X.XX Wireless Communication Devices (Cell Phones)

I. POLICY STATEMENT

The University of Texas at San Antonio (UTSA) recognizes that the performance of certain job responsibilities may be enhanced and supported by the use of wireless communication devices (cellular phones) and services. Employees whose duties and responsibilities require them to maintain significant wireless communication device contact with the University while away from the office or to be accessible after normal working hours may be eligible for compensation in the form of a monthly wireless communication device allowance to pay for the business portion of their plan.

The University will not provide University-owned wireless communication devices and related services for individual employees, unless recommended by the appropriate vice president and approved by the vice president for business affairs as an exception to this Policy. For the purpose of this policy, laptops, iPads, tablets, air cards, pagers, mobile radios, watches, and similar devices are not considered communication devices.

II. RATIONALE

This policy provides for procedures for the qualification, authorization, deployment, and use of wireless devices (cellular phones) for which authorized employees may receive monetary allowance at UTSA. It also provides each user the freedom of choice and personal responsibility for his/her wireless communication device.

III. SCOPE

This policy applies to all UTSA faculty and staff.

IV. WEBSITE ADDRESS FOR THIS POLICY

http://www.utsa.edu/hop/chapterX/X-X.html
V. RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

UTSA or UT System Policies or the Board of Regents' Rules & Regulations

A. Board of Regents’ Rule 20203, Compensation for Key Executives
B. HOP policy 8.15, Acceptable Use Policy

VI. CONTACTS

If you have any questions about HOP policy X.XX Wireless Communication Devices (Cell Phones), contact the following office:

Office of the Assistant Vice President, Financial Affairs and Controller
210-458-6914

VII. DEFINITIONS

Wireless Communication Device
A wireless communication device is defined as a cellular or mobile phone with voice, text, and data features. Laptops, iPads, tablets, air cards, pagers, mobile radios, watches, and similar devices are not considered wireless devices.

VIII. RESPONSIBILITIES

A. Employee
1. Secures and maintains a wireless communication device that will meet departmental needs in coordination with the employee’s supervisor.
2. Completes the Wireless Communication Device Allowance Agreement and the Wireless Communication Device Transfer Agreement, as needed.

B. Supervisors
1. Reviews and validates the business need for an allowance and timely process the Wireless Communication Device Agreement and the Wireless Communication Transfer Agreement, if needed.
2. Completes and processes the Wireless Communication Device Allowance – Exception to Policy Form when there is justification due to enhanced business operations.
C. Vice Presidents
   1. Provides approval of the wireless communication device allowance, wireless communication device transfer, or the wireless communication device exception in accordance with the stated policy for all of their areas of responsibility.

D. Vice President for Business Affairs
   1. Provides final authorization of the wireless communication device allowance, wireless communication device transfer, or the wireless communication device exception and for oversight of this policy.

E. The Payroll Services Office
   1. Processes the Wireless Communication Device Allowances in accordance with policy and Internal Revenue Service guidelines.

IX. PROCEDURES

A. Wireless Communication Device Allowance: Qualified employees whose job duties require the frequent need for wireless communication device services may receive supplemental compensation (in the form of a wireless communication device allowance) to cover the business-related use of an employee’s personal wireless communication device (cellular phone). The policy assumes that for most employees, the device will be used for both business and personal use and it is therefore appropriate for the University and employee to share the overall costs. The amount of the allowance is not intended to cover the full cost of the employee’s monthly service plan. The allowance may be increased, decreased, or eliminated should the nature of the employee’s job change and a modification to the allowance is required.

Eligibility for a wireless communication device allowance is determined on a position by position basis by each division or department as recommended by the appropriate vice president and approved by the vice president for business affairs. The initial dollar level of the allowance is an amount determined to be seventy-five dollars ($75.00) monthly as reflected on the Wireless Communication Device Allowance - Department Head Worksheet and Employee Agreement (hereinafter refer to as the “Agreement”) attached to this Policy. A review of the rate contained in the Agreement will be conducted annually.

B. Eligibility for a Wireless Communication Device Allowance: It is the responsibility of the employee’s department head to determine whether the employee’s job duties and responsibilities require that an allowance should be granted. Only benefit eligible employees qualify to receive the wireless communication device allowance and must meet the following business purposes as qualifying instances when an allowance may be granted:
   1. The employee must be available to be contacted and/or respond in the event
of an emergency.

2. Employees who are frequently “on call” officially or implicitly and/or need to be contacted in an immediate or timely manner (during or after regular business hours) to respond to situations pertinent to their assigned job responsibilities.

3. Employees who typically work in the field or at job sites where access to landline telephones and/or data network is not readily available.

4. Employees who frequently travel or are out of the office and need to be in contact with University personnel or affiliates in order to conduct University business.

C. **Authorization for Wireless Communication Device Allowance:** The decision to incur a business expense for allowances must be carefully evaluated by the department head from a cost/benefit perspective. Departments must first consider all other viable options such as landline telephones, pagers, or other less expensive communication devices.

If the department head determines that the employee’s job duties and responsibilities meet the qualifications for an allowance, the department head must complete the Wireless Communication Device Allowance – Department Head Worksheet and Employee Agreement (the “Agreement”).

Authorization by the appropriate director, dean, vice president, and the vice president for business affairs must be obtained before the allowance will take effect.

Allowances will be included in the next regular payroll process after receipt in the payroll services office and NO allowances will be processed retroactively. Allowances will only be provided by direct deposit (see form in Section XI).

The employee is responsible for purchasing the communication device and any costs for cases, covers, cords, chargers, or technical extras are the sole responsibility of the employee.

The employee’s wireless communication device allowance is taxable income and will be included in the employee’s W-2. As taxable income, the allowance would be subject to garnishment deduction calculation; other payroll deductions and benefits (i.e., TRS or ORP) are not affected.

D. **Authorization for Wireless Communication Device – Exception:** There may be a limited number of employees that UTSA will require the wireless plan to be part of a special university executed contract. These plans provide for features that allow all the devices to utilize a “push to talk” feature that will satisfy a business need for the department. The Wireless Communication Device Allowance – Exception to Policy Approval Form must be completed and approved by the department head, vice president, and the vice president for business affairs.
E. **Controls and Safeguards:** Once it is determined that an allowance is approved, the employee receiving the allowance is required to purchase a device and obtain the required service plan within thirty (30) days (provided the employee doesn’t already own the required device and have the required service plan). If the employee currently has a UTSA-owned device and service, it is the department’s responsibility to continue to pay the existing service plan until the Business Contracts Office notifies the department of a fully cancelled contract. The service plan will be cancelled by the Business Contracts Office as soon as is practical. Department heads are responsible for ensuring employees with approved allowance Agreements perform the following tasks within thirty (30) days after the Agreement has been approved: purchase a device and service at the level required by the Agreement (provided the employee doesn’t already own the required device and have the required service plan); return the UTSA-owned device to their departmental fiscal administrator, if not transferred to employee; and work with Business Office Contracts to cancel any device service paid by UTSA for the employee.

Should the employee desire to retain the current university owned device, ownership of the device maybe transferred to the employee by completing the Wireless Communication Device Transfer – Approval Form. Authorization by the appropriate director, dean, vice president, and the vice president for business affairs must be obtained before the transfer will take effect.

The employee must maintain his/her device and service at the functionality level as agreed and as approved in the Agreement. Employees must immediately report any lost or stolen devices to their department head and communication device services provider. If the employee terminates the communication device services contract at any point, s/he must notify her/his department head immediately to terminate the allowance. If the employee transfers to another department, resigns or is terminated, the department must submit a timely personnel action form to human resources and the office of payroll services. This will automatically terminate the allowance. If the employee transfers to another job within the same department and still qualifies for the allowance, the department must submit a new Department Head Worksheet to add the allowance to the new job. If the employee otherwise no longer qualifies for the allowance, the department must notify the office of payroll services by timely submission of a new Department Head Worksheet indicating discontinuation of the allowance in Section 4 to preclude allowances beyond the appropriate time.

All employees are reminded not to store institutional data, especially those containing personally identifiable information or tax identification numbers, on their wireless communication devices. And, any such information must be for legitimate University business reasons and must be temporary. Any device for which the University provides an allowance is subject to all University data access, management, and privacy policies and must be protected to the maximum extent when University data is involved. All devices that are used to connect to the University’s network are bound by all applicable University network and computer policies. All employees must use a password on their device to protect University data in the event of loss or theft of the
device. Any misuse of the device will result in termination of the communication device allowance, disciplinary action, and possible termination of employment.

Wireless communication devices may be connected to University servers, therefore, information passed through the University systems, servers, etc. is considered University information and subject to the Texas Freedom of Information Act (FOIA), University records retention requirements, and other policies and procedures. Employees are reminded to follow applicable University and State policies for wireless and other communication devices when using their personal devices to communicate through University servers or data.

F. **Annual Review**: Department heads are required to review allowances on an annual basis, preferably during the normal performance evaluation, and determine whether the employee’s job requirements still justify continuing the allowance. Departmental reports will be available in the office of payroll services that list all employees with allowances.

G. **Wireless Communication Device/Services Contracts**: Negotiating, signing, and managing a personal wireless communication device/services contract will be the responsibility of the employee. The employee is personally responsible for complying with any contract entered into with a wireless communication service provider including payment of all expenses incurred (including additional minutes used, roaming, taxes, etc.). Employees are encouraged to take advantage of and utilize plans specifically priced for University employees. [http://www1.utsa.edu/hr/edp/employee/](http://www1.utsa.edu/hr/edp/employee/)

H. **Non-Compliance**: Noncompliance with this policy may result in disciplinary action up to and including termination. UTSA supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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**X. SPECIAL INSTRUCTIONS FOR INITIAL IMPLEMENTATION**

A. Review all current wireless communication device agreements and cancel any agreements where employees will be eligible for a wireless communication device allowance.

B. Complete all required agreements and forms as outlined in a timely manner.

C. Determine whether a transfer of a UTSA device is necessary, if not collect devices for surplus.
XI. FORMS AND TOOLS/ONLINE PROCESSES

A. Wireless Communication Device Allowance – Department Head Worksheet and Employee Agreement.

B. Wireless Communication Device Transfer – Department Head Worksheet and Employee Agreement.

C. Wireless Communication Device Allowance – Exception to Policy Approval Form.

D. Payroll Direct Deposit Authorization Form.  
   https://www.utsa.edu/financialaffairs/Forms/payroll/DirectDepPayroll.pdf

XII. APPENDIX

None