

# Mobile Service Devices

---

<b>PURPOSE .....</b>	<b>1</b>
<b>POLICY STATEMENT .....</b>	<b>1</b>
<b>WHO SHOULD KNOW THIS POLICY .....</b>	<b>2</b>
<b>DEFINITIONS .....</b>	<b>2</b>
<b>REGULATIONS .....</b>	<b>3</b>
1.0 ELIGIBILITY FOR MOBILE SERVICE DEVICES.....	3
2.0 USE OF ASI-PROVIDED MOBILE SERVICE DEVICES.....	3
2.1 <i>Physical Security</i> .....	3
2.2 <i>Personal Use</i> .....	4
2.3 <i>Responsibilities for ASI-Provided Devices</i> .....	4
3.0 USE OF PERSONAL DEVICES.....	5
3.1 <i>Cellular Service Stipend</i> .....	5
3.2 <i>Stipend Options</i> .....	5
3.3 <i>Rights &amp; Responsibilities of Personal Device Users</i> .....	6
3.4 <i>Cancellation of Monthly Usage Stipend</i> .....	7
4.0 PROHIBITED USES.....	7
4.1 <i>Transmitting Confidential Information</i> .....	7
4.2 <i>Driving</i> .....	7
<b>FORMS.....</b>	<b>8</b>

## Purpose

Associated Students, Incorporated (ASI) recognizes that the performance of certain job responsibilities may be enhanced by or require the use of a mobile service device. The purpose of this policy is to establish guidelines for the procurement, possession, and appropriate business use of mobile service devices by officers and employees of the Associated Students, Incorporated. The policy is intended to reduce unnecessary costs and avoid the violation of tax provisions regarding the personal use of mobile service devices.

## Policy Statement

It is the policy of the Associated Students, Incorporated to facilitate access to efficient, cost effective telecommunication equipment and services when necessary for the fulfillment of an officer's or employee's essential duties and responsibilities. In those cases where it is warranted, ASI will provide mobile services devices and plans. Otherwise, officers and employees who meet the eligibility criteria outlined in this policy shall be entitled to a monthly stipend to cover the business-related use of their personal devices. When provided by ASI, mobile service devices may be used for business purposes only. In addition, employees should only use mobile service

devices when a less costly alternative does not exist. This policy and related procedures apply to all ASI departments.

## Who Should Know This Policy

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Budget Area Administrators      | <input checked="" type="checkbox"/> Elected/Appointed Officers | <input type="checkbox"/> Grant Recipients |
| <input checked="" type="checkbox"/> Management Personnel | <input type="checkbox"/> Program Advisors                      | <input checked="" type="checkbox"/> Staff |
| <input checked="" type="checkbox"/> Supervisors          | <input type="checkbox"/> Volunteers                            |   |

## Definitions

For purposes of this policy, the terms used are defined as follows:

Term	Definition
Assigned user	The specific individual to whom a mobile service device is issued
Business use	Use of a mobile service device to conduct official ASI business
Emergency	A serious situation or occurrence threatening health, safety, or property that happens unexpectedly and demands immediate action
Extensive usage	Average monthly usage of the mobile device exceeds 250 minute of voice and 100 text messages.
First responder	A trained or certified individual who, upon arriving early to an incident or emergency, assumes immediate responsibility for the protection and preservation of life, property, evidence and environment.
Mobile service device	A device or an apparatus associated with a device that enables an employee to communicate wirelessly with another person. The term includes, without limitation, a cellular telephone, a pager, a laptop computer, a personal digital assistant, or a transmitting radio.
Occasional usage	Average monthly usage of the mobile device is below 100 minutes of voice and 25 text messages
Official ASI business	Conduct engaged in for the purpose of serving as an authorized representative of the Associated Students, Incorporated or for the purpose of acquiring knowledge, information, contacts, or intelligence that the corporation deems important to the operation of the organization, its programs, services, and facilities.
Personal device	A mobile service device that is the personal property of an ASI officer or employee
Personal use	Use of a mobile service device that is not related to the conduct of ASI business
Regular usage	Average monthly usage of the mobile device ranges from 100 to 249 minutes of voice and 25 to 99 text messages
Service plan level	A contract or service agreement by a vendor to provide cellular communication service at a fixed monthly charge for a fixed number of minutes beyond which additional charges accrue

## Regulations

### 1.0 Eligibility for Mobile Service Devices

Eligibility for mobile service devices or monthly usage stipends shall be limited to those officers or employees who have a legitimate business need for such equipment and service. The following are the basic criteria for establishing "legitimate business need."

1. The job function of the officer or employee requires considerable time outside of his/her assigned office or work area and it is important to ASI that he/she remain accessible during those times;
2. The job function of the officer or employee requires him/her to be accessible outside of scheduled or normal working hours;
3. The job function of the officer or employee requires him/her to have wireless data and internet access; and/or
4. The employee is designated as a "first responder" to emergencies on campus.
5. The corporation has concerns for the personal safety of an officer or employee who travels, works evening hours, works in isolated areas, or works in high crime areas

If an individual meets one or more of these criteria, he/she shall be considered a viable candidate for a mobile service device or monthly usage stipend. The assignment of mobile service devices or usage stipends shall be authorized only when there is a demonstrated need.

ASI-provided devices may only be assigned to employees who have been informed of ASI guidelines on the use of mobile service devices and who have signed the Mobile Service Device Agreement.

The purchase of mobile service equipment and plans by ASI shall be subject to approval by the ASI Executive Director or designee and will be processed through the telecommunications coordinator (refer to Section 4.1).

### 2.0 Use of ASI-Provided Mobile Service Devices

The following regulations govern the care and use of mobile service devices provided to officers and employees by ASI.

#### 2.1 Physical Security

Officers and employees shall take reasonable precautions to prevent theft and vandalism of any ASI-provided mobile service device. In the event that an ASI-provided mobile service device is lost, stolen, or vandalized due to one's failure to use reasonable precautions, ASI may require the officer or employee to reimburse ASI for the reasonable cost of replacing the equipment.

## 2.2 Personal Use

The use of ASI-provided mobile service devices for personal business is prohibited except in cases of emergency. The employee shall reimburse ASI for any detectable charges for personal use.

## 2.3 Responsibilities for ASI-Provided Devices

### 2.3.1 Telecommunications Coordinator

The Associated Students, Incorporated shall designate a telecommunications coordinator for oversight of all ASI-provided mobile service devices. The telecommunications coordinator shall be responsible for the following:

- Receiving and reviewing proposals for services plans and making recommendations to management regarding selection of service plans
- Placing orders for equipment and service with the appropriate vendor
- Receiving and processing billing statements for ASI-provided mobile service devices and allocating costs to the appropriate departmental budgets
- Periodically distributing billing detail statements to assigned users for the identification of personal use
- Terminating service at the direction of an assigned user's supervisor or the Human Resources Office

### 2.3.2 Department Supervisors

Department Supervisors or their designees shall be responsible for the following:

- Receiving individual requests for mobile service devices and service plans and providing supervisor authorization to the Telecommunications Coordinator
- Assigning each mobile service device to one specific individual (Assigned User)
- Ensuring appropriate controls are in place for the security and maintenance of the equipment assigned to their staff
- Ensuring that all Assigned Users have read and signed the Mobile Service Device Agreement and Mobile Service Devices Usage Acknowledgement forms
- Ensuring that staff under their supervision comply with the provisions of this policy
- To periodically audit the billing detail of assigned users under their supervision to detect any personal use

### 2.3.3 Assigned User

The Assigned User shall control and monitor the use and return of the mobile service device and shall be responsible for reimbursing the Associated Students, Incorporated for any personal use of their assigned mobile services device as indicated on the billing detail.

## 3.0 Use of Personal Devices

If an officer or employee meets the eligibility requirements for a mobile service device, as outlined above, but does not require an ASI-provided device, he or she shall be entitled to a monthly stipend to cover the business-related use of their personal devices.

### 3.1 Cellular Service Stipend

The Cellular Service Stipend must be requested using the Cellular Service Stipend Request form. The request may be made any time during the fiscal year.

Once approved, the stipend amount will be added to an officer or employee's regular pay. In order to meet IRS guidelines, any amount added for mobile service will be identified as a taxable benefit. Taxes on that amount will be deducted from pay.

This stipend does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to merit increases, cost of living adjustments, reclassifications, or in-range progressions or to any benefits based on a percentage of salary.

The stipend will be paid as a flat rate per pay period, based on the selected service(s) and usage level(s) outlined below. ASI will pay only the agreed upon amount, even if monthly costs exceed the stipend.

A new request form must be submitted if the stipend amount needs to be changed because of documented business purposes.

The stipend is neither permanent nor guaranteed. ASI reserves the right to remove a participant from this stipend plan and/or cancel the stipend plan if there is insufficient funding to meet the plan costs, the employee's position no longer requires access to a mobile service device, or this policy is revised or terminated.

### 3.2 Stipend Options

The amount of the stipend will be determined based on the business use required of the officer's or employee's position and the minutes or data needed to perform his or her job responsibilities. A tiered model based on the current market rates<sup>1</sup> includes the following options:

Service Type	Usage		
	Occasional	Regular	Extensive
Voice	\$20	\$30	Device and service plan provided by ASI
Data	\$15	\$25	
Text	\$5	\$10	

<sup>1</sup> The stipend rates will be evaluated, and if appropriate, adjusted annually to align to current market rates.

The amounts indicated above are per month. The stipend amount selected should cover all reasonable and appropriate business use, and may be comprised of one or more cellular services each with its own usage level.

An officer or employee receiving a monthly usage stipend must be able to show, if requested by his/her supervisor, a copy of the monthly access plan charges and business related use to determine if the amount of ASI compensation is appropriate.

### 3.3 Rights & Responsibilities of Personal Device Users

#### 3.3.1 Procurement

The officer or employee is responsible for purchasing the mobile service device and establishing a service contract with the service provider of his/her choice. The service contract is in the name of the officer or employee, who is solely responsible for all payments to the service provider. The officer or employee purchases service and equipment; determines plan choices, service levels, calling areas, service and phone features; and accepts termination clauses and payment terms.

ASI does not accept any liability for claims, charges or disputes between the service provider and the officer or employee. If the officer or employee terminates a service contract at any point, he/she must notify his/her supervisor within 5 business days to terminate the stipend.

#### 3.3.2 Physical Security

ASI assumes no responsibility for the loss, theft, or damage of an officer's or employee's personal device. Such devices are considered the personal property and responsibility of the officer or employee.

#### 3.3.3 Personal Use

Because the mobile service device is owned personally by the officer or employee and the stipend provided is taxable income, the officer or employee may use the device for both business and personal purposes, as needed. The officer or employee may, at his or her own expense, add extra services or equipment features, as desired. If there are problems with service, the officer or employee is expected to work directly with the carrier for resolution.

#### 3.3.4 Information Technology Support

Support from ASI's Information Technology Office is limited to assistance for connecting a personally-owned mobile service device to ASI-provided services, including email, calendar, and contacts.

#### 3.3.5 Data Security and Maintenance

Mobile service devices covered by this policy are used in part to conduct ASI business and/or to create, receive, send, or store non-confidential ASI data (refer to Regulation 4.1). As a result, information contained on devices covered by this policy are also subject to Federal and State data maintenance laws (e.g., public records requirements, records retention requirements), as well as all ASI policies, including those pertaining to acceptable computing use and email. An officer or employee

receiving an ASI monthly usage stipend must comply with Federal, State, and ASI requirements, and assist ASI in providing access to information about or contained on the mobile service device covered by this policy in response to requests for such information by third parties as required by Federal and/or State law.

Any mobile service device that has data capabilities must be password protected. If a mobile service device with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the service provider, and to ASI Information Technology as soon as possible.

Officers and employees are expected to delete all ASI data from their mobile service devices when their employment with ASI is severed, except when required to maintain that data in compliance with a litigation hold notice.

### 3.4 Cancellation of Monthly Usage Stipend

Any stipend agreement will be immediately cancelled if an employee receiving a monthly usage stipend terminates employment with ASI. Any such stipend will also be cancelled if an employee changes job positions. In case of a change in job position, a new Mobile Service Stipend Request must be submitted to establish the continued business need for a cell phone.

If a personal decision by the employee, employee misconduct, or misuse of the device results in the need to end or change the service contract prior to the end of the contract period, the employee will bear the cost of any fees associated with that change or cancellation.

If a department decision (unrelated to employee misconduct) results in the need to end or change the service contract prior to the end of the contract period, the department will bear the cost of any fees associated with that change or cancellation. The original billing statement indicating the early termination charge must be submitted in order to be reimbursed in these circumstances.

Use of a device in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the monthly usage stipend.

## 4.0 Prohibited Uses

Regardless of whether an ASI-provided device or a personal device is used to conduct ASI business, the following practices are prohibited.

### 4.1 Transmitting Confidential Information

Cellular transmissions are not secure. Employees shall refrain from using mobile service devices to relay confidential information.

### 4.2 Driving

An employee who uses a mobile service device is prohibited from using that device while driving, regardless of whether the business conducted is personal or ASI-related. This prohibition includes receiving or placing calls, text messaging, browsing the Internet, receiving or responding to email, checking for phone messages, or any

other purpose related to his/her employment; ASI business; ASI customers; ASI vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of ASI; or any other personal or business-related activities not named here while driving. This prohibition includes the use of hands-free devices (“Bluetooth devices”).

Except for emergency purposes, such as emergency calls to law enforcement, a health care provider, or the fire department, employees are expected to pull over and cease driving prior to using any mobile service device.

If an employee receives a citation(s) for violating the California Wireless Telephone Automobile Safety Act, the fines and penalties are solely the responsibility of the employee.

## Forms

The following forms are to be used in the execution of this policy.

Form Name	Purpose	Responsible Office	Approved By	Timeline for Submission
Cellular Service Stipend Request	To request a monthly stipend to compensate for the recurring use of a personal device for business use.	Human Resources Office	Employee Supervisor and Division Director	Must be submitted two weeks prior to beginning of the pay period in which the stipend becomes effective
Mobile Service Devices Usage Acknowledgement	To articulate and document assigned users understanding and agreement to abide by the California Wireless Telephone Automobile Safety Act, as well as ASI policy on device use	Human Resources Office	Assigned User	Must be submitted prior to the release of mobile service device to the assigned user
Mobile Service Device Agreement	To articulate and document assigned users understanding and agreement with regulations governing the use of ASI-provided mobile service devices	USU Administration	Department Supervisor and telecommunications coordinator	Must be submitted prior to the release of mobile service device to the assigned user