

**ELIZABETH CITY STATE UNIVERSITY**  
**Mobile Communication Device Allowance Policy**

**Preamble**

Elizabeth City State University recognizes employees may be expected to have access to a Mobile Communication Device to perform the essential functions of their job. The university will provide an allowance to designated employees for the use of their personal mobile or remote service device for the performance of university business.

**1. Definition**

A Mobile Communication Device (MCD) is defined as a mobile telephone, smart phone, and other Personal Data Assistant (PDA), wireless card, and any other similar mobile communication device.

**2. Approval**

The Department Head must recommend and approve the employees in their department for whom a MCD allowance is necessary. The Department Head will complete and submit the Mobile Communication Device Allowance Request form along with a copy of the employee's current phone contract or monthly bill to the appropriate Vice Chancellor or Chancellor for approval. The employee recommended and approved for an allowance must satisfy at least one of the following requirements:

- a. Senior Administration Officers that must be available 24 hours a day, seven days a week (24/7);
- b. Employees that must be available 24/7 to meet information technology service needs;
- c. Employees on-call outside normal work hours;
- d. Employees that are in travel status at least 20% of the time;
- e. Safety requirements dictate that having mobile/remote communication capabilities is an integral part of performing job duties;
- f. Other special circumstances approved by the department head; or
- g. Other employees as approved by the Chancellor, Vice Chancellors and Chief of Staff for all other special requests.

**3. Amount of Allowance**

The MCD allowance will be paid through payroll as a non-taxable cell phone reimbursement. The allowance is only intended to offset the use of the mobile device for university business and not intended to cover the full cost of the employee's personal monthly service plan. The Department Head must approve the amount of allowance based on the employee's essential job functions and that amount must not exceed the total cost of the employee's monthly service plan. The allowance should be determined based on the following allowance compensation plans:

- a. **Cell phones (voice only):** \$20/month non-taxable payment that will net \$20/month.
- b. **Data-only devices:** \$20/month non-taxable payment that will net \$20/month.
- c. **Cell phones (voice and data):** \$40/month non-taxable payment that will net \$40/month.

The Vice Chancellor for Business and Finance may adjust the amount of allowance based on market rates. Any adjustment shall be communicated to all employees by May 31<sup>st</sup> of each fiscal year.

#### **4. Records**

Each employee approved to receive the MCD allowance understands that billing statements and other electronic information or records related to university business may be subject to the North Carolina Public Records Law. The university may request phone records and other electronic information related to university business for any reason including, but not limited to, a workplace policy review, investigation, public records request, litigation or audit. In the event the employee receives a litigation hold notice from the General Counsel, the employee further agrees to maintain and preserve the billing records as directed. Upon request from the university, the employee must produce those records immediately. Use of the device or service in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the allowance.

#### **5. Annual Review**

The Department Head and the Controller will conduct an annual review of the allowance to ensure that the amount remains appropriate based on the employee's essential job functions. Each employee must renew and submit the Mobile Communication Device Allowance Request form along with a copy of their contract or monthly bill annually to the University Controller. The form should be submitted to the University Controller for payroll processing by May 31<sup>st</sup> of each fiscal year. The annual review for each employee's allowance should include the following considerations: (1) Assessing the employee's current duties and responsibilities and the appropriateness of continuing the allowance; (2) Determining whether the employee's allowance should be increased, decreased, unchanged, or canceled.

The University Controller will make the final annual review and forward the proper documentation to the Payroll Office for processing. Failure to provide an annual review for any employee to the University Controller by May 31<sup>st</sup> of each fiscal year will result in immediate termination of the allowance reflected on the next payroll cycle.

#### **6. Employee Responsibilities**

Employees receiving allowances are required to have their cell phones with them, charged and operational at all times. They are also responsible for the procurement and payment for all services and equipment associated with the allowance. The University will not purchase or replace cell phones or data equipment for employees receiving an allowance.