

Marshall University Information Technology Council

Procedure ITP-13

CELLULAR TELEPHONE VOICE/DATA SERVICES STIPEND PLAN

General Information:

1.1 Effective Date: January 1st, 2006

1.2 Passage/Revision Date: November 11, 2005/September 16, 2010/January 1, 2012

1.3 Authority: Marshall University Information Technology Council

1.4 Purpose: Marshall University will offer a stipend for cellular phone service to employees whose duties and responsibilities require cellular wireless access to telephone and/or data service. Stipends will fall under a low, medium, high and other category for the level of compensation. This plan allows the university to meet IRS regulations and its fiduciary responsibility to the taxpayers of the State of West Virginia, by providing guidelines for the use of personal cellular phones for business purposes. Federal tax law provides under Internal Revenue Code section 132(d) that, for the value of a working condition fringe benefit to be excluded from an employee's gross income. Cellular telephone service is also provided to employees needing it to perform their job functions under the Marshall University Telecommunications Cellular Telephone Procedure. Cellular Telephones and services provided under the Marshall University Telecommunications Cellular Telephone Procedure are solely owned by the university and their use is restricted to business purposes only and this distinction between the two plans should be noted.

1.5 Scope: This plan applies to all Marshall University eligible employees.

1.6 Definitions:

Cellular telephone service for the purposes of this procedure is any service that is being used, in any measure, to make or receive wireless telephone calls or transmit data on the public cellular telephone networks.

Cellular telephone (cell phone) for the purposes of this procedure is any device that is capable of using the services provided by the public cellular telephone networks. These devices vary from a simple telephone device that allows calls to be made and received and perhaps provide simple features such as a phone number directory, simple appointment calendar, and calculator.

Smartphone means a wireless, mobile electronic device that, in addition to cell capability, offers computing ability and connectivity via mobile broadband or WiFi access. Smartphone service typically is provided by Smartphone providers by means of a data plan that provides computing and connectivity time for a fee.

1.7 Stipend: Marshall University will offer a stipend for cellular phone service to employees whose duties and responsibilities require cellular wireless access to telephone and/or data service. Stipends will fall under a low, medium, high and other category for the level of compensation.

1.8 Responsibilities: Vice Presidents of the associated area shall be responsible for oversight and approval of each employees request in their unit. Requests are made on a genuine business need, not by position. Cellular phone usage will be reviewed by the appropriate Vice President on an annual basis to ensure that use is appropriate and that prudent fiscal management guidelines are followed. This periodic review shall include an assessment of each authorized employee's need to use cellular phone service for business purposes.

1.9 Procedure/Statute References:

[Marshall University Telecommuting Policy](#)

[Marshall University Cellular Telephone Procedure](#)

Plan:

2.1 A monthly stipend will be issued to those employees that are in positions authorized by a Marshall University Vice President. The criteria are as follows:

- Safety requirements indicate having cellular phone service is an integral part of performing duties of job description.
- More than 50% of work is conducted in the field. Required to be contacted on a regular basis. (No office).
- Required to be on-call outside of normal work hours as a job requirement.
- Critical decision maker.

2.2 The following guidelines must be followed:

- Marshall University will not be responsible for procuring cellular phone service for those individuals that are eligible for the monthly stipend, but a web site with local plans will be available via the telecommunications web site.
- The cellular phone service falling under the stipend plan will not be purchased by, licensed or directly billed to Marshall University entities.
- Marshall University reserves the right to specify certain minimum capabilities of cellular telephone equipment used in conjunction with this stipend (see section 2.5 Purchase of Cellular Telephone Equipment.) and considers use of the service and equipment to be subject to the [Marshall University Telecommuting Policy](#).
- All university directly paid cellular phone service must adhere strictly to the [Marshall University Cellular Telephone Procedure](#)

2.3 Reimbursement Rates:

Vice Presidents may use the following schedule to determine the appropriate stipend for new users. Annual reviews of employee usage will be used to determine those that are already using an existing university Cellular Phone Plan.

Low/Base Plan: This stipend is for the employee who has light usage of the cellular phone for business purposes and would normally use up to 500 minutes per month.

Medium: This stipend is for the employee who has medium usage of the cellular phone for business purposes and would normally use from 500 to 900 minutes per month.

High: This stipend is for the employee who has heavy usage of the cellular phone for business purposes, or may frequently travel out of the local/regional area and would normally use from 900 to 1350 minutes per month.

Other: This stipend is for employees whose usage does not fit into one of the other stipend designations.

Data and Text Message Stipends: Those individuals who need the data option on their cellular phone service may either use the university contract and restrict any activity to strict university business or make a formal request to their appropriate Vice President for a data service stipend. Data rate plans vary based on the type of device and use, i.e., lower costs for simple messaging and data, higher for smartphones, and still higher for PDA, portable, and laptop computer access.

Current plan amount can be found in the [Cellular Telephone Voice/Data and Internet Service Stipend Form](#).

2.4 Stipend Procedure

2.4.1 Cellular Phone Procedures:

1. Each Vice President will review the yearly Marshall University Cellular Phone Service report of those individuals in their area who are currently receiving a university provided cellular phone and plan.
2. Each Vice President and associated supervisor will determine those phone services that are appropriate to receive a cellular phone stipend and those that should continue on a strict business only university plan. For those that are determined to be appropriate for a Cellular Phone Service Stipend, the supervisor will submit the attached Cellular Phone Stipend Request Form to the Vice President with the appropriate level of stipend (low, medium, high or other and data if required). A Personnel Action Request Form (PAR) should be issued by the appropriate supervisor to Human Resources through the standard approval process. The amount on the PAR should reflect the cost for the total number of months of service for that year's stipend level. This would normally be 12 months from July 1st to June 30th.
3. If data services are needed, it also would be included on the above mentioned PAR for the amount of the annual service cost and should be calculated in the same manner

as the voice service. This would be added to the total annual cost of the voice stipend when submitting the PAR. Please note in the remarks section the stipend level and whether data services are included.

4. The appropriate supervisor must authorize the request and submit a PAR annually for this service. The employee should also make note that this process must happen on an annual basis and review their pay stub in the new fiscal year for the inclusion of this stipend.
5. Payment will be distributed monthly while the employee is part of this program.
6. If an employee is terminated, resigns, transfers or no longer eligible for a cellular phone service stipend, the supervisor will process a PAR to terminate the stipend and notify the appropriate Vice President and the associated employee of the event.
7. Exceptional usage situations may require cellular phone service beyond the normal usage and control of the individual and will be reviewed and approved by the appropriate Vice President.

2.4.2 Fees for Contract Changes or Cancellations

1. If, prior to the end of the cell phone service contract, a personal decision by the employee, or employee misconduct, or misuse of the phone service, results in the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation. For example, the employee quits, and no longer wants to retain the current cell phone contract for personal purposes.
2. If, prior to the end of the cell phone service contract period, a university decision (unrelated to employee misconduct) results in the need to end or change the cell phone contract, the university department will bear the cost of any fees associated with that change or cancellation as approved by the appropriate Vice President. For example, the employee's supervisor has changed the employee's duties and the cell phone is no longer needed for University purposes. If the employee does not want to retain the current contract, change or cancellation fees will be reimbursed by the University with appropriate documentation.

2.4.3 Stipend Utilization

For those employees utilizing the **Cellular Phone Service Stipend**

1. All service costs related to the purchase and usage of the cellular phone service is the responsibility of the employee.
2. The employee may have the existing cellular phone number transferred to a new service.
3. Use of the phone in any manner contrary to university procedure or local, state, or federal laws will constitute misuse, and will result in immediate termination of the cell phone service stipend.
4. University procurement cards may not be used to pay for cellular phone service.

2.4.4 University Cellular Phone Service Utilization

For those employees utilizing the **University Cellular Phone Service**

1. The employee must complete the [University Cellular Service Request Form](#) with all the appropriate signatures and submit the University Telecommunications.
2. Users must adhere strictly to the [Marshall University Cellular Telephone Procedure](#).

2.5. Purchase of Cellular Telephone Equipment

1. For the purpose of the stipend it is generally assumed that the Employee is responsible for the purchase of the Cellular Telephone Equipment to be used for base cellular service. Most plans have established “Specials” on equipment in this class. However, in those circumstances where advanced features such as data plans, access to Computing systems, or access to institutional communications and data are required, approval by the Vice President of the area may be obtained to provide all or a part of the funding of this advanced equipment from non state funds. These advanced features generally require that specific security features are available on this equipment and Marshall University reserves the right to define the minimum capabilities of these devices.
2. Under no circumstances shall the Purchasing Card or state funds to be used to purchase Cellular Telephone Equipment that is used under this Stipend Plan.

Click here to get [Cellular Telephone Voice/Data and Internet Service Stipend AUTHORIZATION FORM](#)