Information

Cellular/Mobile Device and Service Plan Policy

Effective

September 1, 2018

Number

PUR-41.00

Applicability

This policy applies to University Administrators, Faculty, and Staff.

Administrative Authority

Vice President for Finance and Chief Financial Officer

Responsible Unit

Controller's Office
Service Complex, University of Louisville
Louisville, KY 40292
502-852-7072
controll@louisville.edu

Sally Molsberger, Director - Procurement Services
Service Complex, University of Louisville
Louisville, KY 40292
502-852-8223
purchase@louisville.edu

History

Revision Date(s): November 11, 2020 (minor revision); April 21, 2022 (minor revision)

Reviewed Date(s): February 14, 2020

Categories

Reason for Policy:

Cellular telephones and cellular-based wireless communications devices can be an effective resource for employees in the performance of their job duties. For employees who spend considerable time outside of their assigned office area, or who must be accessible outside of scheduled or normal work hours, a cellular or mobile device can be a significant benefit.

The preferred method of payment for business-related cellular devices is a stipend paid to the employee via the university's payroll system per pay period. The stipend is intended to reimburse the employee for the business use of the device. The stipend is not intended to fund the cost of the device nor pay for the entire monthly bill.

Statement:

University of Louisville, University of Louisville Research Foundation, and University of Louisville Foundation will not purchase cellular/mobile devices for employees. University of Louisville Athletics Association may purchase cellular/mobile devices for employees when it is considered necessary in order to comply with NCAA bylaws. Department Heads may approve and pay stipends to eligible employees for cellular telephones, cellular-based wireless communication devices, and cellular service plans based on business need for such equipment and services in the performance of their job duties. Use of funds for such stipends must be in accordance with any applicable rules or restrictions of the particular funding source. Employees receiving a stipend will not be reimbursed by the university for the purchase of personal device equipment nor for any service or other similar fees. Employees at the

Assistant/Associate Vice President/Vice Provost (AVP) level (or equivalent) or above are not eligible for a cellular phone or data plan stipend.

ENFORCEMENT

Misuse, fraudulent use of, or fraudulent receipt of a cellular/mobile device or service plan stipend may result in progressive administrative and/or disciplinary action up to and including termination of employment and criminal prosecution. Failure to follow university policies regarding appropriate use of cellular/mobile devices while conducting university business may result in disciplinary action.

Related Information:

STIPEND LEVELS

A) Employees (not including AVP or above):

A stipend may be paid up to $50 per month (exact amount based on supervisor's discretion) to employees who have a need for such devices in the performance of their job duties.

Or

B) Select Groups (admission recruiters, counselors, on-call people, etc.)

A stipend may be paid up to $75 per month (exact amount based on supervisor's discretion) to select groups of employees (admission counselors, recruiters, on call employees, etc.) who must be regularly accessible outside of normal working hours and who have a high level of data usage. A department head must receive written justification and Dean/VP approval to authorize a stipend above $50 per month.

Or

C) Employees who use other computing devices for business purposes (iPad, notebook, etc.)

A stipend may be paid up to $20 per month (exact amount based on supervisor's discretion) to employees who use other computing device data plans for business purposes. This does not pertain to employees who receive a cellular device stipend

and who can use their device as a hot spot for iPads and notebooks. Employees may not receive more than one stipend per month for cellular or computing devices ($50 or $20, not both).

UNIVERSITY-OWNED CELLULAR/MOBILE DEVICES AND EQUIPMENT

Employees using university-owned equipment prior to July 1, 2018 with payments made via procurement card directly to the cellular providers:

If no cancellation penalty, an employee has the option to:

- Continue using the existing equipment while employed at the university in the same position, OR
- Obtain a new personal device directly with their preferred provider. If new equipment is obtained, the department should cancel existing device plans and the equipment should be sent to University Surplus for disposal.

If cancellation penalty, an employee will continue using the existing university equipment while employed at the university in the same position until the cancellation period ends.

In all cases, the monthly service shall be transferred to or set up in the employee's name no later than November 1, 2018. The department and employee should work with the cellular provider to move the cellular/mobile device plan into the employee's personal name. The employee is financially responsible for making monthly payments directly to the cellular provider and requesting a stipend via the university payroll system. Departments should no longer use procurement cards for these payments.

Departments, like Physical Plant, University Police, and Parking, who have general use (not assigned to a specific individual) and on-call phones can continue to maintain university-owned devices and make payments directly to the cellular providers monthly via departmental procurement card.

Guidelines

- The stipend will be based on job duties as it relates to cellular/mobile devices.
- The stipend will be paid on a pay period basis via the university's payroll system.

- Employees who are on "Leave Without Pay" employment status will not be paid a stipend, as no business should be conducted during this period.
- Upon termination of employment, stipend payments will cease as of the last day worked and not the last day on payroll (i.e. during vacation and sick leave payout).

Standards for Cell Phone Use

- **Business Use** - Monthly stipend agreement requires that the personally owned device is available for business access. An employee receiving a stipend must maintain active cell phone service.The employee agrees to be accessible for business use as required by their supervisor.
- **Appropriate use** - If an employee is receiving a stipend, the employee agrees to use the phone in ways consistent with all applicable local, state and federal laws and in accordance with university policies.
- **Use of cell phone while operating a vehicle** - Cell phone users must be aware of the state and municipal laws regarding the use of phones while driving. The laws vary widely by location. In addition, use of phones while driving can be a hazardous distraction.

Security

All devices accessing the university's systems and information are subject to university security and technology policies and guidelines. See Information Security Office and Information Technology policies for details.

Privacy

The University of Louisville as a public entity is subject to the Kentucky Open Records Act and may be required to disclose specified records. Employees receiving a stipend will be subject to the production or examination of university business records stored on their personal devices under the Kentucky Open Records Act, to the extent required by law. Additionally, any personal cellular/mobile devices used for business-related activities may be subject to examination, including in the context of litigation, criminal investigation, or pursuant to a court order, as may be required by law. The university encourages its employees to avoid using personal cellular/mobile devices to create and store university business records. Additionally, employees should not use their personal cellular/mobile devices to avoid the

disclosure requirements of the Kentucky Open Records Act.

Retention

The department should maintain Cellular/Mobile Device Stipend Request Forms in electronic form for three years (from the date of the form) and presented upon audit if requested.

Procedures:

Cellular/Mobile Device Stipend Request Steps

- The employee should complete a Cellular/Mobile Device Stipend Request Form for supervisor approval on an annual basis.
- The supervisor will review the request and determine the level of reimbursement for which the requestor qualifies. The supervisor may require an employee to provide cellular device and service plan billing statements outlining the usage related to university business. If approved, the supervisor will send the request to the department head for final approval.
- The department head will review the request and send the approved request form to the business office of the respective department so that an X-pay form can be completed and forwarded to Human Resources.

Responsibilities:

Employee Responsibilities

- The employee is responsible for notifying the department head in a timely manner if personal cellular service is discontinued.
- The employee is responsible for purchasing cellular phone service and equipment and assumes the responsibility for vendor terms and conditions.
- The employee is responsible for cellular phone plan choices, service levels, calling areas, service and phone features (including security measures), termination clauses, and payment terms and penalties.
- The employee is responsible for the purchase, loss, damage, insurance, and/or replacement of cellular/mobile device equipment.

Supervisor and Department Head Responsibilities

- The supervisor is responsible for conducting a yearly review in May of the business need for a cellular/mobile device stipend.
- The department head is responsible for annual review and approval of the stipend.
- The department head is responsible for maintaining an inventory of all university owned cellular/mobile device equipment in use by the department and employees. The department head shall report the inventory to the Inventory Control Office annually.

Please direct questions related to existing university owned cellular/mobile devices or the acquisition of such devices to Procurement Services at 502-852-8223 and questions related to the stipend/allowance to the Controller's Office at 502-852-7072.

Forms/Online Processes:

Cellular/Mobile Device Stipend Request Form

Additional Payments Form