

## MOBILE PHONE POLICY

### 1. PURPOSE

- 1.1 The purpose of this Policy is to provide employees of Dark Knight Engineering Group ('DKE Group') with rules regarding the appropriate use of their DKE Group supplied company mobile phone and private mobile phones used during the course of performing duties in DKE Group's business.

### 2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence on and from 16/01/2023. It replaces all other policies or arrangements governing the usage of mobile phones (whether written or not).

### 3. APPLICATION OF THIS POLICY

- 3.1 This Policy applies to all employees of DKE Group.
- 3.2 This Policy does not form part of an employee's contract of employment.

### 4. ELIGIBILITY

- 4.1 An employee may be eligible to have a company mobile phone if, in the view of DKE Group, it is deemed necessary for the appropriate performance of their position. For example, if the employee's duties require them to spend time out of the office and/or to be contactable outside the normal hours of work.
- 4.2 Alternatively, DKE Group may reimburse an employee for the cost of business-related phone calls made from their personal mobile phone in circumstances where the employee is not provided with a DKE Group mobile phone.

### 5. USE

- 5.1 The company mobile phone is provided primarily to allow contact with the employee by other employees or customers or to enable the employee to contact DKE Group and its customers.
- 5.2 Employees must not use their company mobile phone OR their private mobile phone while operating a motor vehicle unless a 'Hands-free Car Kit' is installed in an employee's vehicle.
- 5.3 Employees must not use their company mobile phone OR their private mobile phone while operating plant of any type.
- 5.4 Permission to use mobile phones and personal entertainment devices to listen to music must be obtained from the Supervisor of your workplace, and will be subject to several factors including communications needs, the need to hear signals, possibility of distraction during hazardous events, etc. Permission should always be sought before using the device, and care must be taken not to distract or disturb other workers by using the device.
- 5.5 Employees who have been provided with a company mobile phone with email and internet access must comply with DKE Group's policies dealing with email and internet access where relevant.

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## **6. PRIVATE USE**

- 6.1 A company mobile phone is provided predominantly for work purposes. Therefore, private usage of the company mobile phone should be kept to a minimum.
- 6.2 If DKE Group believes an employee is using a company mobile phone irresponsibly or unreasonably, then the employee may have the company mobile phone removed or be requested to reimburse DKE Group for excessive personal calls.
- 6.3 In those circumstances, the employee's company mobile phone use will continue to be closely monitored until a more reasonable proportion of business versus private use is achieved.
- 6.4 An employee must not use the company mobile phone in any way that may damage the legitimate interests of the DKE Group's business and employment relationships.

## **7. USE OF MOBILE PHONES IN THE OFFICE**

- 7.1 If customers expect to contact an employee on their company mobile phone rather than on a regular fixed telephone in the office, then the company mobile phone should be kept on, even when in the office.
- 7.2 In circumstances where a fixed telephone is available to make outgoing calls then use of the company mobile phone for that purpose is discouraged.
- 7.3 Private mobile phones must be on silent at all times and may only be answered in cases of emergency or during designated work breaks.

## **8. VOICEMAIL**

- 8.1 An employee must activate the voicemail set up on their company mobile phone so that calls divert to voicemail when unanswered or busy. Missed calls should be returned in a timely manner (ie within 2 hours) and employees should ensure they clear their voicemail regularly. Voicemail set up on a company mobile phone should say 'Hello, this is (name), (title) of DKE Group. I am unable to take your call right now so please leave your name, number and a short message and I will return your call shortly'. This message should be modified if an employee is on leave.

## **9. MOBILE PHONES (COMPANY AND PRIVATE) IN MEETINGS**

- 9.1 It is common courtesy to switch mobile phones off before entering a meeting.
- 9.2 DKE Group understands that extenuating circumstances may exist that require employees to leave their mobile phone switched on during meetings. If this is the case, then employees should politely inform the other attendees prior to the commencement of the meeting that they may be expecting a call and so their mobile phone will be left on during the meeting.

## **10. DIVERTING FIXED TELEPHONE WHEN OUT OF THE OFFICE**

- 10.1 If an employee is out of the office, the employee should divert calls coming in via their fixed telephone to their company mobile phone.

## **11. LOST, STOLEN OR DAMAGED COMPANY MOBILE PHONES**

- 11.1 DKE Group expects all employees who have been allocated a company mobile phone, to take the utmost care and responsibility for them.

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11.2 If a company mobile phone is lost, stolen or damaged, it should be reported to your manager or supervisor as soon as that event occurs.

11.3 Depending on the circumstances in which the company mobile phone was lost, stolen or damaged, the employee may be held responsible for replacing the company mobile phone if the loss, damage or theft was caused or contributed to by the employee's lack of care.

## **12. RETURN OF THE COMPANY MOBILE PHONE**

12.1 On termination of employment or otherwise at the request of DKE Group, an employee who has been issued with a company mobile phone must return the company mobile phone to the Managing Director. Any battery chargers or other accessories supplied by DKE Group for use with the company mobile phone must also be returned.

## **13. WORK HEALTH AND SAFETY**

13.1 The use of mobile phones (both company owned and private) in certain parts of the workplace and in vehicles can create unsafe situations or potentially unsafe situations.

13.2 It is illegal in all Australian states and territories to use a hand-held mobile phone while operating a vehicle. This includes, but is not limited to, talking, texting or using any other function of a mobile phone whilst the vehicle is operating.

13.3 Supervisors and managers may issue general notices or particular notices to employees regarding the use of mobile phones if they perceive a real or potential work health and safety risk.

13.4 Employees are required to comply with such orders, directions and notices issued by supervisors or managers.

## **14. USE OF EMPLOYEE'S MOBILE PHONE FOR BUSINESS PURPOSES**

14.1 With the agreement of DKE Group, an employee may use his or her own private mobile phone in connection with DKE Group's business according to the terms agreed with DKE Group.

14.2 When this occurs, DKE Group will pay the cost of those calls on the completion of an 'expenses claim form' by the employee. The form must be submitted with copies of mobile phone invoices for the relevant period, identifying those calls that are work related.

14.3 When using his or her own private mobile phone on DKE Group's business, an employee must not use the device in any way that may damage the legitimate interests of the DKE Group's business.

14.4 If an employee is permitted to use his or her own private mobile phone in connection with DKE Group's business, then DKE Group may require the employee to produce any records arising out of or in connection with work related use of that employee's own mobile phone, including for the purposes of justifying any claim for reimbursement.

## **15. USE AND DISCLOSURE OF RECORDS**

- 15.1 DKE Group may use and/or disclose any records arising out of or in connection with the use of a company mobile phone or work-related use of an employee's own private mobile phone, including where that use or disclosure is:
- (a) for a purpose related to the employment of any employee or related to DKE Group's business activities; or
  - (b) use or disclosure to a law enforcement agency in connection with an offence; or
  - (c) use or disclosure in connection with legal proceedings; or
  - (d) use or disclosure reasonably believed to be necessary to avert an imminent threat of serious violence to any Person or substantial damage to property.
- 15.2 An employee is taken to have consented to the use and disclosure of any record arising out of or in connection with the use of a company mobile phone or work-related use of an employee's own private mobile phone.

## **16. ENFORCEMENT**

- 16.1 Employees must comply with the requirements of this Policy. Any breach of this Policy may result in disciplinary action which may include termination of employment.
- 16.2 Other disciplinary action that may be taken includes, but is not limited to, issuing a warning, suspension from using a mobile phone for DKE Group's business whether permanently or on a temporary basis.

### **Variations**

*DKE Group reserves the right to vary, replace or terminate this policy from time to time.*

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