



## Why should my company adopt the **Buckle Up Phone Down** Policy?

### The Problem



Motor vehicle crashes are the leading cause of work-related deaths in the U.S.<sup>1</sup>

### The Lives



From 2011-2020, more than 17,000 workers in the U.S. died in a work-related motor vehicle crash.<sup>1</sup>

### The Costs



In 2019 alone, work-related crashes cost employers \$39 billion.<sup>2</sup>

- \$75,000 per nonfatal injury
- \$751,000 per death

#### Sources

<sup>1</sup>Bureau of Labor Statistics [2022]. [Census of Fatal Occupational Injuries, 2019-2020](#).

<sup>2</sup>NETS [2021]. [Cost of Motor Vehicle Crashes to Employers – 2019](#)

## What are the implications for my company?

**Employee Safety.** Obviously the first implication is ensuring the safety of your most important resource – your employees. Allowing employees to conduct business on cell phones while driving makes them **four (4) times more likely** of being in a motor vehicle crash. The risks are even higher when the employee is texting and emailing while driving.

**Legal Liability.** The second is legal liability to your company if another person is injured or killed in a crash caused by your employee. Jury awards and settlements in recent years have included amounts of **\$21.6 Million, \$18 Million, \$16.1 Million, and \$5.2 Million**. Your best legal protection is putting in place a policy that prohibits all work-related phone use by all employees in any vehicle.

# It just takes one.

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## **\$24.7 MILLION – COMMERCIAL TRANSPORTATION COMPANY, 2008 CRASH IN MISSOURI**

A federal judge awarded \$18 million, a district court awarded \$6 million, and a jury awarded \$700,000 in three cases involving a crash that killed three people and injured 15 others, some seriously. The driver of the tractor-trailer was checking his phone for text messages when his truck ran into 10 vehicles that had stopped in backed-up traffic on a freeway. The driver had reached for his phone and flipped it open, missed seeing the stopped traffic and hit the vehicles without braking first. In this instance, \$18 million was awarded to a plaintiff who sustained serious brain injuries, leaving him paralyzed and unable to walk or talk until his death in 2011; \$6 million was awarded to the family of one of the deceased; and \$700,000 was awarded to a victim who suffered broken bones. In addition to these awards there were several smaller ones.

The legal liability to other injured non-employees is significant. But what is the cost of treating and caring for your employees who are involved in a motor vehicle crash while on the job?

Looking at Missouri workers' compensation claims caused by motor vehicle accidents with more than three (3) days of lost time from work, the average claim cost is \$126,000.

**\$92,000 in medical costs**



**\$34,000 in paid time off and monetary settlements**



**97 lost workdays per incident<sup>2</sup>**



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<sup>1</sup> Information from the National Safety Council

<sup>2</sup> Information from Missouri Employers Mutual Insurance Company