



## Department of Energy

Washington, DC 20585

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### MEMORANDUM FOR HUMAN RESOURCES DIRECTORS

**FROM:** SARAH J. BONILLA, DIRECTOR  
OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

**SUBJECT:** GUIDANCE MEMORANDUM #6:  
Reducing Text Messaging While Driving

On October 1, 2009, the President signed Executive Order 13513 Federal Leadership on Reducing Text Messaging While Driving. This Order directed all agencies of the executive branch to take appropriate action within the scope of their existing programs to further the policies of this order and to implement the following:

Federal employees shall not engage in text messaging (a) when driving Government –owned, Government-leased, or Government-rented vehicles or when driving privately-owned vehicles while on official Government business, or (b) when using electronic equipment supplied by the Government while driving.

The current DOE Order 3750.1, Administering Workforce Discipline does not address texting while driving. Therefore, to enforce the President’s Order as well as general vehicle operation safety, the following information will serve as guidance:

**OFFENSE** Failure to operate a motor vehicle in a safe manner due to text messaging while driving resulting in possible or actual minimal damage to property when (1) driving Government –owned, Government-leased, or Government-rented vehicles or when driving privately-owned vehicles while on official Government business, or (2) when using electronic equipment supplied by the Government.

**ACTION** **First Offense** - Reprimand to Removal  
**Second Offense** - 5 Day Suspension to Removal

**OFFENSE** When actual major damage to property is involved or possible or actual danger to lives or well being of others

**ACTION** **First Offense** - 5 Day Suspension to Removal  
**Second Offense** - Removal

This is Guidance only. The Department’s “Table of Penalties” is but one of the factors to be considered by the deciding official. The other factors (depending on relevance), called the “Douglas Factors” – <http://www.ae.org/douglas-factors.pdf> must also be considered. The above Guidance may not take the place of managerial discretion.

Should you have questions or need clarification, please contact either Vivian Clark at 202-586-2167, e-mail address [vivian.clark@hq.doe.gov](mailto:vivian.clark@hq.doe.gov) or Jeffrey Dowell at 202-586-3380, e-mail address [jeffrey.dowell@hq.doe.gov](mailto:jeffrey.dowell@hq.doe.gov).

