



Volume 7: Volume Title: Human Resources
Chapter 3: Chapter Title: Work Policies and Procedures
Section 7: Policy Name: Cell Phone Policy
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Interpreting Authority: Director, Human Resources
Effective: July 1, 2016
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Cell Phone Policy

Policy Statement

Manhattanville College seeks to outline expectations for proper procedures relating to the issuance of College-owned Cell Phones to Employees as well as payment of a Cell Phone Stipend to Employees; defines criteria for determining Employee initial and continuing requirements; articulates Employee and supervisor responsibilities; and assists in managing and containing costs and risks related to Cell Phone services.

This policy assists the College in achieving maximum productivity by an Employee using a Cell Phone and complying with IRS Regulations.

Entities Affected by the Policy

Faculty and Staff (“Employees”) who, as a part of their official College job responsibilities, have a constant and recurring need for using a Cell Phone to conduct College business.

Policy Background

No previous policy existed.

Policy Procedures

This section is divided into two separate categories – Cell Phone Stipend and College-owned Cell Phones.

Cell Phone Stipend

A. Initial and Continuing Criteria – Cell Phone Stipend

- Vice Presidential or Presidential approval is required for initial and continuing approval for an Employee to receive a Cell Phone Stipend.
- Supervisor determines the need for Employee to receive the Cell Phone Stipend based on the following criteria:
 - **Travel** – Employees whose position requires a significant amount of official College business travel during work hours or outside normal work hours and needs access to information technology systems which, in the judgment of the College, render the Employee more productive and/or the service the Employee provides more effective.
 - **Work Location** – Employees who typically work in the field or job sites where access to telephones and computers are not readily available and employees are required to be in constant and immediate contact with senior management at all times and to be in close and immediate contact with staff, manager, or other College constituents at any time.
 - **Other** – Exempt Employees who are required by the nature of their work responsibilities and critical support to the College mission to have real-time accessibility outside the regular work schedule to conduct official College business. Non-exempt Employees and faculty would not qualify under this criterion.

B. Stipend Acquisition Process

- An Employee who has been identified by the President or appropriate Vice President for a Cell Phone Stipend must complete and submit the Cell Phone Request Application form for approval signatures from the President or appropriate Vice President.
 - Employee must provide a copy of the first page of a Cell Phone bill in order to verify that he/she has an active Cell Phone plan.
 - Vice President must submit to Human Resources the completed original of the Cell Phone Request Application.
- Upon receipt of approval to proceed, Employee will be notified as to the amount of the Cell Phone Stipend that Employee will receive.
- A list of Employees receiving a Stipend will be provided by Human Resources annually to each Vice President and the President to review with their respective departments.
- Each Vice President is required to review the list to ensure that there is still a

business need for previously approved Cell Phone Stipend and to reinforce to the Employees their obligation to know and adhere to College's Cell Phone Policy.

- The College may periodically request documentation of substantial business use to maintain continuing criteria to receive a Cell Phone Stipend.

C. Stipend Allowances

- The College has determined maximum Cell Phone Stipends to be paid to an Employee based on current package plans available. See Appendix A for Stipends, which will be revised as needed.
- A Stipend for early termination fees will not be provided.
- Employee is responsible for all charges on his/her personal wireless plan. If the Employee leaves the position, he/she continues to be responsible for the contractual obligations of his/her wireless plan.
- Stipend paid to Employee is not a taxable benefit.

D. Ownership of Cell Phone and Cell Phone Data/Information

- Employee who is provided a Cell Phone Stipend owns his/her own Cell Phone.
- Employee who is provided a Cell Phone Stipend is responsible for protecting confidential data on the Cell Phone.
- College data and College information transmitted via Cell Phone qualify as records of the College, subject to all policies, including those relating to data security, data retention, and e- discovery.
- The College may, at the discretion of the College, review College Cell Phone records, College text messages and other means of electronic communication as it pertains only to College data and information.

E. Lost or Stolen Cell Phones

- Lost or stolen Cell Phone will be replaced by Employee at Employee cost.

F. International Travel

- Employees required to travel out of the country on behalf of the College must have pre-approval for the trip and must make pre-arrangements for a Cell Phone Stipend appropriate for the location and duration of the travel.

College-owned Cell Phones

A. Initial and Continuing Criteria - College-owned Cell Phones

- Vice Presidential or Presidential approval is required for initial and continuing approval for an Employee to receive a College-owned Cell Phone.
- Supervisor determines the need for Employees to receive a College-owned Cell Phone based upon the following criteria:

- **Emergency and After Hours Responders** – Employees who are responsible for critical infrastructure or operational support and must be contacted and/or must respond in the event of an emergency, or are required to be on call 24/7. The duties of these Employees require response and decision making to life-threatening or public safety issues and situations. Employees who, by the nature of their job responsibilities, are required to live on College campus and who, by their position, are Emergency and After Hours Responders, would be determined to receive a College-owned Cell Phone.
- Employees who are Emergency and After Hours Responders could choose instead to receive the Cell Phone Stipend.

B. College-owned Cell Phone Acquisition Process

- An Employee who has been identified by the President or appropriate Vice Presidents for a College-owned Cell Phone must complete and submit the Cell Phone Request Application form for approval signatures from the President or appropriate Vice President.
 - Vice President must submit to Human Resources the completed original of the Cell Phone Request Application.
- A list of Employees receiving a College-owned Cell Phone will be provided by Human Resources annually to each Vice President and the President to review with their respective departments.
- Each Vice President is required to review the list to ensure that there is still a business need for previously approved College-owned Cell Phone and to reinforce to the Employees their obligation to know and adhere to College's Cell Phone Policy.
- Upon receipt of approval to proceed, Director, Human Resources, will inform the department and Employee of the Cell Phone and accompanying data plan that the College will be providing.

C. Ownership of Cell Phone and Cell Phone Data/Information

- The College owns the College-owned Cell Phone.
- Employee who is provided a College-owned Cell Phone is responsible for protecting confidential data on the Cell Phone.
- College data and College information transmitted via Cell Phone qualify as records of the College, subject to all policies, including those relating to data security, data retention, and e- discovery.
- The College may, at the discretion of the College, review College Cell Phone records, College text messages and other means of electronic communication as it pertains only to College data and information. Employees should not expect privacy while using College-owned Cell Phones.
- When an Employee leaves the College, it is the responsibility of the Employee to return the College-owned Cell Phone and accessories to his/her department. It is the Employee's supervisor's responsibility to coordinate the return of the Cell

Phone and accessories to Human Resources. The Cell Phone and associated phone number are the property of College, unless otherwise negotiated.

- Personal use of College-owned Cell Phones is permitted when it does not consume a significant amount of those resources, does not interfere with the performance of the user's job or other College responsibilities, and is otherwise in compliance with this policy. Further limits may be imposed upon personal use in accordance with normal supervisory procedures.
- College-owned Cell Phone costs paid by the College are not a taxable benefit to Employee.

D. Lost or Stolen Cell Phones

- Lost Cell Phone will be replaced at the discretion of the College.
- Employees are responsible for the replacement costs of the Cell Phone and accessories if the College determines that the loss is due to negligence.
- If a Cell Phone is damaged or stolen during this time, a comparable loaner device will be issued until the replacement anniversary. Reports of stolen Cell Phones require a copy of the police or security report.

E. Costs for Data Overage

- If an Employee's College-owned Cell Phone charges exceed the monthly limits for voice and/or data service (including SMS/texting), the Employee is responsible for reimbursing College for the cost of any personal use of the phone and associated services.
- Note – based upon the voice and/or data service plan, there should not be overages.

F. International Travel

- Employees required to travel out of the country on behalf of the College must have pre-approval for the trip and must make pre-arrangements for a Cell Phone Stipend appropriate for the location and duration of the travel.

Definitions

Cell Phone

- A device that transmits and receives voice, data, and/or text without being physically connected to the College network.
- Includes, but is not limited to, such devices as cellular telephones, wireless internet services, wireless data devices, and cellular telephone/two-way devices.

- Does not include radio devices that interface with a defined non-public radio frequency such as the 800 MHz Statewide Radio System.

Cell Phone Stipend

- Is intended to provide an allowance to the Employee for the business use of the Cell Phone.
- Is not intended to fund the cost of the device nor pay for the entire monthly bill. The assumption is that most Employees also use their Cell Phone for personal calls.
- Does not constitute an increase in base pay, nor will it be included in the calculation of percentage increases to base pay.

Employee

The following responsibilities apply to Employees who are receiving a College-owned Cell Phone **OR** a Cell Phone Stipend:

- Must know, understand, and adhere to the Cell Phone Policy.
- Will provide the Cell Phone number to their supervisor within five (5) days of activation and will be available for calls, i.e., in possession of the Cell Phone and have it turned on to receive calls.
- Will list the Cell Phone number on the Campus Directory, on the Employee's email signature line, and all other applicable and appropriate locations that a landline telephone number would be published. Any exceptions to this publication will be decided by the appropriate Vice President or President.
- Must inform their supervisor immediately when the continuing criteria is no longer met.
- Is personally responsible for complying with international, federal, state, and municipal laws regarding the use of wireless phones and other communication devices while driving. Under no circumstances will the College be liable for non-compliance.
- Must use discretion in relaying confidential College related information over any wireless devices since wireless transmissions are not secure.
- Does not need to maintain a log for business and personal phone calls.

The following additional responsibilities apply only to Employees who are receiving a Cell Phone Stipend:

- Must inform their supervisor within five (5) working days of the Cell Phone service being cancelled.
- May select, in most cases, any wireless carrier whose service meets the requirements of the job responsibilities as determined by the supervisor. The

supervisor and Information Technology will work together to determine carrier requirements if problems arise or circumstances exist that require a specific carrier/technology be used.

President

- Must know, understand, and administer the Cell Phone Policy.
- May specify additional guidelines specific to the area via an Addendum to the Cell Phone Policy.

Vice President

- Must know, understand, and administer the Cell Phone Policy
- May specify additional guidelines specific to their areas via a Division/Departmental Addendum to the Cell Phone Policy.

Violations of the Policy

Violations of this policy will be handled in accordance with applicable College procedures.

Interpreting and Implementing Authority

Director, Human Resources

Policy Adoption Review and Approval

Recommended approval by President's Cabinet on April 7, 2016

Approved by President on April 7, 2016

Appendix A

For June 1, 2016 and continuing until amended, the Cell Phone Stipend will be \$35/month.

CELL PHONE REQUEST APPLICATION

*** Please read the *Manhattanville Cell Phone Policy, Policy 7.3.7,*
prior to completing this application. ***

Requestor Identification Information: (Please complete all items.)

Name: _____ Date: _____ Mville ID#: _____

Department: _____ Title: _____

Mville Email Address: _____ Supervisor: _____

Current Cell # (if applicable): _____

Requestor Qualification for College-owned Cell Phone:

1. Is Employee identified as an Emergency and After Hour Responder? ___ Yes ___ No

Requestor Qualification for College Cell Phone Stipend*:

2. Which of the following criteria is the reason an Employee is approved?

(Check all that apply.)

Travel ___ Work Location ___ Other ___

3. How frequently do you travel for the College on business?

Daily ___ Weekly ___ Monthly ___ Occasionally ___ Never ___

4. In a typical work week, what percentage of your time is spent working away from your desk/office? % (One day = 20%)

5. Are you required/expected to answer and respond to telephone calls outside your scheduled work hours? Yes ___ No ___

6. Are you required/expected to read and respond to e-mails outside your scheduled work hours? Yes ___ No ___

7. If chose "other", explain why this criteria applies.

Signatures and Approval: (No proxy signatures or substitutions permitted.)

___ I have read and agree to abide by the *Manhattanville College Cell Phone Policy, Policy 7.3.7.*

Requestor Signature: _____ Date: _____

Approver Signature: _____ Date: _____

Vice President/President

Director, Human Resources: _____ Date: _____

*If requesting a Cell Phone Stipend, Requestor must attach a copy of the first page of a cell phone bill in order to verify that requestor has active cell phone plan.