers and all other Personal Digital Assistants or similar electronic devices (PDAs) while operating a personal, company-owned or rental vehicle as part of the Company's Health & Safety requirements. In addition, this policy clarifies ERM's position in respect of any devices used for navigation while operating vehicles as set out above.

2.0 SCOPE

The term "Employee" or "Employees" is specifically defined, for purposes of this policy, as: any personnel employed or hired directly by ERM (regardless of status classification of full-time, part-time, temporary, contract, etc.); interns (even if an intern does not receive payment by ERM); employees of other companies seconded into ERM, and any ERM employee seconded to a non-ERM company. The term "Agent" or "Agents" is specifically defined as hired personnel, consultants, intermediaries, lobbyists, agents, representatives, independent contractors, subcontractors, and any others who act on ERM's behalf.

This policy applies worldwide to all ERM entities, all Employees and all ERM Agents, even in countries where the use of such devices whilst driving does not contravene local law.

All Employees and ERM Agents must at all times comply with local laws and regulations, when driving or travelling in a vehicle and particularly if such local laws or regulations are more restrictive than this policy.

3.0 POLICY

3.1 Mobile/Cell phones, Computers and other PDAs, must be securely stored and not be interacted with in any manner (e.g. viewed, held, adjusted, voice-directed, etc): (a) at any time while driving or operating a company-owned, leased or rental vehicle (including a vehicle provided or funded by the Company as part of employment terms) where such lease or rental is funded by or expensed to the Company in any way; and (b) while driving or operating any personal vehicle, whether on a public highway or a private site, and performing

work duties or activity related to ERM business, even if you do so whilst commuting to and from an ERM office.

- 3.2** Mobile/Cell phones, Computers and other PDAs which are (a) provided by the Company; or (b) paid for in any way by the Company for business use purposes, must be securely stored and not be interacted with in any manner (e.g. viewed, held, adjusted, voice-directed, etc) while driving or operating any vehicle, at any time, whether on a public highway or a private site.
- 3.3** Regardless of the circumstances, including slow or stopped traffic, drivers are required to pull into a safe location such as a rest area, parking lot or other appropriate stopping location, and activate the parking brake before interacting with a Mobile/Cell phone, Computer or other PDA.
- 3.4** Specifically, calls, texts and emails must not be read, answered or acknowledged by a driver at any time while driving or operating a motor vehicle, whether in slow or stopped traffic, at stop signs and/or at red lights. A driver is not permitted to read, listen to or respond to such messages until the vehicle is removed from traffic flow and fully stopped with the parking brake activated at a safe location.
- 3.5** Employees and ERM Agents who incur any legal liability or penalty (whether criminal or civil) resulting from the use of a Mobile/Cell phone, Computer or other PDA while driving will be solely and personally responsible for all liabilities and consequences that result from such actions.
- 3.6** When on a client site or travelling with clients or on client business, Employees and ERM Agents will respect the higher of the requirements of this policy or any similar safety standard or policy of the client. Employees and ERM Agents should enquire and satisfy themselves of any such client standard or policy in such circumstances.
- 3.7** Drivers who are contracted by the Company to transport ERM Employees on Company business are ERM Agents and therefore subject to all provisions of this policy. In the case of Public Taxi drivers who transport Employees, drivers should be requested to refrain from using their Mobile/Cell

phones, Computers and other PDAs while driving where this can be done without compromising safety.

3.8 In-built Navigation Systems and Mobile/Cell phones, Computers and other PDAs which have the ability to provide navigation may be used by the driver to provide this functionality when operating a vehicle, only when the following stipulations are met:

- the journey is programmed into the device before operating the vehicle and the driver does not interact with the device in any way while operating the vehicle; and
- the device is secured via a cradle/holder designed specifically for the device and therefore the device is not “held” or placed unsecured in the operator compartment of the vehicle.
- Other functionalities to send/receive calls or texts or other messaging are disabled, to avoid potential distraction.

In circumstances where these stipulations are not able to be met, the above equipment must not be used.

3.9 Employees and ERM Agents who violate this policy will be subject to appropriate disciplinary action, up to and including termination.

4.0 EXEMPTIONS FROM THIS POLICY

The following exemptions from this policy may be applicable in each case relating to the use of a Mobile/Cell phone, Computer or other PDA device:

- 4.1** Use while in a vehicle when properly parked with the parking brake activated in a rest area, designated parking area or other safe location;
- 4.2** Use by passengers provided the use is not a distraction to the driver of the passenger vehicle;
- 4.3** Use in the context of security tracking as stipulated in an ERM Travel Risk Assessment to a High or Extreme Risk location, provided all other relevant provisions of this policy are observed and complied with; and
- 4.4** Use to make a call to emergency services (e.g. fire, police, ambulance, etc) in an emergency situation when it is not safe to pull over or stop.

ERM Global Policy Manual Administration

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Original Approval: On file with the Health and Safety Department.

Authority to Amend this Policy: Group CEO

Authority to Waive this Policy: None

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Docket Responsibility for Review Cycle: Chief Compliance Officer and Global H&S Director