

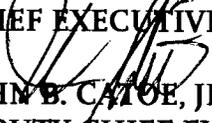
**Metro**

May 12, 2004

TO: BOARD OF DIRECTORS

THROUGH: ROGER SNOBLE

CHIEF EXECUTIVE OFFICER

FROM: JOHN B. CATOE, JR.

DEPUTY CHIEF EXECUTIVE OFFICER

SUBJECT: CELL PHONE POLICY

ISSUE

At the April 2004 Board meeting, Director Ludlow inquired about the MTA safety policy on cell phones, the recall of cell phones from bus operators, and what disciplinary actions are enforceable per the union contract.

DISCUSSION

The CEO approved the Safe Use of Electronic Device Policy in February of 2004. This policy prohibits the use of cell phones while operating any bus, train or machinery, or while in safety-sensitive areas. The only exception is for emergency use, as a back up to any approved and recognized MTA communication system. The policy also prohibits employees from using cell phones while operating non-revenue vehicles and personal vehicles while on MTA business. The only exception in this situation is for emergency or urgent calls, and then only if the call does not interfere with the safe operation of the vehicle. Hands-free cell phone use is recommended for such calls. The policy also addresses the use of other electronic devices such as pagers and Personal Digital Assistant's (PDA's). In general, their use is allowed if authorized by MTA for the intended activity and such use does not interfere with the ability to safely conduct MTA business.

Fifty-three cell phones were assigned to the bus divisions. Thirty-one are being recalled concurrently with the introduction of ATMS, leaving a total of twenty-two phones available for use. During the ATMS transition period, each bus division is assigned two cell phones to ensure ADA bus service availability. These phones are assigned to an operator whenever a lift-equipped bus has a non-functioning radio but is otherwise ready and available for revenue service. Once the reliability of the ATMS is proven during the transition period, a decision will be made whether or not to recall the twenty-two assigned ADA phones.

Any instance of not adhering to the policy is now considered a major violation subject to progressive disciplinary action. Previously, unauthorized use of cell phones was

classified as only a minor safety infraction. This change was made in agreement with the UTU in January 2004.

NEXT STEPS

Staff will monitor the implementation of this policy, which applies uniformly across all Metro personnel.