BOBBY JINDAL
GOVERNOR

PAUL W. RAINWATER
COMMISSIONER OF ADMINISTRATION

State of Louisiana

Division of Administration
Office of Human Resources

DIVISION OF ADMINISTRATION

DOA POLICY NO. 18

EFFECTIVE DATE: **January 21, 2002**

REVISED DATE: **June 12, 2003; December 8, 2010**

SUBJECT: **Cellular Phone Utilization and Reimbursement – Employee Owned and State Issued**

AUHORIZATION:

Paul Rainwater, Commissioner of Administration

I. POLICY:

It is the policy of the Division of Administration (DOA) to utilize cellular phones and/or mobile devices for certain positions within the DOA when necessary to effectively carry out the agency mission. All requests must be authorized by the employee's section head and approved by the Commissioner of Administration or his designee.

II. PURPOSE:

The purpose of this policy is to provide guidelines to DOA employees for the proper acquisition and use of cellular phone and/or mobile devices.

III. APPLICABILITY:

This policy is applicable to all positions within the Division of Administration that require the use of cellular phones and/or mobile devices.

IV. PLAN OPTIONS:

The DOA offers 2 (two) cellular phone and/or mobile device options to state employees which include, **Option I** (monthly allowance for use of personal device) and **Option II** (state issued device):

Option I – An employee will be paid a monthly allowance for the use of his personal cellular phone as indicated below. The device **must** be utilized for business needs.

a) A monthly allowance of **$30.00** will be provided to cover the cost of cellular phone use only, or

b) A monthly allowance of **$60.00** will be provided to cover the cost of cellular phone and data use (including, but not limited to, mobile email and Internet services).

Option II – An employee will be provided a cellular phone and/or mobile device and service plan at the department's expense. This device will be provided for business use only. **(Note: This option will require advanced approval from the Commissioner of Administration or his designee).**

V. GUIDELINES:

Option I (employee owned device)

- Section heads must notify the Appointing Authority in writing of employees within their section who need cellular phones and/or mobile devices to satisfactorily perform their job duties. A brief justification and a requested allowance amount are required for each employee. The allowance amount should be based upon the job-related usage. Requests must be made on a ***Justification Memorandum for Wireless Communication Devices Form***. The form may be obtained from the DOA/OHR website at: http://www.doa.louisiana.gov/ohr/forms/forms1.htm

- The Appointing Authority will evaluate each request and make a recommendation to the Commissioner of Administration or his designee for approval or denial.

- The Appointing Authority will notify the section head of the final decision made.

- If a request is approved for an allowance, the employee must complete a ***Cellular Phone/Mobile Device Policy Acknowledgement and Certification Form*** prior to receiving the monthly allowance. The form may be obtained from the DOA/OHR website at: http://www.doa.louisiana.gov/ohr/forms/forms1.htm

- The allowance will be spread over twenty-six pay periods each year and will appear as earned income on the employee's remuneration statements for tax purposes. Internal Revenue Service regulations require that this allowance be included as income on the employee's W-2 Form, with appropriate deductions withheld as required by law.

- Periodically, an employee may be required to provide a copy of their cellular/mobile device bill to their section head, the Appointing Authority, or to the Division's

Internal Audit section for review to verify that a substantial amount of the usage has been business related.

- An employee's need for a cellular phone and/or mobile device may be re-evaluated by their section head on an annual basis.

- Employees are responsible for promptly notifying their section head if their cellular phone service is discontinued.

- The section head will notify the Office of Human Resources of any adjustments to payroll deductions due to discontinued services, if necessary.

Option II (state issued device)

- Section heads must notify the Appointing Authority in writing of employees within their section who need cellular phones and/or mobile devices to satisfactorily perform their job duties. Employees who have been approved for state devices prior to this policy becoming effective may be re-evaluated for continuation of need for such devices. A brief justification is required for each employee. Requests must be made on a ***Justification Memorandum for Wireless Communication Devices Form***. The form may be obtained from the DOA/OHR website at: http://www.doa.louisiana.gov/ohr/forms/forms1.htm

- The Appointing Authority will evaluate each request and make a recommendation to the Commissioner of Administration or his designee for approval or denial.

- The Appointing Authority will notify the section head of the final decision made.

- Employees who are approved for this option must contact their section's Telecommunications Coordinator (T.C.) to complete the appropriate form for new or replacement devices. Employees who currently have state devices, and are allowed to keep them, may continue services under their current plan.

- Devices provided under this option are intended for business use. Personal use should be avoided.

- Cellular phones and/or mobile devices should be used when no other means of communication is practical.

- The length of each business-related call should be of the shortest possible duration.

- Employee will be responsible for the maintenance and safekeeping of the device, and may be required at his expense, to replace the device if it is lost, misused, or destroyed due to his willful or gross neglect.

- In emergency situations that cause the employee to use his state issued device for personal business, the employee may be required to reimburse the Division of Administration for that use with a check made payable to the Division of Administration using the following guidelines:

  a) In the event total minutes utilized exceeds the employee's plan limit, reimbursement shall be based on personal call utilization up to but not greater than the cost of the minutes that exceed the plan (i.e. the plan allows for 300 minutes – the employee incur 350 minutes of total utilization – 55 minutes were personal utilization – the employee's reimbursement responsibility will be 50 minutes at the plan per minute charge). **Note: No reimbursement is required when total plan minutes are not exceeded.**

  b) Any assistance, roaming charges, or other miscellaneous charges which are not clearly business related.

VI. RESPONSIBILITY:

Commissioner of Administration is responsible for:

Approving all cellular phone allowances and state issued cellular phone requests.

Appointing Authority is responsible for:

Holding section heads under his supervision accountable for adhering to all aspects of this policy.

Evaluating requests and making a recommendation to the Commissioner.

Certifying annually that conditions that justified issuance of an allowance or cellular phone and/or mobile device continue to exist.

Section Heads are responsible for:

Making sure that each employee under his supervision is:

a. Made aware of this policy and its contents as well as any forthcoming revisions,

b. Informed that he must abide by the terms of this policy as a condition of employment, and

c. Informed of the consequences of violation of this policy.

Certifying that a cellular phone and/or mobile device is necessary for employees to satisfactorily perform their job duties.

Authorizing their respective section's requests for cellular phone allowances and state issued cellular phones and forwarding those requests to the Appointing Authority for approval.

Providing a copy of the monthly bill for each state issued cellular phone to each respective user in the section, and ensuring that:

a. Each employee has reviewed and signed their respective bill acknowledging the amount of personal costs due, if necessary.

b. A check for reimbursable personal costs is attached to the reviewed bill by the appropriate employee, if necessary.

c. Signing each bill after all reviews are completed.

Ensuring that reviewed bills and any checks are forwarded to the Office of Finance and Support Services.

Periodically reviewing cellular plans to be sure that the most cost effective plan is being utilized for the employee's business needs.

Notifying appropriate parties when allowances should be discontinued and also reactivated.

Ensuring that state-issued devices are obtained from an employee prior to termination of employment or vacating a position.

EMPLOYEES are responsible for:

Complying with all aspects of this policy.

Reimbursing the DOA for personal cellular phone calls, when necessary.

Notifying the section head promptly if their cellular service is discontinued.

OFFICE OF HUMAN RESOURCES is responsible for:

Providing guidance to the Commissioner of Administration or his designee regarding discipline of an employee who has misused or abused cellular services.

Ensuring cellular phone and/or mobile device allowances are distributed to employees via bi-weekly payroll.

Ensuring that allowances are discontinued and reactivated, when requested.

Filing documentation pertaining to cellular phone and/or mobile devices in employee personnel files.

OFFICE OF FINANCE AND SUPPORT SERVICES is responsible for:

Providing the sections with copies of their respective cellular phone bills.

Maintaining the bills with the acknowledgements received from the sections in proper files.

Immediately depositing into the Treasurer's Bank Account, checks received from employees for personal cellular phone usage.

VII. EXCEPTIONS:

Requests for exceptions to this policy must be justified, documented and submitted in writing to the Appointing Authority for consideration.

VIII. QUESTIONS:

Questions regarding this policy should be directed to the employee's section head or to the Office of Human Resources.

IX. VIOLATIONS:

Employees found to have violated this policy may be subject to disciplinary action, up to and including termination.

DIVISION OF ADMINISTRATION

Cellular Phone/Mobile Device Policy Acknowledgement and Certification Form

I, _____ **(Print Name)** understand that in accordance with DOA Policy No. 18 regarding cellular phones, I will receive an allowance of $_____ to be used to provide cellular phone and/or mobile device service that is needed in conjunction with the performance of my job duties. The allowance will be reported as income on my W-2 for tax purposes. This will be the only reimbursement for cellular phone and/or mobile device expenses I receive. I further understand that I may, on occasion, be required to provide a copy of my cellular/mobile device bill to my supervisor, appointing authority or internal auditor for review and to verify that a substantial amount of the usage of the cellular phone/mobile device has been business related; therefore, a detailed billing receipt may be required.

I acknowledge that I have been told that I must maintain cellular/mobile device service in order to receive reimbursement, and my failure to do so may subject me to disciplinary action.

I also acknowledge that I have read and must comply with the guidelines established in DOA Policy No. 23, *Use of Smartphone Devices for Access to State Data*. The policy can be located on the DOA/OHR website at: http://www.doa.louisiana.gov/ohr/policies/policies2.htm

The effective date of this action will be _____.
(1st day of a pay period)

_____ _____
Employee Signature & Personnel No. Date

_____ _____
Section Head Signature Date

_____ _____
Appointing Authority Signature Date

Please forward this completed form to the Office of Human Resources.

DIVISION OF ADMINISTRATION

JUSTIFICATION MEMORANDUM FOR WIRELESS COMMUNICATION DEVICES

TO: _____
Appointing Authority

FROM: _____
Section Head

DATE: _____

RE: **Justification for Cellular Phone Allowance or State Issued Devices**

I am requesting approval for the following option for the employee listed below:

☐ Cellular Phone Allowance; $_____ (per month)

☐ State Issued Device

☐ Cancel Cellular Phone Allowance, effective _____.
(Explanation: _____)

Employee: _____
Name Personnel No.

_____
Job Title Section

A brief description of the employee's job duties and an explanation as to why the device is necessary for the employee to satisfactorily perform his duties:

_____

_____

_____

_____

_____ _____
Section Head Signature Date

Appointing Authority's Decision: ☐ Approved ☐ Denied _____
Appointing Authority's Signature/Date

Please forward this completed form to the Office of Human Resources.