



**INTERNAL/DEPARTMENTAL POLICY AND PROCEDURE**

**TITLE:** Mobile/ Electronic Messaging Devices

**EFFECTIVE DATE:** June 16, 2020

**CANCELLATION:** BAA-E01 Procedural Update (6/11/14)

**DIVISION:** BUSINESS AND ADMINISTRATIVE AFFAIRS (BAA)

**CATEGORY:** Accounts Payable (E)

**RESPONSIBLE DEPARTMENT:** Controller's Office

**PROCEDURES & SPECIFIC INFORMATION**

1. **Purpose**

To establish policy and procedures for providing employees with College-issued mobile/ electronic messaging devices or with non-compensatory, non-taxable reimbursement for use of personal mobile devices for conducting official business. The primary purpose is to allow efficient and rapid employee access and response to carry out the role, scope, and mission of the College and for conducting Delgado business.

2. **Scope and Authority**

This policy and procedure apply to all eligible full-time employees required to maintain mobile and/or electronic messaging capabilities in the scope of their job duties.

3. **General Provisions**

- A. This policy and procedure is established in accordance with [LCTCS Policy #5.032 Mobile/ Electronic Messaging Device Policy](#), and is pursuant to IRS guidelines deeming mobile devices and reasonable reimbursements as non-taxable to an employee when used primarily for substantial business matters. These IRS guidelines eliminate the need for the College to track and account for such employees' business calls versus personal calls, and also provide guidance for employers.
- B. Employees required to be reachable by means of mobile or electronic messaging device at all times are those who: 1) Delgado management needs to contact at all times 24/7 or for emergencies, 2) Delgado management and college personnel consistently need to reach when away from the office during working hours *and*, 3) College or State personnel consistently need to reach outside of working hours.

- C. Positions permitted reimbursement for use of personal mobile/ electronic messaging devices include: Chancellor, Vice Chancellors, Assistant Vice Chancellors, Campus/Site Executive Deans, Division Deans, employees designated as *key* personnel needed in the event of an emergency as deemed by the Vice Chancellor for Business and Administrative Affairs, and other employees required to be available on a 24/7 basis to perform critical, immediate responsibilities outside the normal business day that cannot wait to be performed until the next business day in accordance with the requirements specified in the chart below. Employees below the levels of Dean and Assistant Vice Chancellor require justification, supporting documentation, and must be authorized by the Chancellor or Vice Chancellor for Business and Administrative Affairs.
- D. In order to meet this requirement, the Vice Chancellor for Business and Administrative Affairs is responsible for establishing the appropriate levels, requirements, positions and options that apply. The following is the current chart for these requirements, which is determined based on job title/level/requirements.

LEVEL/ REQUIREMENTS	POSITIONS	OPTIONS (As determined by Supervisor)
<b>Level I</b>	<ul style="list-style-type: none"> <li>-Chancellor</li> <li>-Vice Chancellors</li> <li>-Campus/Site Executive Deans</li> <li>-Exceptions approved by the Chancellor</li> </ul>	(1) Reimbursement of employee's basic usage plan for personal device up to \$100; <b>OR</b>  (2) Receipt of Delgado-Issued Device
<b>Level II</b>	<ul style="list-style-type: none"> <li>-Assistant Vice Chancellors</li> <li>-Division Deans</li> <li>-Employees designated as <i>key</i> personnel needed in the event of an emergency as deemed by the Vice Chancellor for Business and Administrative Affairs</li> <li>-Other employees required to be available 24/7 to perform critical, immediate responsibilities outside the normal business day that cannot wait to be performed until next business day on a <i>daily or near daily</i> basis. Employees with such duties <i>occasionally</i> required are NOT eligible. Employees below the level of Assistant Vice Chancellor and Dean require justification and must be authorized by the Vice Chancellor for Business and Administrative Affairs or the Chancellor).</li> </ul>	(1) Reimbursement of employee's basic usage plan for personal device up to \$80; <b>OR</b>  (2) Receipt of Delgado-Issued Device

<b>Level III</b>	Employees required to be available 24/7 to perform critical, immediate responsibilities outside the normal business day that cannot wait to be performed until next business day on <i>at least a weekly</i> basis. Employees with such duties <i>occasionally</i> required are NOT eligible. Employees in this category require justification and must be authorized by the Vice Chancellor for Business and Administrative Affairs or the Chancellor.	(1) Reimbursement of employee's basic usage plan for personal device up to \$40; <b>OR</b>  (2) Receipt of Delgado-Issued Device
<b>Level IV</b>	Employees required to be available through two-way communication (direct connect) during work hours or 24/7 as determined by supervisor	Receipt of Delgado-Issued Device

E. As described in the chart above, once approved, the supervisors of the applicable employees (Level I, II, and III) will determine which of the following two options is appropriate for the employee's position:

1. Reimbursement of the employee's basic plan in an amount deemed appropriate per month as a mobile/ electronic messaging device allowance to offset any costs incurred by the employee for use of his or her approved personal mobile/electronic messaging device to receive and send emails/data transmissions through the Delgado email and calendar system and/or network, and/or to receive or make work-related voice calls, subject to the applicable restrictions of this policy. This amount shall be reviewed every year and may be adjusted as necessary to more accurately reflect the cost of an employee required plan.
2. Receipt of a Delgado-issued mobile/electronic messaging device for conducting Delgado business, subject to the restrictions of this policy.

4. **Procedures**

- A. For the initial reimbursement request, employees must have approval of his or her supervisor and approval of the Assistant Vice Chancellor/Controller.
- B. The employee will be required to provide a copy of the cost of the plan for which he or she is seeking reimbursement with the request for approval. The reimbursement will be based solely on the employee's device costs. If the employee's device is included on a family or multiple device plan, the reimbursement will be prorated to reflect the cost for the employee's device only. The employee is responsible for notifying the Controller's Office immediately of any changes in the plan that would affect reimbursement. An increase in the amount of coverage must be approved by the employee's supervisor and the Assistant Vice Chancellor/Controller. Monthly reimbursement for the plan will be prorated accordingly based upon the employee's start date and termination date.

- B. Employees, with the approval of the Assistant Vice Chancellor/Chief Information Officer may be granted access to the Delgado email and calendar system and/or network through personal mobile/electronic messaging devices. The Assistant Vice Chancellor/Controller, at his/her discretion, may require an employee obtain access to the Delgado email and calendar system and/or network through his or her personal mobile or electronic messaging device with an appropriate reimbursement allowance, or provide a Delgado-issued mobile device to the employee, if it is deemed necessary and in the best interest of the office.
- C. The Controller's Office will maintain documentation of each employee's initial reimbursement request and current rate plan.
- D. The Office of Information Technology will issue and manage Delgado-issued devices, as well as monitor monthly rate plan usage and address rate plan overages on a case-by-case basis.
- E. For instances of abuse of rate plan privileges for Delgado-issued devices, the Office of Information Technology will provide a list of suspected abusers and a copy of the monthly usage bill to the Assistant Vice Chancellor/Controller. Abuse of Delgado-issued device services may result in cancellation of privileges and will be handled on an individual basis by the Assistant Vice Chancellor/Controller.

5. **Employee Responsibilities**

- A. The following applies to employees ***receiving reimbursement allowances*** for their basic mobile or electronic messaging device rate plans:
  - 1) Employees should, where possible, purchase mobile statewide communication service plans that provide service *equivalent to* AT&T, Sprint, Verizon, & T-Mobile or other current major service providers.
  - 2) An employee receiving college reimbursement for mobile/electronic messaging device service costs must provide his/her department, his/her supervisor, and the Assistant Vice Chancellor/Controller with the phone and/or PDA number of the communication device within five (5) working days of activation.
  - 3) The employee should monitor his/her mobile device monthly bill to ensure the amount of reimbursement received does not exceed the amount on the service plan for voice and data services. If the service plan changes and the reimbursement amount exceeds the service plan, the employee is responsible for returning the excess funds within 90 days. The employee must be able to provide documentation, when requested by the supervisor or the Controller's Office that the monthly bill for the mobile/electronic messaging device is at least the amount of the reimbursement.
  - 4) The mobile or electronic messaging device is in the name of the employee who is solely responsible for complying with any contract entered into with the service provider including but not limited to the payment of all expenses incurred (long distance, roaming fees, taxes, penalties, etc.). In the event that an employee separates from his/her position, or the device is lost or stolen, he/she continues to be responsible for the contractual obligations of the service plan. In the event the device is damaged, lost, or stolen, the employee should notify his/her supervisor in a timely manner.

- 5) Every year the employee must complete the [Mobile Communications Agreement and Request Form \(Form BAA-E01/001\)](#) to ensure that the amounts of the service plan and the need for the reimbursement of the service plan are appropriate. For recurring reimbursements, employees should complete the agreement and request form within 45 days prior to the reimbursement end date listed on the previous year's agreement and request form. If an employee fails to complete the agreement and request form within the timeline above, the monthly reimbursement will be terminated and will not begin again until the month after the agreement and request form is completed again.
- 6) The employee must adhere to the requirements of the College's [Information Technology Security policy](#) while using the personal mobile or electronic messaging device when performing official business.
- 7) As access to the College's electronic resources is a privilege and not a right, the employee must agree to the College's right to place required security products on their personal devices in order to protect College assets.

B. Employees ***provided with a Delgado-issued mobile or electronic messaging device*** must:

- (1) Complete a [Mobile Communications Device Acceptance Agreement Form \(Form BAA-E01/002\)](#), with proper signature approvals, prior to accepting a Delgado-issued mobile or electronic messaging device.
- (2) Be responsible for proper use and acceptance of the terms associated with the particular device.
- (3) Return the equipment to the Office of Information Technology upon demand.
- (4) Notify the Office of Information Technology upon damage or loss of the device.
- (5) Be responsible for the cost incurred for replacing the unit in the event the damage or loss is the fault of the user.
- (6) Properly use the equipment in regards to voice communication and data etiquette during transmission and reception of messages, and adhere to the requirements of the College's [Information Technology Security policy](#) while using the personal mobile or electronic messaging device when performing official business.
- (7) Use the equipment for job-related purposes (personal use should be limited).
- (8) Adhere to the particular rate plan chosen by the College, as deemed appropriate to the user's job function.

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*Review Process:*     *Ad Hoc Committee on Mobile/Electronic Messaging Policy 7/26/12*  
                          *Business and Administrative Affairs Council 8/3/12*  
                          *Vice Chancellor for Business and Administrative Affairs 8/20/12*

*Procedural Updates:* Vice Chancellor for Business and Administrative Affairs approved  
                              6/11/14  
                              Vice Chancellor for Business and Administrative Affairs approved  
                              6/16/20

*Attachments:*       [Mobile Communications Agreement and Request Form](#)  
                              (Form BAA-E01/001)

[Mobile Communications Device Acceptance Agreement Form](#)  
                              (Form BAA-E01/002)