

CELL PHONE POLICY

OBJECTIVE AND SCOPE

This policy outlines the use of cellphones at work and the safe use of cellphones by NMC employees while driving. This policy applies to all NMC employees.

POLICY

Safety issues for cellphone use

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times.

Safety must come before all other concerns.

Employees whose job responsibilities include regular or occasional driving and who are issued an NMC cellphone for business use are expected to refrain from using their phone while driving; use of a cellphone while driving is not required by the NMC.

Regardless of the circumstances, including slow or stopped traffic, all employees are expected to use hands-free operations or pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Hands-free equipment may be provided with company-issued phones to facilitate the provisions of this policy.

All employees are expected to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area.

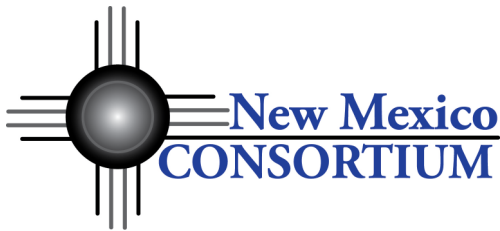
NMC adopted Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving. Reading or sending text messages while driving is strictly prohibited while driving NMC-rented vehicles or while driving privately-owned vehicles in connection with NMC activities.

Employees who are charged with traffic violations resulting from the use of their phone (NMC-owned or personal) while driving will be solely responsible for all liabilities that result from such actions.

Preserving information on mobile communication devices

Pursuant to federal law, whenever NMC is sued or reasonably anticipates that litigation may be commenced, it must take actions to preserve all electronically stored information that may be relevant to the claim. This requires NMC to suspend the deletion, overriding, or any other

destruction of electronic information relevant to the dispute that is under the control of NMC. This includes all forms of electronic communications – e.g., email, word processing, calendars, voice



messages, videos, photographs, etc., wherever it is stored, including on a mobile communication device such as a smart phone. This electronic information must be preserved so that it can be retrieved – if necessary – at a later time in connection with the lawsuit. Consequently, mobile communication devices used to conduct NMC business, whether owned by NMC or the individual, may be subject to these preservation rules.

Video or audio recording devices

The use of cameras or other video or audio recording-capable devices on NMC premises is prohibited without the express prior permission of senior management and of the person(s) subject to recording. Video or audio recording in restrooms is strictly prohibited.

Employees are not allowed to:

1. Play games on their cell phone (personal or company-issued) during work hours.
2. Use their device (personal or company-issued) in an area where cellphone use is explicitly prohibited (e.g., some courthouses, laboratories, hospitals, meetings).
3. Download, upload, or view inappropriate, illegal, or obscene material on any device or over the business's internet connection.

Personal cellphones

While at work on NMC premises, employees are expected to exercise discretion in using personal cellphones. Excessive personal calls during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls during nonwork time when possible and to ensure that friends and family members are aware of NMC's policy.

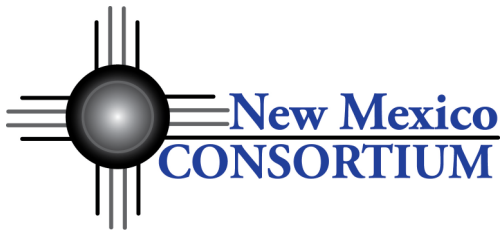
Personal devices used for business will not be subsidized by NMC except in special circumstances as approved by CEO or designee.

Company-provided cellphones

NMC will accommodate its administrative staff with valid business needs for mobile communication devices by issuing NMC-owned mobile communication devices. An NMC device must be authorized by the CEO and must be purchased and serviced under the NMC's corporate account program managed by the NMC Office Manager. NMC has a corporate account in place with Verizon Wireless.

Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection.

eligibility. To be eligible for consideration for an NMC-owned cell phone, administrative staff must have a valid business need. Valid business need, in accordance with position-related requirements, is the need to be readily accessible for contact with clients, public, or with NMC employees coupled with the impracticability or absence of a regular landline telephone for required or essential business needs due to one of the following:



1. Frequent and regular travel as part of job responsibilities.
2. Working permanently at a business location where a landline is unavailable or impractical.
3. Frequently out of landline contact during business hours. The need to receive or initiate communication in emergencies.
4. The need to be always accessible and available during nonbusiness hours or by electronic means.

Personal Use. Personal use of company-owned cellphones should be kept to a minimum.

Maintenance. Employees in possession of NMC-owned cellphones are expected to protect the equipment from loss, damage or theft and maintain it in like-new condition, minus regular wear and tear.

International use.

Employees intending to use their NMC-issued cellphone or conduct NMC business using their personal cellphone outside of the continental United States must obtain prior approval by submitting the [International Travel Form](#) to research@newmexicoconsortium.org. NMC will review the request and make necessary arrangements for appropriate cell phone use in the country/ies the employee intends to visit. Our Verizon plans have unlimited usage in the United States but not in foreign countries without prior international plan selection. Employees who fail to notify NMC about international travel and then incur international charges for cellphone use abroad, whether for data or voice usage, will be responsible for said charges.

CONSEQUENCES FOR VIOLATORS

Employees violating any provision of this policy will be subject to discipline, up to and including termination of employment.

EMPLOYEE ACKNOWLEDGEMENT

The undersigned employee acknowledges that he or she has read the cellphone use policy and agrees to comply with all terms of the policy.

Employee Signature:

Date: