

BLINN COLLEGE ADMINISTRATIVE REGULATIONS MANUAL

SUBJECT: *Cell Phone Allowances*

EFFECTIVE DATE: July 20, 2018

BOARD POLICY REFERENCE: DEA(LOCAL)

PURPOSE

The purpose of this document is to provide uniform procedures to Blinn College District employees regarding the payment of cell phone allowances. The College District provides cell phone allowances to eligible employees in order to reduce the cost of maintaining a personal cellular phone that an eligible employee uses for business-related activities such as making or receiving wireless calls. The eligible employee may also use these devices for other business purposes such as email, calendar, and internet connectivity. This regulation does not cover College District provided tablets or laptops, push-to-talk devices, walkie-talkies, or any other device that does not have cellular phone capability.

The Administration does not intend for the allowance to cover 100% of the service charges the employee incurs under a cellular plan, given that the College District expects the employee to own the device and use it for both personal and business purposes.

OBJECTIVES

Eligibility Criteria and Approval

An exempt, full-time, benefit-eligible employee may request a cell phone allowance. The employee's direct supervisor must approve the payment of an allowance to an employee. The direct supervisor will determine whether an employee's job duties require him or her to be regularly available to respond to business-related communications via phone, email, text, etc.

General Provisions

1. The College District may provide cell phone allowances for individuals who meet any of the following criteria:
 - The employee is a critical decision maker who requires immediate access 24/7.
 - The position requires extensive travel (more than 25% of the time).
 - Safety protocols require a communication device.
 - Other compelling reasons to have immediate access to communication devices.
2. Direct supervisors must base determinations regarding cell phone allowances solely on a business need.
3. Cell phone allowances are the fiscal responsibility of the area budget manager.
4. All allowances are taxable income. The College District must include the allowance on the employee's W-2 form as taxable compensation.

Approvals

To assign an employee a cell phone allowance, the employee's direct supervisor must:

1. Verify the employee's eligibility prior to submitting a Cell Phone Allowance Form.
2. Submit the Cell Phone Allowance Form to the Vice Chancellor in the employee's chain of command and Chancellor for approval.
3. Submit the Cell Phone Allowance Form with the proper approvals to the Human Resources Department for processing.

Non-exempt employees are not eligible to receive a cell phone allowance unless the employee's job duties require the frequent need for a cell phone and the employee meets any of the eligibility criteria. The employee must attach a justification statement to the Cell Phone Allowance Form and the direct supervisor must approve the request. Supervisors must adhere to wage and hour laws if they expect non-exempt employees to answer the cell phone outside working hours.

Communication Allowances

Blinn College does not assign cell phones to employees. If the College District determines that an employee requires a cell phone in order to conduct Blinn College business, the College District will provide a communication allowance to the employee. Positions eligible to receive cell phone allowances include:

1. Chancellor
2. Vice Chancellor/Assistant Vice Chancellor
3. Selected Facilities personnel
4. Selected Public Safety personnel
5. Selected Information Technology personnel
6. Selected Public Affairs personnel
7. Selected Human Resources personnel
8. Other personnel as approved by the Chancellor or designee

Request for Monthly Cell Phone Allowance

Employees must complete a Cell Phone Allowance Form in order to request the monthly allowance. This form is located online on the HR webpage. The employee must properly complete the form and obtain the requisite approvals. The employee must forward the approved forms to the Human Resources Department by the appropriate payroll deadlines with the understanding that the College District does not permit partial month allowances.

Employees may submit requests any time during the fiscal year; however, allowances will cease by August 31, at the end of the fiscal year. Employees must submit a new Cell Phone Allowance Form to the Human Resources Department by the appropriate payroll deadline for September to renew the allowance for the new fiscal year.

If the College District approves the Cell Phone Allowance Form, the employee's monthly payroll check will include payment and the College District will report the allowance on the employee's W-2 form. The allowance is taxable income and subject to withholding taxes. The allowance does not constitute an increase in base pay or for retirement calculation purposes.

An employee may only qualify for one cell phone allowance and may not request or receive an additional allowance from another department.

Cell Phone Allowance Amount

Eligible employees may receive a monthly cell phone allowance at the following rates:

- Executive Council: \$65
- Eligible if approved Administrative Level Personnel: \$35
- Essential personnel with limited use: \$20

The College district does not intend the monthly allowance to cover extraneous costs such as additional users, activation fees, and surcharges under the employee's service plan. In addition, the monthly allowance is not for purchasing, repairing, or replacing a cell phone.

The employee is responsible for paying their monthly bill directly to the service provider and must maintain an active contract for the life of the allowance. The College District does not endorse a certain service provider or plan. The employee is responsible for identifying a service provider and plan, and is responsible for contracting with the service provider directly.

The employee's immediate supervisor is responsible for conducting an annual review at the beginning of each fiscal year to determine the business need for a cell phone allowance and discontinue any allowances due to new duties that do not support the employee's need for a wireless communication allowance. The supervisor must notify the Human Resources Department in the event that the employee transfers departments.

Use of Cell Phones While Driving

The College District requires employees to comply with state laws regarding cell phone use while driving. Employees who spend time in vehicles should not answer calls immediately. Employees should make necessary calls before getting on the road. Employees should check messages and return calls at rest stops or other off-road areas. Hands-free cell phones require the same safety measures as hand-held telephones.

Employee Becomes Ineligible to Receive an Allowance

The College District will cancel or suspend an allowance under the following circumstances:

- Termination of employment
- Extended absence from the College (e.g. FMLA, military service, educational or administrative leave with or without pay). The allowance suspension will correspond with the employee's time worked.
- When an employee's wireless service or device is no longer active or the employee's job responsibilities no longer require wireless service.

The employee must notify their supervisor when their wireless service is no longer active. An employee who allows their wireless service to lapse while receiving an allowance will no longer be eligible to receive a cell phone allowance. The College District will recover via payroll deduction any cell phone allowance amounts that the employee received after the service lapse time.

Supervisors are responsible for notifying the Human Resources Department when the College District should terminate a monthly cell phone allowance during the budget year by completing a Termination of Cell Phone Allowance Form.

The Human Resources Department must receive the Termination of Cell Phone Allowance Form in the month that the termination is to take effect.

Responsibilities

The **Supervisor** is responsible for:

1. Determining whether a significant business need exists for an employee to receive a cell phone allowance.
2. Obtaining approval from the Chancellor, Vice Chancellor, or designee.
3. At least annually, verifying the service associated with a communication allowance is still in effect by requesting written verification from the employee.
4. Determining when a business need no longer exists for the employee to receive an allowance.
5. Notifying the Human Resources Department to end the allowance.

The **Employee** is responsible for:

1. Signing and submitting a Cell Phone Allowance Form to the appropriate supervisor.
2. Retaining an active cell phone as long as an allowance is in place. Provide the cell phone number to his/her supervisor.
3. Notify his/her supervisor each time the cell phone number changes.
4. Refrain from using a cell phone while driving.
5. The employee is responsible for paying his/her monthly bill directly to the service provider and must maintain active service for the life of the allowance.
6. The employee is responsible for the purchase, loss, damage, insurance, and/or replacement of his/her cell phone.

The **Human Resources** department is responsible for:

1. Creating an allowance assignment as requested by the employee's supervisor on the request form.
2. End allowance assignments as requested.