

**Purpose**

To establish procedures for the assignment of an allowance for cellular telephones and other wireless, handheld mobile communication devices (collectively, "mobile communication devices").

**Eligibility**

Members of the College Council are automatically eligible for an allowance under this policy. All other employees will be eligible on a case-by-case determination by the vice president, administrative services, and the recommendation of the employee's department head based upon the nature of work the employee performs and if the need to maintain contact with the employee during work hours and non-work hours is best accomplished by using a cell phone. Eligibility is not based on job title or personal convenience. Employees meeting the following criteria will generally be considered eligible:

- A. Facilities and critical systems employees subject to afterhours call out.
- B. Emergency responders (Incident Command System command staff and general staff, primary and first alternates only).
- C. Employees who routinely are responsible for the health, safety, and well-being of students away from the district and/or access to other communication services.
- D. Non-instructional employees who spend a considerable amount of time out of the office (more than 50 percent of the normal work week) on district business.

Eligibility for an allowance for a mobile communication device with advanced capabilities that enables routine transmission of emails and other data will be determined separately from a standard mobile communication device based on the need for an employee to have frequent access to district email or calendaring software while out of the office, where using a desktop or laptop PC is not practical.

This administrative procedure is not intended to apply to PC wireless broadband cards (air cards). The district will continue to be responsible for both the initial and recurring costs associated with air cards for those employees requiring remote connectivity from a laptop to the Internet. Air cards, like laptops and PCs, are considered to be district property. As such, all payments for the initial purchase and the monthly service charge will be made by the district directly to the vendor. Eligibility for an air card is determined by the department head.

This administrative procedure is intended to accommodate changes and advances in wireless handheld-communication technology and to limit the number of eligible employees to those where a business necessity exists.

Eligibility will be determined on an annual basis. Requests for modifying an employee's level of eligibility will also be on an annual basis.

### **Exemptions – District-Resident Mobile Phones**

This procedure shall not apply to district-resident mobile communication devices that meet the following criteria:

- A. The mobile communication device does not leave the district (it may be moved among the three campuses).
- B. The mobile communication device is either not a data device connected to the campus network or, if it is a data device on the network that it meets the security requirements stated below.
- C. No personal calls are permitted except in an emergency.
- D. The mobile communication device is assigned by shift (such as night custodians) or by job function.
- E. The purpose of the mobile communication device is to communicate within the district in lieu of alternative methods such as radios and pagers.
- F. A supervisor reviews the monthly invoices to ensure there is no unauthorized personal use.
- G. The mobile communication device and service are registered and billed to the district, not to an individual.

### **Standard Equipment and Service Plans**

The Academic Information Services (AIS) department is responsible for establishing standards for mobile communication devices that need to communicate with the district's e-mail system. Currently supported devices will be listed on the district's website. AIS will annually review and add appropriate devices as they enter the marketplace. Devices that meet the minimum standards will be added based on the following criteria: (1) ability to remotely wipe data, (2) ability to support administrative policies, i.e. district pass-code policy enforcement, and (3) ability to securely transmit mail, calendar information, and contacts.

Eligible employees are responsible for selecting their own service provider and paying all service charges. Enterprise data plans must be included when purchasing data devices and must be updated with current software revisions as security or compatibility issues arise.

Allowances have been established with consideration to both the cost of monthly service plans and the amortized cost of standard equipment. For mobile communication devices, monthly allowances are at three levels: (1) \$45 for employees with standard business usage (up to 400 minutes); (2) \$60 for employees with heavy business usage (900 minutes); and (3) \$80 for employees with exceptionally heavy business usage (1350 minutes). Employees authorized for a data device will receive one of the three levels of mobile communication device allowances plus an additional \$45 for data service. The department head determines the level of allowance the employee receives based on business usage. When determining business usage, consideration should be given to spikes in usage the employee may regularly experience due to emergencies, shutdowns, and travel (including roaming charges). If the employee's job is such that these spikes are expected to occur on a regular or frequent basis, the employee should be assigned an allowance amount that, on average, will cover these costs. The department head may re-determine eligibility or adjust the amount of allowance for an eligible employee as needed, based on actual business usage.

In exceptional cases, as determined by the department head, an employee may be eligible for reimbursement for additional costs incurred as a result of infrequent, unanticipated spikes in business usage that were not anticipated when the allowance amount was originally determined. Reimbursement for these additional costs will be based on the allowance amounts of this policy and will normally not exceed the difference between the employee's monthly calling plan allowance and the highest level calling plan allowance established under this policy. In truly extenuating circumstances where an employee has responsibly incurred business costs that substantially exceed this amount; the department head may make a determination to reimburse the employee for some or all of these additional costs. The request must be made in writing to the department head and contain sufficient substantiation to justify an exception to the policy. The decision of the department head will be final.

The allowance will be provided to employees through the payroll system, coinciding with the first pay period of the month following the month of use.

### **Usage and Responsibility**

Eligible employees are responsible for purchasing their own mobile communication device, establishing a service plan, and paying the monthly statement for their service plan. When an employee is first determined to be eligible, the employee may receive a one-time reimbursement of the cost of the mobile communication device, not to exceed \$50, or the cost of a data device, not to exceed \$200, upon submission of a receipt for the purchase. Additional accessories not part of the mobile communication device purchase, such as Bluetooth devices, are not reimbursable even if the total amount is within the one-time reimbursement limit.

Employees must retain an active mobile communication device while receiving an allowance. The phone number must be supplied to Payroll within five (5) working days of activation. Since the employee owns the mobile communication device, there is no restriction on personal use. The IRS, however, considers the allowance a taxable benefit to the employee. As such, the allowance is reportable to the IRS by the district and the employee. The allowance is not an increase in base pay and will not be included in calculations of salary increases or retirement benefits.

Lost or stolen mobile communication device, as well as problems with the service or equipment, should be reported to the service provider. Activation or deactivation of either the device or the account shall be the sole responsibility of the employee.

Employees shall comply with federal and state laws including not driving a motor vehicle while using a mobile communication device unless the device is enabled to allow hands-free listening and talking and is used in that manner while driving.

### **Responsibility for Contract Cancellation Fees**

If the district makes a decision that results in the need to terminate a mobile communication device contract, the district will bear the cost of any fees associated with early cancellation. An example of this would be a supervisor making a change in an employee's duties and the new duties no longer requiring a mobile communication device for district business. If the employee decides not to retain the mobile communication device contract for personal use, the district would be responsible for any early cancellation fees on the contract.

If a personal decision by the employee results in the need to end the mobile communication device contract, the employee will bear the cost of any fees associated with early cancellation. For example, if an employee quits and no longer wants to retain the current mobile communication device contract for personal use, the employee would be responsible for any early cancellation fees on the contract. It is also the employee's responsibility to notify AIS, Payroll and their supervisor of the cancellation of service and/or equipment for which compensation has been provided by the district.

### **Authorization**

The department head must authorize an allowance by completing and signing a Mobile Communication Device Allowance Authorization form and submitting it through normal channels up to their appropriate vice president or superintendent/president. After divisional approval, the form will be routed to the vice president, administrative services, for final authorization and submittal to Payroll for processing.

### **Responsibility**

Vice president, administrative services