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## EMPLOYEE ELECTRONICS USE AND COMMUNITY ASSOCIATION LIABILITY

Distracted driving—what many are guilty of when they use digital devices on the go—is rapidly entering law books around the world, and if employees are doing it on community association time, your community association could face a hefty lawsuit.

According to risk prevention specialists at Zurich Services Corporation, employers could be held vicariously liable if they permit employees to use particular technologies while driving. This could include operating a community association-owned cellular phone or mobile device while driving. Since 2001, a growing number of jury awards have illustrated that businesses could be forced to pay the price for employees' distracted driving.

Many businesses have put people at risk over their laissez-faire attitude towards technology usage in their workplaces. In fact, many companies encourage it if it means increased productivity. But companies are now threatened by lawsuits if an employee is negligent with an electronic device.

Every community association should consider developing an electronics usage policy and implement it uniformly to help proactively manage this risk. Guidelines for creating an electronic usage policy include:

- Restricting use of all types of technologies (iPhone, Blackberry, laptop, cellphone) in the community association distracted driving policy
- Prohibiting use of non-work related technology gadgets in non-office work areas to help minimize distractions and other safety-related hazards
- Enforcing rules consistently and fairly with all employees

Although electronics usage policies by themselves do not guarantee success in preventing risks associated with distracted driving, they may help reduce exposure and, more importantly, send a clear safety message to employees.

If you have any questions or need further information, please contact Steve Dickerson (703-205-8788 or [Steve.Dickerson@usi.biz](mailto:Steve.Dickerson@usi.biz)) or Theresa Melson (703-205-8753 or [Theresa.Melson@usi.biz](mailto:Theresa.Melson@usi.biz)).

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### DO YOU KNOW...?

If employees are texting while driving on community association time, your community association could face a hefty lawsuit?

