

UNIVERSITY PROCEDURES
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

25.99.08.C1.01

Communication Allowances

Approved November 1, 2011

Supplements System Regulation 25.99.09

1. GENERAL

Texas A&M University-Corpus Christi (TAMU-CC) recognizes that the performance of certain job responsibilities may be supported and enhanced by the provision of cellular phones and services. This procedure establishes the method for Texas A&M University - Corpus Christi to make cellular phones and services available to employees. For the purpose of this procedure, laptops, iPads, tablets, aircards and similar devices are not considered communication devices.

The provision of a cellular phone or allowance to an employee must be based upon business need as determined by Texas A&M University-Corpus Christi management. Examples of business need include, but are not limited to (a) the employee frequently engages in work-related travel, (b) the employee is frequently out of the office of University business, (c) the employee's duties require being "on call" for essential services, or (d) the employee is key personnel needed in the event of an emergency.

2. REASON FOR STANDARD ADMINISTRATIVE PROCEDURE (SAP)

This SAP establishes the procedures related to managing cellular communication allowances and university owned cellular phones.

3. DEFINITIONS

- 3.1 Employee Owned Device – A personal phone which is considered to be the property of the employee and may be used in any way the employee deems appropriate.
- 3.2 Monthly Communication Service Allowance – Contributions made to an employee by the University to assist in the monthly cost of a cellular communication service plan.
- 3.3 Monthly Service – Voice Only Plan – A cellular communication plan including the following basic features: talk, long distance, voicemail, and caller ID.
- 3.4 Monthly Service – Voice/Data Plan – A cellular communication plan including features included in the Voice Only Plan plus the following optional features: text, picture messaging, video messaging, mobile web, data backup, email.
- 3.5 Monthly Service – Voice/Data/Added features – A cellular communication plan including features included in the Voice/Data Plan plus the following optional features: tethering, voice guided GPS, other features not listed.

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- 3.6 Texas A&M University - Corpus Christi Owned Devices - a cellular phone provided to an employee whose job duties, in the opinion of management, necessitate the provision of such a device.

4. PROCEDURES

4.1 Texas A&M University-Corpus Christi Owned Devices

Texas A&M University-Corpus Christi may elect to acquire and provide a cellular phone to an employee whose job duties, in the opinion of management, necessitate the provision of such a device. A device acquired by Texas A&M University - Corpus Christi and provided to an employee is considered to be Texas A&M University - Corpus Christi property and may be used by the employee only for official business. Generally, no personal use of the device is allowed except incidental use as defined by *System Policy 33.04, Use of System Resources*. A Texas A&M University - Corpus Christi employee furnished a University owned device should have no expectation of privacy in the individual's use of the device, including information contained on the device. A Texas A&M University - Corpus Christi owned device and all information contained on the device, may be subject to examination by authorized Texas A&M University - Corpus Christi employees without notice.

Telecommunication Services will distribute the detailed monthly bills from the cellular communication service company to the issuing department. The issuing department must monitor the monthly bills for appropriate use. Texas A&M University - Corpus Christi employees that use a University provided cellular phone are required to certify their personal usage is minimal, i.e. less than 5%. The certification must be done on a Fiscal Year basis. If the personal usage exceeds 5% in a given year, the employee will be subject to federal income tax based upon a percentage of the cellular phone bill.

4.2 Employee-owned Devices

A cellular phone purchased by an employee is considered to be the personal property of the employee and accordingly may be used as the employee deems appropriate. Any service contract the employee enters into for the operation of their personally-owned cellular phone is personal to the employee. Texas A&M University - Corpus Christi will not have any obligation or make any guarantee with respect to such service contracts. Texas A&M University - Corpus Christi will periodically review the allowance rate for monthly service plans. Such amounts are not intended to fully reimburse the employee for the total out-of-pocket costs, given that the device is expected to be owned by the employee and used for both personal and business use.

Contributions made to an employee by the University in the form of a Monthly Communication Service Allowance are considered taxable compensation subject to required tax withholdings. Payment of such taxes incurred is the responsibility of the

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employee and shall not be reimbursed to the employee by the University. A Communication Allowance is not considered to be an entitlement and is not part of an employee's base salary and may be changed and/or withdrawn by Texas A&M University - Corpus Christi at any time. Allowance payments are not subject to retirement deductions. The Monthly Communication Plan Allowance shall be paid in equal installments from departmental funds as a salary supplement and is provided to the employee only for as long as the employee qualifies for the allowance under these provisions.

A Communication Allowance shall be comprised of a Monthly allocation, which provides salary supplements for service plans.

The allowances paid by Texas A&M University - Corpus Christi are subject to the following limits as determined by System Regulation 25.99.09:

Cellular Communication Allowance	Maximum Amount
Monthly Service	Voice only - \$30/month Voice/Data - \$60/month Voice/Data/Added features - \$90/month

Departments may request exceptions to the service allowance for an amount up to 50% above the maximum amounts for employees in travel status exceeding 100 days per fiscal year. All exceptions to the maximum service allowances must be approved and routed through the appropriate vice-president to the President or designee.

5. RESPONSIBILITIES

5.1 The CEO or designee is responsible for the following:

- (a) Determining whether the employee's position requires a cellular phone or service based upon his or her job duties and responsibilities;
- (b) Determining which of the allowed acquisition methods is most appropriate for an employee requiring a cellular phone or service;
- (c) Determining the source of funds to pay for cellular service. State funds may be used for cellular phone service allowances. Restricted funds that specifically prohibit such allowances may not be used.
- (d) Ensuring the employee is made aware of the provisions of this regulation and any applicable Texas A&M University - Corpus Christi procedures.

5.2 If the cellular phone is owned by the University, the CEO or designee is additionally

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responsible for the following:

- (a) Ensuring that the substantiation requirements of the IRS are satisfied (see Section 4.1); and
- (b) Obtaining reimbursement and/or removing access to a TAMU-CC-owned device as contemplated by this procedure if documentation of phone activity shows more than incidental personal use.

5.3 If the cellular phone is owned by the employee, the CEO or designee is additionally responsible for the following:

- (a) Determining the appropriate monthly cellular communication service allowance for the employee within the amounts authorized by this procedure. An employee may elect to enroll in a service plan that exceeds the approved plan limits selected by the department. In such cases, the employee will be provided a salary supplement **ONLY** for the amount approved by the department head and vice president. The employee is responsible for payment of monthly service charges regardless of whether that amount exceeds the monthly University communication allowance.
- (b) Completing and submitting the original approved [Monthly Communication Service Allowance](#) forms to the Payroll Department by the 5th of the current month in order for the employee to receive the allowance for that month. Any forms received after the 5th of the month will be processed in the following month. No arrearages or partial months will be paid.
- (c) Annually evaluating, during the budget planning cycle, the Communication Service Allowance monthly salary supplement and the appropriateness of Plan Access Limits and making necessary adjustments. Monthly Communication Service Allowance salary supplements may be established, changed or withdrawn at any time in a fiscal year for any reason by TAMU-CC. The department shall process adjustments made to the monthly Communication Service Allowance by submitting a [Communication Service Allowance Enrollment](#) form reflecting the new contribution rate.

5.4 Texas A&M University - Corpus Christi Payroll Department will process the service allowances in accordance with the approved cellular communication allowance forms and will retain the necessary Texas A&M University - Corpus Christi forms to document approvals in accordance with the system records retention schedule.

5.5 Texas A&M University - Corpus Christi Telecommunications Department is responsible for the distribution, control, tracking and preparation of monthly interdepartmental transfers relating to University owned cellular phones.

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6. EMPLOYEE RESPONSIBILITIES

6.1 Texas A&M University - Corpus Christi Owned Devices

6.1.1 Employees are responsible for the following:

- (a) Ensuring that the device is used only for official business (with the exception of incidental personal use). Texas A&M University - Corpus Christi recognizes that incidental use not initiated by the employee is possible but under any circumstances, it should be both infrequent and nonroutine. Texas A&M University - Corpus Christi also recognizes that there may be emergency or extenuating circumstances under which the phone is needed for personal use. Those occasions also must be rare and nonroutine in nature. If the personal usage exceeds 5% in a given year, the employee will be subject to federal income tax based upon a percentage of the cellular phone bill.
- (b) Ensuring that the substantiation requirements of the IRS are satisfied (see Section 4.1);
- (c) Ensuring the physical protection of the device from damage and unauthorized use; and
- (d) Ensuring that the device is returned to Texas A&M University - Corpus Christi when it is no longer needed or the employee terminates employment with A&M University - Corpus Christi.

6.2 Employee-owned Devices

6.2.1 Employees are responsible for the following:

- (a) Selecting and enrolling in his/her communication service plan, and paying all amounts due as agreed between the employee and cellular phone/service provider. The employee is personally liable for contract stipulations including payment of all expenses incurred (including long distance, roaming fees, and taxes). In the event that an employee leaves the position that qualified for a Monthly Communication Service Allowance, he/she continues to be responsible for the contractual obligations of the communication service plan.
- (b) Providing Texas A&M University - Corpus Christi with the current access number of the phone within five working days of activation; and
- (c) Notifying Texas A&M University - Corpus Christi within five working days

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of de-activation of the device or service. An employee is prohibited from continuing to collect a monthly cellular communication service allowance when the device or service is no longer active or no longer needed for the performance of the employee's job responsibilities.

- 6.3 An employee receiving a Monthly Communication Service Allowance from Texas A&M University - Corpus Christi may not receive reimbursement from the University or another component of the Texas A&M System for use of cellular phone equipment or services nor have a university issued cell phone or communication device except in the case of international travel. An employee may be reimbursed for an international call if it was documented that it was a business phone call. Any employee traveling outside of the US is encouraged to see if their provider will give them international service temporarily at a reduced rate.
- 6.4 Reimbursement of extraordinary usage by employees in the event of a University emergency or other extraordinary event will be handled on a case by case basis and will require approval through the appropriate Vice President.

Contact for Interpretation: Office of the Comptroller
Office of Responsibility: Executive Vice President, Finance and Administration