**Mobile Services Agreement & Procedures**

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| No.   10-X   | Rev.  2    | Date  April 3, 2014       |

I. COMPENSATION FOR EMPLOYEE-OWNED MOBILE VOICE/DATA PLANS AND DEVICES

If the university requires an employee to utilize a mobile device that requires mobile voice or data capability in order to perform his/her duties, the employee, with approval of their designated approval authority, will obtain a personal mobile access plan and mobile device sufficient to perform their University duties and will be compensated by the university within approved limits as prescribed by their organizational unit. This compensation must be justified by business requirements which necessitate the use of a data and/or voice connected mobile device to perform official University business where such business cannot be conducted through the use of a land-line phone or other communication/data device. Approved procedures must be followed when providing compensation for this purpose.

A. Department managers or supervisors must determine the business mobile communication needs of the employee. Department needs should dictate the type of plan and level of service required. Because the mobile device 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 supervisor. In general, this means the mobile device must be in the possession of the employee and turned on during those times specified by the manager or supervisor.

The employee may obtain a more expensive plan or device if desired for personal use, but will only receive the compensation amount agreed upon for University business use. This also means that only the portion of a family/group plan that pertains to the employee will be compensated. Individuals will be solely responsible for bill payment for the mobile plan and device.

B. Department managers or supervisors shall select a monthly compensation allowance based on anticipated monthly University business use (see Appendix 1 for allowed compensation levels). 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 (such as petty cash). Monthly allowances received by the employee will be reported as taxable wages.

C. The department may contribute toward the activation of a mobile service plan and the purchase or upgrade of a mobile device if such purchase or upgrade is necessary for the performance of the employee's job duties. The department may also contribute at their discretion toward the replacement of aging or non-functioning devices, provided the employee's job responsibilities continue to require the use of a mobile device at the time of replacement. Any contributions towards such purchases must be approved by a dean, department head, director, or other designated approval authority prior to the transaction.

D. With dean, department head, or director approval, departments may obtain a mobile device and service plan for departmental use where the device will not be specifically assigned to one individual. These devices must be restricted to University business use only and must be setup and administered through the Support Operations department.

Because the devices can be used for University 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 university and must be surrendered immediately to the department upon termination of employment or cessation of the department need.

 E. Employees are expected to take reasonable care of their required mobile device. If an employee's required mobile device or any associated accessory is lost or destroyed through gross negligence, the employee may be required to replace it at their expense, per supervisor discretion.

 F. The university 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 university at any time. It will be paid in semi-monthly installments from departmental funds as authorized by the department manager or supervisor.

 G. The purchase of mobile devices, accessories, and plans for individual use via the University Purchase Card are strictly prohibited. Compensation must be made with a stipend for monthly service costs and one-time reimbursement PAR for device purchases through normal payroll channels.

II. APPROVAL

A. Departments are responsible to determine the budgetary impact of this program and to determine whether or not an employee's job requires use of a mobile voice/data enabled device. The University compensation for the purchase of personally owned services must be directly linked to the employee's job duties and responsibilities.

B. Department managers or supervisors are responsible for determining and approving the appropriate compensation amount for an employee based on job responsibilities. The determination should include the appropriate plan service level and other plan features that are required for the performance of the employee's job responsibilities.

C. University compensation for employee owned mobile plans must be based on the actual job requirements of a faculty or staff member and not on their title or position.

D. It is the department manager's or supervisor’s responsibility to review cell phone needs in their 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 Employee Mobile Communication Services Agreement form and PAR.

 E. The employee and the manager/supervisor must sign the standard University agreement that: (1) documents the business need for a mobile device, (2) outlines the requirements the employee will observe in obtaining a device 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). The standard University agreement can be located at

[http://departments.weber.edu/it/telecom/cellular/EmployeeMobileCommunications ServicesAgreement.pdf](http://departments.weber.edu/it/telecom/cellular/EmployeeMobileCommunications%20ServicesAgreement.pdf)

 F. For employee owned devices and plans, copies of the approval forms/agreements used to process University compensation, proof of device purchase, and mobile service statements shall be retained for four years. Departmental allowances for information redaction may vary; however, all documentation submitted by the employee for compensation must contain, at a minimum, the employee’s name, mobile phone number, and description and cost of the plan being reimbursed.

III. RECOMMENDED VENDORS/SERVICE PLANS

Departments and employees should, where possible, purchase mobile plans and devices that are available from approved vendors participating in University, state, or regional (WSCA) contracts. In most cases, contracted discounts are available to employees. However, the employee discount amounts may vary depending on the selected vendor. Recommended service providers may be viewed on the WSU Telecommunications web site, including contact information for a mobile device specialist.

 IV. EMPLOYEE RESPONSIBILITIES

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

B. An employee receiving University compensation for mobile service must provide his/her department with the phone number of the mobile device within five (5) working days of activation.

C. The employee must be able to show when requested by their manager or supervisor, that the monthly bill for their business line only, including taxes and fees, is at least the amount of the University 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 mobile service.

 D. The employee is personally responsible for complying with any contract entered into with a mobile service provider including payment of all expenses incurred through use of the device including taxes. In the event that an employee leaves the position, he/she continues to be responsible for the contractual obligations of the mobile service plan.

 E. An employee receiving University compensation toward the purchase of mobile 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 mobile service or loss or theft of the mobile device.

V. FEES FOR CONTRACT CHANGES OR CANCELLATION

A. If, prior to the end of the mobile device contract, a personal decision by the employee, employee misconduct, or misuse of the device results in the need to end or change the mobile 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 mobile device contract for personal purposes. In extenuating circumstances a department head may choose to waive this requirement.

B. If, prior to the end of the cell phone contract period, a University decision (unrelated to employee misconduct) results in the need to end or change the mobile contract, the university 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 mobile device is no longer needed for University purposes. If the employee does not want to retain the current contract, change or cancellation fees will be reimbursed by the university.

MOBILE COMMUNICATION AGREEMENT & PROCEDURES

Appendix 1

April 3, 2014

The allowed monthly compensation for mobile service plans must be based on the requirements of the employee's position. Amounts may be selected in $10 increments from $10 to $160. The $10 increment allows department managers to select a plan that most closely approximates actual business need.

Because the allowed monthly compensation is taxable, the actual amount that an employee receives will be less than the selected compensation amount. A compensation amount (in $10 increments) should be selected which covers anticipated business use plus the additional taxes paid by the employee. In most instances, an additional $20 above the cost of the plan will cover the additional taxes paid by the employee.