North Carolina Central University
Mobile Communications Device (MCD) Allowance Policy

1.0 Revision History

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<th>Effective Date</th>
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2.0 Purpose

This policy establishes guidelines for procurement, possession, and appropriate use of University-owned Mobile Communications Devices (MCD). It also defines guidelines for the approval of a Mobile Communications Device allowance. This policy is designed to reduce unnecessary MCD costs to the University and to avoid violation of state mandates regarding MCD usage.

3.0 Definitions

Mobile Communication Device (MCD): any device that is capable of using the services provided by the public/private cellular networks. These devices range from a simple cell phone to devices with the capability to access the Internet.

4.0 Applicability

This policy affects faculty and staff who are authorized to use a cell phone and/or associated wireless services for university business and who receive compensation from the university to offset the cost of the cell phone for business-related calls or who receive a university-provided cell phone. It does not apply to students unless they are employed by the university. This policy also governs Mobile Communications Devices acquired via grants and contracts awarded in North Carolina Central University’s name.

5.0 Policy

In general, North Carolina Central University will not own mobile communications devices or carry mobile communications device contracts for permanent assignment to individual employees, only in limited cases as specified below. Employees whose job duties require the frequent use of mobile communication devices will be given a taxable monthly allowance to compensate for business use of a personal mobile communications device.

The University will provide a limited number of Mobile Communication Devices to the following employees:

- Chancellor and his/her direct reports
- Associate vice chancellor for facilities management, associate provost and the associate vice chancellor for human resources
- Chief of police, deputy chief of police, or other critical safety personnel who are on call 24/7 as determined by the Unit Head
- Director of residential life, facilities services, and critical employees who are on-call 24/7 within these units including information technology services, as determined by the Unit Head

Any and all exceptions must be justified by the appropriate Unit Head/Vice Chancellor and the Chancellor.
6.0 Mobile Communications Device Allowance (MCDA) Program

The MCD allowance program is not intended to pay the full cost of the employee’s monthly service costs with their provider. It is intended to only cover the reasonable cost that the employee incurs while using the device/service as part of their job duties and responsibilities. The MCDA guidelines are as follows:

a. The employee is responsible for procuring and paying for all services and equipment.
b. If the employee’s use (from previous history of having a university provided device) is estimated to be less than 100 minutes a month, the employee may not receive a MCD allowance unless the supervisor provides sufficient justification.
c. A state agency is only allowed to provide MCD allowances if the agency’s total cost to provide the allowance is less expensive than providing state-owned MCDs.
d. The monthly allowance is taxable income. Appropriate taxes will be withheld from the allowance payment each month.
e. The employee’s personal mobile communications device records could be subject to the North Carolina public records law (General Statute 132).

7.0 Mobile Communications Device Allowance (MCDA) Justification

Justification for a Mobile Communication Device employee allowance plan is determined by considering (but not limited to) the following criteria:

a. Safety requirements dictate that having mobile/remote communication capabilities is an integral part of performing job duties.
b. More than 50% of work is conducted away from the employee’s work station and the employee is required to be contacted on a regular basis.
c. Employee is on-call outside of normal work hours.
d. Senior officer or other critical decision maker.
e. Employee monitors and administers mission critical information systems during non-business hours.
f. The job requires the employee to be immediately accessible to receive and/or make frequent business calls outside of working hours.
g. Other special circumstances approved at the Vice Chancellor level.

Note: access to e-mail from one’s residence is not sufficient justification for a Mobile Communications Device or a university provided mobile communications device.

The Supervisor must complete the Mobile Communications Device justification form for approval by the Division head and the MCD committee.
8.0 Employee Responsibilities

a. Sign the Mobile Communications Device Allowance justification form thereby certifying that he/she will provide the phone number within 3-days of activation and will be available for calls (in possession of the phone and have it turned on) during those times specified by management. NOTE: supervisors may periodically request that the employee provide a copy of the first page of the phone bill in order to verify that he/she has an active mobile communication device. Supervisors may also periodically request documentation of business use to determine the appropriateness of eligibility and level of the allowance amount.

b. Select any Mobile Communications Device carrier whose service meets the requirements of the job responsibilities as determined by his/her supervisor.

c. Inform the University to discontinue the allowance when the eligibility criteria are no longer met or when the Mobile Device service is cancelled. If such notification is not submitted within 30 days of no longer meeting criteria or service cancellation, the employee must repay any allowance received.

d. Pay all charges on his/her personal Mobile Device plan. If the employee leaves the position, he/she continues to be responsible for the contractual obligations of his/her Mobile Device plan.

e. Comply with state and municipal laws regarding the use of Mobile Devices while driving and prevent Mobile Device use that jeopardizes employee safety. The State does not condone the use of a wireless phone while driving.

f. Acknowledge that Mobile Device transmissions are not secure and employees should use discretion in relaying confidential NCCU business-related information over a Mobile Communications Device.

g. Use of the allowance in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the mobile communication device allowance.

h. Employees are to ensure that all state business calls made on mobile communication devices are kept to a minimum of duration.

i. If prior to the end of the authorized allowance period, a state decision (unrelated to employee misconduct) results in the need to end or change the mobile communication device allowance, the state is not responsible for any costs or charges incurred to the employee by his/her provider plan.

9.0 Supervisor Responsibilities

a. Supervisors are responsible for submitting the justification to their appropriate Vice Chancellor/Unit Head for approval. The Vice Chancellor will seek approval from the MCD Committee.

b. The supervisor must annually authorize the request and resubmit it to their appropriate Vice Chancellor for approval in order to continue the allowance or continue with a university provided device.

c. If an employee is terminated, resigns, transfers or for any reason is no longer eligible for a mobile communication device allowance, the supervisor will resubmit the MCD justification form showing the service end date to terminate the allowance.

d. If prior to the end of the authorized allowance period, a personal decision is made by the employee or a decision is made by the state due to misconduct to terminate the allowance agreement, the employee will bear the cost of any fees levied by the service provider that are associated with any change or cancellation made to the plan by the employee. For example, the employee is responsible for any fees because the employee chooses (after the decision to terminate the allowance agreement) to change his/her provider plan because he/she no longer needs the high amount of minutes or data services portion of a plan.
e. If prior to the end of the authorized allowance period, a state decision (unrelated to employee misconduct) results in the need to end or change the mobile communication device allowance, the state is not responsible for any costs or charges incurred to the employee by his/her provider plan.

f. Supervisors are responsible for ensuring that personal calls on reimbursed personal wireless phones are kept to a minimum during official working hours.

g. Supervisors have the option of revoking the allowance approval.

h. Supervisors must recertify MCD allowances using the same approval process by May 31st to be continued into the new fiscal year.

10. Mobile Communications Device Management

University provided Mobile Communication Devices will continue to be administered by the ITS Eagles Technical Assistance Center (ETAC). Any questions regarding this policy should be directed to the appropriate supervisor or unit head.

The ITS telecommunications analyst will attempt to help identify inappropriate mobile communication device usage by keying on “red flag areas”. However, determination of actual abuse is the responsibility of the department head. The determination can be facilitated by monthly examination of the bill once it has been sent to each department.

Identified misuse of university provided mobile communication devices will result in termination of the mobile device services. Individuals will also be required to compensate the University for Personal Calls that cause the bill to exceed the monthly service rate. Identified misuse of an employee Mobile Communication Device allowance will result in termination of the monthly allowance.

Failure to comply with University Policy regarding the use of Mobile Communication Devices may result in disciplinary action to include termination of Mobile Device privileges and collection of any fees associated with the abuse of this policy.