667 Wireless Telephone and Data Service

Approved by President

Sidney A. McPhee, President

Effective Date: __________, 2018

Responsible Division: Business and Finance

Responsible Officer: Associate Vice President, Business and Finance

I. Purpose

This policy sets parameters and responsibilities regarding cell phone allowances provided to Middle Tennessee State University (MTSU or University) employees.

II. Wireless Telephone and Data Service Allowance

A. Eligibility

1. The University may provide a wireless telephone and data service allowance to an employee if at least one (1) of the following criteria is met:

   a. The job requires considerable time outside the office and it is important to the University that the employee be immediately accessible to receive and/or make frequent business calls during those times or to send and receive email;

   b. The job requires the employee to be immediately accessible to receive and/or make frequent business calls outside of working hours or to send and receive email; or

   c. Job duties away from the office may exposes the employee or others to immediate harm or danger (i.e., visits to isolated or hazardous areas).

2. Simple convenience is not sufficient. Eligibility is based on necessity, frequency, and safety, not title or position. (For example, one computer administrator may perform his/her work entirely in a campus office and is never on call, while another employee with the same title may work primarily in the field and/or may be on call after hours.)

3. The allowance will be charged to an account specified by the employee's Department Chair/Head, who must ensure availability of funding. Thus,
departmental eligibility criteria can be more (but not less) restrictive than the University criteria stated above.

4. The wireless telephone and data service allowance must be approved by the Department Chair/Head, Dean/Director, and Vice President.

B. Wireless Telephone and Data Service Allowance Amount

1. The wireless telephone and data service allowance rates will be in accordance with the rates reflected on the Allowance Request for Wireless Telephone and Data Service. Rates may be adjusted each July 1, after appropriate review and approval by the President. The allowance is non-taxable compensation to the employee. (Note: The allowance amount could exceed the direct cost of the wireless telephone and data service but may not cover all the additional taxes and fees the employee will pay.) The amount for the wireless telephone and data service allowance will be based on business use only.

2. The wireless telephone and data service allowance must be evaluated, at a minimum, on an annual basis. The supervisor, Department Head, or Dean should evaluate the amount of the allowance each June to ensure that the allowance amounts are appropriate. Documentation for the amount (such as previous phone bills) and for the necessity (as opposed to convenience) of the allowance amount should be submitted by the employee to his/her supervisor, in order to demonstrate the need for an allowance. Human Resource Services will continue to process the same allowance amount, unless they receive an updated allowance request form or a cancellation request. For any allowance changes, allowance request forms should be submitted to Human Resource Services by the 5th of the month, to be effective the current month.

3. The allowance is not an entitlement. The amount can be changed or withdrawn, without notice, at any time.

4. The wireless telephone and data service allowance is not part of base pay for calculating percentage salary increases or calculating equity adjustments. Therefore, the allowance is not included in any calculations of benefits, such as retirement.

C. Employee and University Responsibilities

1. The employee must sign the Allowance Request for Wireless Telephone and Data Service, thereby certifying that he/she will provide the phone number within five (5) days of activation and will be available for calls (in possession of the phone and have it turned on) during those times specified by management.

2. The employee may select any wireless carrier whose service meets the requirements of the job responsibilities, as determined by the Department Chair/Head. (For
example, computer technicians may sometimes work in the basements of campus buildings, where the wireless phones of only certain carriers get a signal.) In most cases, however, the employee may select the wireless carrier and plan features of his/her choice (i.e., number of anytime minutes, local vs. nationwide, individual vs. family plan, etc.).

3. The employee must inform the University to discontinue the allowance when the eligibility criteria are no longer met or when the wireless telephone and data service is cancelled.

4. Management may periodically request that the employee provide a copy of the first page of the phone bill, in order to verify that he/she has an active wireless telephone and data service plan.

5. The employee is responsible for all charges on his/her personal wireless plan, including early termination fees. If, prior to the end of the wireless phone contract, a personal decision by the employee, employee misconduct, misuse of the phone, or loss of the equipment results in the need to end or change the wireless phone contract, the employee will bear the cost of any fees associated with that change or cancellation. For example, if an employee chooses to terminate their employment, they are still responsible for their wireless phone contract and may be subject to a prorata reimbursement for any recent equipment allowance.

6. If, prior to the end of the wireless phone contract period, a University decision (unrelated to employee misconduct) results in the need to end or change the wireless telephone and data service contract, the University will bear the cost of any fees associated with the change or cancellation. For example, if an employee's supervisor changes the employee's duties, and the wireless phone is no longer needed for work purposes, the University, with documentation of payment provided by the employee, will reimburse the change or cancellation fees, if the employee does not want to retain the contract.

7. The employee does not need to provide documentation of business and personal phone calls, except as needed for business deduction purposes on employee's personal income tax.

8. It is the employee's responsibility to comply with state and municipal laws regarding the use of wireless phones while driving.

9. Wireless transmissions are not secure and employees should use discretion in relaying confidential information over wireless devices.

10. Smartphones are able to receive and store email and other University data. Smartphone users are, therefore, reminded that they must comply with all security
and data handling policies of the University. See Policy 920 Information Security for more information.

11. An employee should contact their wireless carrier immediately should their wireless device become lost or stolen, so that service can be suspended and unnecessary charges avoided.

12. If the Allowance Request for Wireless Telephone and Data Service is received in Human Resource Services by the 5th of the month, the allowance will be included in that month’s pay. If received after the 5th, it will be included beginning the following month.

13. Human Resource Services will keep approved forms on file and available for internal or external audit.

III. Special Rules for Grant Accounts

Grant accounts vary as to whether wireless telephone and data service charges or allowances are allowed. Any requests for wireless telephone and data service allowances must be approved through Grant Accounting.

IV. Miscellaneous

A. Employees cannot circumvent this policy by obtaining a Foundation-provided wireless phone plan or allowance.

B. Employees who cannot qualify for a standard rate plan through a wireless carrier may purchase, with department approval, prepaid wireless service, as long as documentation of the purchase is maintained and produced when requested by their supervisor.

C. The President has designated the Vice President for Business and Finance to approve exceptions to this policy. Exception requests should be in written form and completely explain the reason an exception to the policy is needed.

D. Human Resource Services shall terminate a wireless telephone and data service allowance when an employee transfers from one University position to another. Upon transferring, the employee should submit a new Allowance Request for Wireless Telephone and Data Service for approval, if the new position is eligible for an allowance under this policy.

Forms:

Allowance Request for Wireless Telephone and Data Service

Revisions: June 5, 2017 (original); __________, 2018.