Procurement and Sourcing Services

Effective Date:	February 14,2012
Last Update/Revision:	February 14, 2012
Initiating Department:	Telephone Services
Responsible Department:	Telephone Services
Authorizing Person:	VP for Finance and Treasurer
Policy Number:	P1622

Policy Name: University Cell Phones

Purpose: To establish guidelines for participants in the University Cell Phone program.

Policy: Long Island University provides Cellular Telephones, and/or Data Service with Voice for employees whose job duties include the frequent need for remote access. Supervisors and appropriate senior staff members must approve all cell phones or "push-to-talk" devices. The Chief Information Officer is required to approve all University supported devices that include a data plan. A Cell Phone Request Form has been developed to document the approval process.

The following criteria serve as guidelines to identify an employee's need for a cell phone or device:

- Safety requirements, including the need to immediately contact others is an integral part of the requirements of the job
- A large percentage of work is conducted away from the employee's work station
- The employee is required to available outside of normal work hours or is on-call 24/7
- The job requirements include critical university-wide decision making

USAGE

Cell phones issued to employees remain the property of Long Island University. Individuals to whom cell phones have been provided are responsible for their security and maintenance. Accordingly, any damage, theft, or vandalism relating to a University phones must be promptly reported to Procurement and Sourcing Services.

Safe use of the cell phone is of the utmost importance. Employees should avoid talking on a cell phone and operating a motor vehicle at the same time, due to both safety and legal concerns. Employees should also be aware that cell phone conversations are not secure and should use discretion in relaying confidential information.

The University reserves the right to monitor the use of all University owned cell phones. Cell phones may not be used to defame, harass, intimidate, or threaten any other person. Employees are prohibited from using their cell phones in any illegal, illicit or offensive manner.

Employees are required to return cell phones to Procurement and Sourcing Services on resignation or termination of employment.

TAXABILITY of NON-BUSINESS USE

The IRS has recently focused on employee benefits provided by employers. Personal use of employer provided cell phones and similar devices is considered taxable income to employees by the Internal Revenue Service. As such, the IRS requires detailed record keeping including (a) the amount of the expense; (b) the time and place of call; and (c) the business purpose for the call. The IRS can declare anyundocumented use to be personal and taxed as wages, even if the

cell phone or device was mostly used for business purposes.

IRS Ruling – To be able to exclude the use by an employee from taxable income arising from an employer-owned cell phone, the employer must have some method to require the employee to keep records that distinguish business from personal phone charges. If the telephone is used exclusively for business, all use is excludable from income (as a working condition fringe benefit). The amount that represents personal use is included in the wages of the employee. This includes individual personal calls, as well as a pro rata share of monthly service charges.

Accordingly, employees granted cell phones and Blackberries will need to review prior monthly cell phone records to determine the appropriate percentage of business vs personal usage. The percentage will be used to determine taxable personal usage going forward.

This Policy Applies to:	All Employees
Procedure:	Once a Director/Department Head has determined that an employee requires the use of a cell phone, the Director must submit a Cell Phone Request Form to Procurement and Sourcing Services. The request form is to be filled out completely and must be signed by both the end user and the Director/Department Head, agreeing to the terms of the contract. After Campus Financial Services has approved the funds, the Director/Department Head will contact Telephone Services to arrange for the receipt of the device. If the end user is to go overseas or needs to change their agreed upon minutes for any reason, Telephone Services **must** be given written notice beforehand so unexpected charges are not incurred.
Exceptions:	None
Forms:	Cell Phone Request Form