REG 08.00.04

Mobile Communication Device Regulation

**NOTICE:**This policy/regulation is presented in its format as of the date of posting to this website. The university is in the process of conducting a thorough review of all its policies and regulations. This policy has not yet been reviewed/vetted in accordance with REG 01.20.01.

Authority: Vice Chancellor for Finance and Administration

History:

* First issued: July 20, 2010.
* Last revised: June 23, 2014

Related Policies:

* [UNCP REG 08.00.01 – Appropriate Use of the UNCP Technology Infrastructure](https://www.uncp.edu/about-uncp/administration/policies-and-regulations/all-regulations/reg-080001-appropriate-use-unc-pembroke-technology-infrastructure)

**Additional References**:

* [State of North Carolina Budget Manual Policy 5.11 – Mobile Communication Device](http://www.osbm.state.nc.us/files/pdf_files/BudgetManual.pdf)
* [North Carolina General Statute §132 – Public records](http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=132)

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**1. PURPOSE**

1.1 The University of North Carolina at Pembroke recognizes that cellular telephony is an effective resource for UNCP employees to facilitate university business. Employees whose duties require mobility and simultaneous access to the public telephone network may be assigned or reimbursed for a cellular device and related service from the institution’s preferred cellular providers. The need for an individual mobile communication device and related services must be justified by business requirements which necessitate the use of such a device to perform official university business where such business cannot be accommodated by the use of a landline phone, pager, or other less expensive communication device. This business need must be justified, documented, approved and reviewed annually by the director or department head and the appropriate divisional vice chancellor. This regulation guides the institution in the deployment of mobile communication technologies.

**2**. **APPROPRIATE USE OF MOBILE COMMUNICATION DEVICES**

2.1 University departments shall not purchase or own cellular telephones except in those circumstances where employee ownership of the cellular plan and telephone is not practical as determined by the department head and only with approval of the divisional vice chancellor.

2.2 The intent of a university supplied mobile communication device to an employee is to facilitate the conduct of official business. Use of institutionally supplied mobile communication devices for personal business should be kept to a minimum. The employee will reimburse the university for direct-charges along with a pro-rated share of monthly fees and services for the personal use of a university owned mobile communication device. Unsubstantiated usage of a university supplied mobile communication device may be deemed personal use and therefore considered wages subject to employment taxes.

2.3 Employees utilizing personal mobile communication devices and services to conduct university business will receive, with director or department head and divisional vice chancellor approval and yearly review, a designated mobile communication allowance from the university in the form of additional compensation. The mobile communication device is owned by the employee and may be used for personal business. The approved mobile communication device allowance must be based on business requirements and is established by the university. The employee reimbursement is considered taxable income and is not considered a part of the employee’s base salary. The employee may, at their own expense, elect to purchase additional service(s). Approved procedures must be followed when providing additional compensation for this purpose.

**3. MOBILE COMMUNICATION DEVICES REQUIREMENT**

3.1 Each employee in a designated position approved for reimbursement for the business use of a mobile communication device must:

3.1.a. disclose their cellular phone number to their supervisor and enter their active cellular number into their personal data in Banner self-service accessed in BraveWeb;

3.1.b. acquire, maintain and provide uninterrupted services for the appropriate cellular device necessary for the performance of their assigned duties and inform their supervisor of any disruptions/discontinuing of mobile service; and

3.1.c. answer or return university business-related calls in a timely manner.

3.2 Termination of employment with the university

3.2.1 As part of the termination checkout process for the university, all university issued mobile communication devices must be returned to the issuing department before the employee’s final check from the institution can be released. An employee must reimburse the university for any university-owned device not returned prior to the last day of work.

3.3 Violations and enforcement

3.3.1 Employees who violate or abuse this regulation may be denied access to these resources and may be subject to other penalties and disciplinary action, both within and outside the university, including dismissal from employment.

**4. MOBILE COMMUNICATION DEVICE REQUIREMENT CONDITIONS**

4.1 The allowance for the use of personal mobile communication devices for business use is not considered part of the employee’s salary and will not be used to compute any type of salary increase or benefit accrual. The reimbursement amount for mobile communication devices will be set annually by the university.

4.2 The university may provide a reimbursement in excess of the established allowance, where appropriate, in an effort to reasonably approximate the cost of the type of service/equipment needed by the employee’s position requirements and based upon the reasonable and prevailing costs of such service.

4.3 The university may elect to modify or eliminate this procedure in accordance with the university’s needs and the availability of resources without prior notice to the employee.

4.4 Employees shall acknowledge that the university accepts no responsibility for the purchase of mobile communication devices, service charges, or any charges for contract cancellations or delinquent payments to a cell phone provider. Employees shall agree to acquire and maintain such mobile communication devices and services in the employee’s own name and accept sole responsibility for paying for such service.

4.5 A participating employee acknowledges their communication allowance and personal cellular records of associated business use could be subject to the North Carolina public records law.

4.6 An employee receiving a mobile communication allowance may not be reimbursed for business or personal calls allowable during travel status as outlined in the State Budget Manual.