

Employee Abuse of Cell Phones

by

Suzanne Robin, Demand Media

Abstract

If it's hard to get into the bathroom at your workplace because all the stalls are filled with employees hiding out, frantically sending text messages and checking social media networks, your workplace has a cell phone problem.

While some workplaces have forbidden cell phone use altogether, making it grounds for being fired, resourceful employees can always find a place to sequester themselves with their phone -- like the bathroom. Getting caught, however, could mean getting fired.

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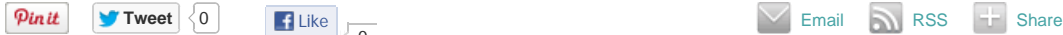


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If it's hard to get into the bathroom at your workplace because all the stalls are filled with employees hiding out, frantically sending text messages and checking social media networks, your workplace has a cell phone problem. While some workplaces have forbidden cell phone use altogether, making it grounds for being fired, resourceful employees can always find a place to sequester themselves with their phone -- like the bathroom. Getting caught, however, could mean getting fired.



There's a right way and a wrong way to use your cell phone at work.

Effect on Your Work

Your employer puts money in your bank account in exchange for the work you do. It's reasonable for your employer to expect that you're spending your work time working, which doesn't include checking text messages, playing games or peeking at stock quotes. Most offices understand that kids have issues, your mom might need to get in touch with you or that you need to make doctor's appointments occasionally. But they also understand that excessive time on your cell phone is essentially stealing, because you're not giving your employer his money's worth of work. And if you're trying to work and check your phone at the same time, you're more likely to make work mistakes, which also costs your employer money.

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Effect on Co-workers

If you want to aggravate your co-workers, spend time on your cell phone while they're working, or leave your phone on while you're elsewhere in the office so they can listen to your annoying ring tone -- the one you picked to designate that your kids are calling -- over and over. Co-workers are understandably upset when they're working and you're not, even though you're both being paid to do so. The ringing of a cell phone also distracts your co-workers from their own tasks, causing a break in concentration that affects their productivity. And saying that everyone does it is no excuse, because there's always at least one person who is a stickler for rules in every office -- and she could end up being your next boss.

Effect on your Job

Bosses have become angry enough about cell phone use during work hours to enact strong policies about cell phone use and what it means for your future employment. You might receive a formal reprimand that stays in your work file until the end of time, or even be fired for excessive cell phone use at work. If there's a written policy forbidding cell phone use except at certain times, such as on breaks and at lunch, you won't have a leg to stand on if you want to keep your job.

Legal Issues

In most cases, there are no government regulations about using cell phones at work; the exceptions being if you work in certain government offices or municipal jobs, like city bus drivers.

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However, if you make a mistake at work because you were taking a peek at your phone to make sure none of your friends has done anything earthshaking in the last five minutes, it could be a costly mistake. If you work as a teacher's aide, for example, and aren't watching the kids on the playground because you're looking at your phone, or a hospital worker distracted by your cell phone, the mistake could cost not only you but someone else. If an accident or error occurs, your cell phone records could end up in court with you.

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- [Journal of Environmental Psychology: The Distracting Effects of a Ringing Cell Phone: An Investigation of the Laboratory and the Classroom Setting](#)
- [Risk Management and Healthcare Policy: Distraction: an Assessment of Smartphone Usage in health Care Work Settings](#)
- [Smithson Employment Law Corporation: Making the Call on Workplace Cell Phone Abuse](#)
- [NUCA.com: Sample Cell Phone Policy](#)

About the Author

Suzanne Robin is a registered nurse with more than 25 years of experience in oncology, labor/delivery, neonatal intensive care, infertility and ophthalmology. She also has extensive experience working in home health with developmentally delayed or medically fragile children. Robin received her RN degree from Western Oklahoma State College. She has coauthored and edited numerous books for the Wiley "Dummies" series.

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- Gill, P. S., Kamath, A., & Gill, T. S. (2012). Distraction: an assessment of smartphone usage in health care work settings. *Risk Management and Healthcare Policy*, 5, 105.
- Smithson Employment Law Corporation: Making the Call on Workplace Cell Phone Abuse
- NUCA.com: Sample Cell Phone Policy

Remind employees that their rest periods are their breaks from work and that cell phones may be used during this time. If an employee is concerned they'll receive a call during work hours they just can't miss (perhaps they are expecting a call from a doctor, or their child wasn't feeling 100% but they went to school, and the parent is concerned they may need to pick them up early, etc), have them discuss with you ahead of time the process to allow them to take this call. Perhaps have them give their cell number and time they can take the call to the doctor's office, or have the school contact A cell phone usage policy includes a set of restrictions on how you can interact with your cell phone and other mobile devices while at work. It can apply to any device that can download files from the internet or send and receive text messages, emails and phone calls. Cell phone usage policies can apply to both personally owned and company-issued devices. How do employers enforce a cell phone usage policy?Â The rules of cell phone usage for employees while at work should apply to all members of the company equally. 2. Industry type. If youâ€™re in the hospitality or food service industry, you may not be able to use your personal cell phone when youâ€™re working directly with customers. 3. Flexibility. A cell phone policy that allows for some flexibility is easier to enforce. 4. Liability. Cell phones should not be allowed to distract employees from business tasks. They should not be used for surfing the internet or gaming during work hours. Cell phones should never be used while driving, operating equipment, or in any situation where they can cause accidents. Detailed Company Cell Phone Policy: The [company name] cell phone policy offers general guidelines for using personal and company cell phones during work hours. The purpose of this policy is to help us all get the most out of the advantages cell phones offer our company while minimizing distractions, accidents, and frustra With the prevalence of cell phones in todayâ€™s society, many companies struggle with how to manage employee time spent on personal mobile devices. But there are legal limits on what employers can do on this front. The National Labor Relations Board (NLRB) has taken the position that employees have a presumptive right, in most instances, under the National Labor Relations Act (NLRA) to use personal phones during breaks and other non-working times. A recent advice memo issued by the agency has reaffirmed its stance â€“ even since the NLRB generally has taken a more lax view of employer personnel po