

Davis Applied Technology College: A Utah College of Applied Technology Campus Mobile Communications Agreement and Procedures

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Board Approval: 28 September 2006

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1. Purpose

To provide general policies governing payment made for cellular phone use by employees of the Davis Applied Technology College: A Utah College of Applied Technology Campus (College Campus).

2. Compensation for Employee Owned Cellular Plans and Devices

If the College Campus requires an employee to carry a cellular phone in order to perform his/her duties, the employee, with approval of the cognizant Vice President, will obtain a personal cellular access plan and cellular phone and will be compensated by the College Campus within approved limits. This compensation must be justified by business requirements which necessitate the use of a cellular telephone to perform official College Campus business where such business cannot be accommodated by the use of a land-line phone, pager, or other communication device. Approved procedures must be followed when providing compensation for this purpose.

2.1. Department managers and directors must determine the business cellular communication needs of the employee. Department needs should dictate the type of plan and level of service required. Because the telephone is owned by the employee, it may be used for personal as well as business use, but must be available for the performance of responsibilities as designated by the manager or director. In general, this means in possession of, and turned on during those times specified by supervisor.

The employee may obtain a more expensive plan if desired for personal use, but will only receive the compensation amount agreed upon for College Campus business use. Payment of bills for the cellular plan and device are the responsibility of the individual, not the department.

2.2. Department managers shall select a monthly compensation allowance based on anticipated monthly College Campus business use. The allowed monthly compensation for mobile communication plans must be based on the requirements of the employee's position. Amounts may be selected in \$1 increments from \$10 to \$160. The \$1 dollar increment allows department managers and directors to select a plan that most closely approximates actual business need.

If business use results in a billed amount that is more than the allowance amount, reimbursement may be sought with appropriate documentation through regular expense reimbursement procedures.

2.3. The department will contribute toward the activation of a cellular service plan and the initial purchase or upgrade of a communication device, if such a purchase or upgrade is necessary for the performance of the employee's job duties, up to \$100 for a phone that requires internet access and up to \$50 for a phone requiring voice only including all available rebates.

The department may also contribute toward the replacement of aging or non-functioning devices every two years up to \$100 for a phone that requires internet access and up to \$50 for a phone requiring voice only including all available rebates, provided the employee's job responsibilities continue to require the use of a cellular device at the time of replacement and a suitable phone is not offered to the employee by their service provider for free at the time of upgrade. Exceptions may be made on a case by case basis as approved by President's Council.

Any cost of additional services, such as ringtones, text and picture messaging, insurance, apps, etc or accessories other than a wall charger will be assumed by the employee.

2.4. Compensation for the purchase or upgrade of a communication device should be sufficient to purchase a device required for the performance of the employee's duties. The employee may select a more expensive device but will not receive compensation above limits set forth in this policy.

2.5. At the department's discretion, College Campus departments may elect to purchase and provide "push-to-talk" mobile devices to faculty and staff. This applies where specialized push-to-talk functionality that can be restricted to College Campus communications only is required, and the devices by nature and function can be restricted to College Campus business only.

In addition, with vice-presidential approval, departments may obtain a cellular phone and service plan for departmental use when the phone will not be specifically assigned to one individual. These phones must be restricted to College Campus business use only and a record of all calls, both incoming and outgoing, must be maintained documenting the individuals talked to and the business purpose.

Because the devices can be used for College Campus communication only, the department will be responsible for the cost and contract obligations of the service plan. In this case, the devices remain the property of the College Campus and must be surrendered immediately to the department upon termination of employment or cessation of the department need.

2.6. The employee will own the device. The College Campus cannot be held accountable for any illegal or improper use of a mobile device not owned by the College Campus. The employee will be responsible for the maintenance and security of their communication device. In the event an employee's device is lost or becomes inoperable, the costs associated with its replacement are that of the employee. Exceptions may be made on a case by case basis as approved by President's Council

2.7. The College Campus compensation for the communication device and plan is not considered an entitlement, is not part of an employee's base salary, and may be changed and/or withdrawn by the College Campus at any time. It will be paid in regular installments from departmental funds as authorized by the department manager.

3. Approval

3.1. Departments are responsible to determine the budgetary impact of this program, and to determine whether or not an employee's job requires use of cellular service. The College Campus compensation for the purchase of personally owned services must be directly linked to the employee's job duties and responsibilities.

3.2. Department managers and directors, in cooperation with the Information Technology Director, are responsible for determining and approving the appropriate compensation amount for an employee based on job responsibilities. The determination should include the appropriate number of plan minutes, long distance calling options, data plans, and other plan features that are required for the performance of the employee's job responsibilities.

3.3. College Campus compensation for employee-owned communication plans is not to be based on a particular title or position. Use should be based on the actual job requirements of a faculty or staff member.

3.4. It is the department manager's or director's responsibility to review cell phone needs in his or her department on at least an annual basis to determine if monthly compensation amounts should be changed or discontinued. The department should notify Payroll immediately when any changes to compensation amounts are needed during the year by completing and processing a new Cellular Services Agreement form and Personnel Action Notice (PAN).

The list of department approved cell phones and compensation levels will be reviewed and receive approval for the following fiscal year by the President's Council during the fourth quarter of the current fiscal year, no later than the 15th of June, to ensure sufficient time for payroll to process any needed changes.

3.5. The employee and the manager/supervisor must sign a standard College Campus agreement that: (1) documents the business need for a cell phone, (2) outlines the requirements the employee will observe in obtaining a phone and service plan that meets department requirements, and (3) defines the conditions for making it available when needed (as defined by the department, e.g., for on-call use).

3.6. Approval forms/agreements, proof of purchase and other documentation must be submitted prior to any compensation for cell phones or recurring billing charges. A copy of a recent billing statement must also be provided by April 1st of each year in order for the compensation to be considered for the next fiscal year and will be retained for internal or external audit purposes.

4. Recommended Vendors/Service Plans

4.1. Departments and employees should, where possible, purchase telephone plans that are available from approved vendors participating in College Campus, or state contracts. In most cases, contracted discounts are available to employees. The department manager or director, in cooperation with the Information Technology Director, may require use of a specific vendor in order to make the best use of in network calling features.

4.2. Notwithstanding paragraph 4.1, an employee may purchase any communication device or service plan that meets the job requirements specified by the supervisor or department head, regardless of price. However, the employee will be responsible for any additional expenses above the College Campus compensation approved by the department.

5. Employee Responsibilities

5.1. The employee is responsible for the selection of and enrollment in an appropriate communication service plan. The plan must, at a minimum, cover the requirements identified by the supervisor and approved by the department manager or director. The employee may select service from any vendor whose service meets the requirements of the employee's job responsibilities as determined by the supervisor and approved by the department manager or director.

5.2. An employee receiving College Campus compensation for cellular service must provide his/her department with the phone and/or PDA number of the communication device within five (5) working days of activation.

5.3. The employee must be able to show when requested by their supervisor, they are the primary account holder and the monthly bill, including taxes and fees, is at least the amount of the College Campus compensation. If the monthly bills do not on average, equal or exceed the amount of the compensation, the supervisor may adjust the amount of the compensation to a lower amount or may discontinue the compensation for the employee's cellular service.

5.4. The employee is personally responsible for complying with any contract entered into with a communication service provider including payment of all expenses incurred (including long distance, roaming fees, and taxes). In the event that an employee leaves the position, he/she continues to be responsible for the contractual obligations of the cellular service plan.

5.5. An employee receiving College Campus compensation toward the purchase of cellular devices or services must notify his/her department head as soon as possible and in no case more than five (5) working days beyond inactivation of the communication service or loss or theft of the communication device.

6. Fees for Contract Changes or Cancellation

6.1. If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation.

For example, the employee quits, and no longer wants to retain the current cell phone contract for personal purposes. In extenuating circumstances a department manager or director, in cooperation with the Information Technology Director, may choose to waive this requirement.

6.2. If, prior to the end of the cell phone contract period, a College Campus decision (unrelated to employee misconduct) results in the need to end or change the cell phone contract, the College Campus will bear the cost of any fees associated with that change or cancellation.

For example, the employee's supervisor has changed the employee's duties and the cell phone is no longer needed for business purposes. If the employee does not want to retain the current contract, change or cancellation fees will be reimbursed by the College Campus.