Administrative Policy

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Effective:	12/16/2019
Supersedes:	N/A
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Subject: CELLULAR MOBILE DEVICE POLICY

1.0. PURPOSE:

1.1. To establish the policy and procedures governing the issuance and use of University-owned cellular-capable mobile devices; such devices include, but are not limited to: smartphones, cellular phones and cellular-capable tablet computers/iPads for official University business purposes by authorized University employees. For the purposes of this document, mobile devices refers solely to smartphones, cellular phones and cellular-capable tablets/computers/iPads that require a cellular/wireless data plan carrier service.

1.2. To establish the policy and procedures governing the use of employee-owned mobile devices for official University business purposes by authorized University employees.

1.3. To establish the policy and procedures governing payment or reimbursement for University-owned or employee-owned mobile device(s) and associated cellular/wireless carrier service plan rates and fees.

2.0. ORGANIZATIONS AFFECTED:

All organizational units of the University, regardless of funding source(s), including Auxiliary organizations.

3.0. REFERENCES:

3.1. Internal Revenue Services (IRS), Publication 15-B, Employee's Tax Guide to Fringe Benefits.

3.2. Government Code, Section 8314.

3.3. California Vehicle Code Sections 23123 and 23123.5 related to Wireless Telephone Prohibited Use.

3.4. Integrated CSU Administrative Manual (ICSUAM), Section 8045.00, Subject: Information Technology Security.

3.5. Cal State LA Administrative Procedure 431 – Use of University and Privately Owned Vehicles.

3.6. Cal State LA Administrative Procedure 507 - Property Control.

Approved: _____ **Date:** _____

3.7. Cal State LA Administrative Procedure 509 – Property Survey.

3.8. Cal State LA Administrative Procedure 508 – Use of Personal Property on Campus.

3.9. Cal State LA Administrative Police P 010 – Delegation of Authority.

4.0. POLICY:

This policy applies to University employees demonstrating a regular and ongoing need to utilize a cellular-capable mobile device(s) to perform their assigned duties. If the use of such a mobile device for official University business purposes is approved by their Level 3 or higher administrator, the employee may be assigned to only one of the following plans.

4.1. Plan 1: Employee-owned Device(s)

Reimbursement for employee-owned cellular-capable mobile devices and related employee-paid voice, text and/or data service plan rates and fees, at University pre-established rates.

This plan is available to all employees (MPP, faculty and staff) required to utilize a cellular-capable mobile device(s) while away from their primary work location.

Mobile devices under this category are the personal property of the employee. The employee may choose the device and/or the service plan he or she wishes to use. The University is not involved in the contract with the service provider or purchase of the device. If the employee's device is lost, stolen or damaged, the employee is responsible for the replacement cost.

A University-paid reimbursement is intended to cover the cost of the use of the mobile device for University business. The reimbursement is not reportable as taxable income on the employee's W-2, and may not exceed the actual annual cost of service.

If the mobile device is used to conduct public business, the writings on it may be subject to disclosure under the law, including but not limited to the California Public Records Act, even if the device is employee-owned.

4.2. Plan 2: University-owned Device(s)

Cellular Phone

Issuance of a University-owned cellular phone with University-provided voice, text and/or data services.

Requirements:

This option is available only to those employees (MPP, staff and student workers) who meet the following requirements:

- Employees with a lead role in the University's emergency response team and/or who may be called upon to address time-sensitive, mission-critical issues that may arise.

- Information Technology Services employees with a role that may require supporting applications and systems off hours.
- Due to the nature of their assigned duties, employees whose mobile device could furnish evidence in a court of law. Examples include employees in law enforcement and safety & emergency operations.
- Students, such as Resident Assistants, who work on campus and whose assigned duties require them to have a mobile device.

Other Cellular-Capable Devices

Issuance of a University-owned cellular-capable mobile device (tablets/computers/iPads/not cell phones) with University-provided data services.

Requirements:

This option is only available to those employees (MPP and staff) who have been issued a cellular-capable device, other than a cell phone, such as a tablet, computer, or iPad.

In the event a University-owned mobile device is lost or stolen the employee must notify their respective departments immediately.
University employees should have no reasonable expectation of privacy regarding the information stored on a University-owned cellular-capable mobile device.

Exceptions to the above-referenced requirements must be submitted to the Vice President of Administration and Finance for consideration.

5.0. DEFINITIONS:

5.1. Cellular Mobile Device – For the purpose of this document, includes smartphones, cellular phones, cellular-capable tablet computers/iPads and any emerging technology capable of voice, text and/or data that requires a cellular/wireless data plan carrier service.

5.2. Signature Authority – As defined in Cal State LA Administrative Policy P 010 – Delegation of Authority, the permission to execute transactions up to limits established by relevant University/Auxiliary policies and permissions to approve transactions for execution. This approval attests to the appropriateness of the transaction within the University's program objectives and budgetary authorizations.

Level Definitions

- Level 1 = President
- Level 2 = Typically, but not limited to, the Provost, Vice President, Executive Director of University Auxiliary Services
- Level 3 = Typically, but not limited to, the Deans, Associate Vice Presidents, Assistant Vice Presidents, Athletic Director, Director of the Luckman Fine Arts Complex, Vice Provost
- Level 4 = Management Personnel Plan (MPP) or Academic Equivalent, typically, but not limited to, Associate Deans, Directors, Fiscal Officers, Managers

- Level 5 = Non-MPP typically, but not limited to, Department Chairs, Faculty Directors (in charge of Centers), fiscal analysts or administrative support personnel.

5.3. University Employee - Authorized faculty, staff and administrators employed by either the University or an Auxiliary organization.

6.0. PROCEDURES:

6.1. With the exception of the employees identified in section 4.2. of this policy, all employees determined to require the use of a cellular-capable mobile device, through the review of assigned duties and discussion with their respective supervisor, shall be assigned to Plan 1: Employee-owned Device(s).

6.2. Plan 1: Employee-owned Device(s)

Reimbursement:

The University will provide a reimbursement to the employee on a monthly basis for the expected business-required portion of their monthly service fees, in addition to a portion of the cost of acquiring the necessary mobile device.

- The amount of the reimbursement is based on the University Monthly Plan and Device Rates – Cellular Mobile Devices (Appendix 7.1.). The monthly amount of the device reimbursement is fixed and is tied to the appropriate service level. The appropriate Level 3 or higher administrator will determine the amount of expected business-required usage. A request at the HIGH level or above will require the approval of a Level 2 or higher administrator.

- All reimbursements will be for the same time period, January through December, with the first monthly payment beginning in January. For those employees approved after the plan year, a prorated amount based on the number of months left in the plan year will be issued.
- If the employee selects direct deposit, an automatic direct deposit will be made to the employee's bank account and the expenses will be charged to the department chartfield listed on the Cellular Mobile Device - Reimbursement Agreement (Appendix 7.2.). Employees who do not wish to have the reimbursement paid via direct deposit, will be issued a check.

Employees will submit a completed Cellular Mobile Device – Reimbursement Agreement (Appendix 7.2.), to include a copy of the most recent invoice from their service provider, to their Level 3 or higher administrator for approval. The invoice is required in order to certify that the reimbursement amount does not exceed the actual cost of the service or device acquisition cost. The approved Reimbursement Agreement and supporting invoice must be submitted to the Student and Finance Service Centers by Nov 30th to be processed in time for reimbursements to begin in January of the following year.

Records:

The University-paid reimbursement is intended to cover the cost of the use of the mobile device for university business. Employees provided with data service for email will use only the campus-provided email system when they conduct university academic and administrative business. The employee shall make available to the University, upon request, records of the business calls necessary to comply with applicable laws and regulations, including but not limited to, the California Public Records Act.

Review:

In November of each year, the appropriate Level 3 or higher administrator will review, in consultation with the employee, the basis for the service reimbursement. If it is determined that the service reimbursement shall be renewed, the Cellular Mobile Device – Reimbursement Agreement (Appendix 7.2.), shall be completed by the employee, approved by their Level 3 or higher administrator, and resubmitted to the Student and Finance Service Centers along with a copy of the most recent invoice from their service provider.

Copies of the employee's monthly invoices shall be maintained in their respective departments until the next renewal cycle. The appropriate administrator shall review the invoices monthly to confirm that the employee is still eligible to receive the approved reimbursement amount, and certify that the amount does not exceed the actual cost of the service or device acquisition cost.

Administration and Finance shall conduct periodic reviews throughout the year to ensure compliance with this policy.

Periodic adjustments:

Employees may request a periodic adjustment of the reimbursement amount for reasons such as underestimated usage, change in job duties requiring greater usage, and/or a request from their administrator to increase features/access new technology.

Separation or Change of Job Duties:

When an employee separates from the University or job duties no longer require reimbursement for the use of a cellular-capable device, they will be instructed on how to repay any portion of the monthly reimbursement owed back to the University, if applicable.

6.3. Plan 2: University-owned Device(s)

Cellular Phone & Other Cellular Devices

Providers:

The University has identified mobile device plans with various service and device options from which to choose. Procurement and Contracts (Procurement) is responsible for setting these up for those who have been approved for this plan. Individual departments cannot set up their own contracts. Contact Procurement for additional information.

Because these devices are provided for business purposes only, it is expected that the appropriate administrator will select a service plan suitable for the business need of the individual. Employees provided with data service for email will use the campus-provided email system to conduct university academic and administrative business only.

The employee will complete the Cellular Mobile Device – University Owned Agreement (Appendix 7.3.), and submit to their Level 3 or higher administrator for approval.

Records:

The use of the mobile device is for business purposes only and such use is excludable from the employees' income as a working condition fringe benefit. Use of the mobile device for personal purposes should be incidental. The mobile device should not be used for an employee's personal commercial or for-profit business activities, including but not limited to outside employment. The University shall make available, upon request, records of the mobile device necessary to comply with applicable laws and regulations, including but not limited to, the California Public Records Act. Any redactions made to the produced records will be determined and made by the University in accordance with applicable law, and not by the employee.

Annual Review:

In November of each year, an annual review will be conducted by the appropriate administrator, in consultation with the employee, to determine if the employee continues to require a University-owned mobile device and the appropriateness of the selected service plan. If it is determined that the employee shall continue using the University-owned mobile device, the employee will complete the Cellular Mobile Device – University Owned Agreement (Appendix 7.3.), and submit to their Level 3 or higher administrator for approval.

Separating or Change in Job Duties:

Employees separating from the University or whose job duties no longer require them to have a University-owned cellular phone shall return their device to their respective department. Departments must return the mobile device along with the Property Survey form (Appendix 7.6.) to Property Management once it has been sanitized in accordance with Cal State LA Administrative Procedure 509 – Property Survey (see section 3.7. of this policy).

7.0. APPENDICES:

7.1. Cellular Mobile Device Plan and Rate Schedule.

7.2. Cellular Mobile Device – Service Reimbursement Agreement.

7.3. Cellular Mobile Device – University-Owned Agreement.

7.4. Electronic and Information Technology (E&IT) Procurement Request.

7.5. Property Loan Agreement.

7.6. Property Survey form.