A. **Background and Purpose**

The purpose of this guideline is to provide guidance regarding eligibility for a wireless communication plan and equipment allowances.

B. **Persons Affected**

This guideline applies to employees meeting the official state business need criteria below.

1. **Definitions**
   
a. Communication Device. Cellular telephones, personal digital assistants (PDA) with e-mail capability, or telephone/PDA combinations, and any necessary accessories (including batteries, hands-free devices, cases, carrying devices, chargers, and data cabling).

   b. Department Head. A university department chair, director, dean, division vice president, or the President as applicable to eligible employee.

   c. Director Level or above. Includes the President, Assistant to the President, Vice Presidents, Assistant Vice Presidents, Associate Vice Presidents, Deans, Associate Deans, Assistant Deans, Department Chairs, Executive Directors, and Directors.

   d. Field Staff. Employees whose primary job duties are performed outside of an office environment for 50% or more of the time and approved by the appropriate vice president.

   e. Key Personnel for Emergencies or Other Critical Contact. Examples include police, certain network administrators, and key facilities staff as approved by the appropriate vice president.

   f. Official State Business Need. A significant business necessity exists for the wireless communication device in the performance of the employee’s duties. It relates to employees who frequently engage in work-related travel, are frequently out of the office on University of Texas Rio Grande Valley (UTRGV) business, or are considered key personnel needed in the event of an emergency or other critical contact.

C. **Responsibilities**

1. Department Heads are responsible for:

   a. determining whether an employee’s position requires a wireless communication device based on the job duties and responsibilities;
Institutional Guideline

b. determining which allowance plan is most appropriate to an employee requiring a device;

c. determining the source of funds to be used to pay for a communication plan and equipment reimbursement and ensuring that funds are available throughout the approved allowance period;

d. reviewing and approving all allowance requests;

e. completing the necessary forms to document the approval;

f. periodically evaluating an employee’s need for a wireless communication device; and

g. notifying the Office of Human Resources when an employee’s job responsibilities change and the provision of a monthly communication plan allowance is no longer approved and should cease.

2. Employees are responsible for:

a. paying all amounts due as agreed between the employee and service provider;

b. providing the department head with the current telephone number of the communication device within five working days of activation;

c. notifying the department head within five working days of inactivation of the device.

D. Procedures

1. Eligibility

a. Employees who are eligible to receive University benefits.

b. Employees who are at director level or above.

c. Employees below the director level, including field staff and key personnel for emergencies or other critical contact, who have the recommendation of the department head (as applicable to organizational hierarchy), dean/director (if applicable), and division vice president.

Note:
An employee ceases to be eligible when the employee’s job duties change and the department head determines that the new duties do not support a business need for a wireless communication plan allowance or when the employee terminates employment with the University.

a. The Purchasing Department will annually publish the University’s communication allowances for wireless communication plans determined on current market rates. The monthly plan allowance will be determined based on historical usage following review and recommendation from the department head. In the event that an employee requires an allowance in excess of the highest allowable rate, the request with justification, must be submitted through the organizational hierarchy to the appropriate vice president for approval. Wireless communication device allowances are taxable compensation subject to required tax withholdings. Allowances do not qualify as compensation for TRS or ORP contribution purposes.

b. The equipment and activation fee reimbursement will be published annually by the Purchasing Department and will be the actual cost not to exceed an amount determined by the current market rate for a cellular telephone or for a PDA with e-mail capabilities or telephone/PDA combination. In addition to meeting the above eligibility requirements, to qualify for a PDA with e-mail capabilities or telephone/PDA combination allowance, an employee’s business-related use must be significant, as determined by the appropriate vice president. The employee must submit a copy of the receipt showing the proof of equipment purchase. The device obtained by the employee seeking reimbursement is the property of the employee. Like the monthly plan allowance, these reimbursements are taxable compensation.

c. Initial equipment reimbursements may be requested along with the monthly plan allowance request. Thereafter, subsequent equipment reimbursements may be allowed at the discretion of the department head, dean/director, and division vice president every 24 months subject to conditions in F.2.b above. UTRGV is not responsible for loss, theft, or damage to an employee’s personal wireless device. Employees should consider purchasing device insurance through their service provider.

d. The monthly wireless communication plan allowance is provided to reduce expenses associated with UTRGV business. The allowance is not intended to cover 100% of the fees and service charges incurred under an individual’s plan given that the device is expected to be owned by the employee and used for both personal and business use. The department head will determine the level of service required by the employee’s job duties and responsibilities. If the employee decides to purchase a service plan that exceeds this level of service, he/she must bear the additional expense.

e. An employee is prohibited from continuing to collect a monthly wireless communication plan allowance when the device is no longer active or needed for the performance of the employee’s job responsibilities. An employee receiving a monthly allowance may not receive reimbursement for the same or similar equipment or service from another department of the university.
f. If an employee who is receiving a monthly wireless communication plan allowance becomes ineligible for any reason and the employee decides to terminate service within 30 days of becoming ineligible, the University will refund 50% of any early termination fees assessed by the service provider. To receive the refund, an official statement from the service provider which documents the early termination fee must be presented to the department head within 45 days of the date he/she became ineligible. The request for reimbursement may be processed through a purchase requisition submitted to the Purchasing Department for handling. The supporting documents must be attached to the requisition.

g. In the event that an employee who is receiving a monthly wireless communication plan allowance transfers departments, the current project account will continue to be charged for the allowance unless a Termination of Wireless Communication Plan Allowance Form is submitted to the Office of Human Resources by the 10th of the current month. No partial month allowance will be made.

h. If a monthly allowance has been terminated and/or will no longer be needed, the department head must submit a budget revision request in order for the remaining funds to be restored to the operating Budget (see F.3.b).

i. Numerous service plans are available in the telecommunications market. Eligible employees may choose any provider and plan. Provider contracts resulting from such choices are between the employee and the provider and in no way obligate UTRGV, nor does UTRGV endorse any particular service provider or plan.

3. Source of Funds

a. Any source of funds may be used for a wireless communication plan allowance or equipment reimbursement.

b. The monthly wireless communication plan allowance will be funded from operating funds and transferred into the eligible employee’s salary item by the Office of Human Resources.

c. Grants and Contracts funds that specifically prohibit allowances of this nature may not be used for this purpose

4. Procedure to Request a Wireless Communication Plan Allowance and/or Equipment Reimbursement

a. The employee’s department head must submit an approved Wireless Communication Plan Allowance and/or Equipment Reimbursement Request Form to the Office of Human Resources. The request form is available at:
The request form may be used for a monthly allowance and/or initial or subsequent equipment/activation fee reimbursement (see F.2.a-c above).

b. All approvals indicated on the request form must be obtained.

c. The request form must be forwarded to the Office of Human Resources.

d. Requests to initiate a monthly wireless communication plan allowance must be received by the Office of Human Resources by the 10th of the month in which the allowance is to be effective.

e. The Office of Human Resources will process the request(s) and commence the monthly salary supplement for the wireless communication plan allowance and/or the equipment reimbursement in accordance with provisions of this policy.

5. Duration of Communication Plan Allowance

a. The monthly wireless communication plan allowance will remain in effect until terminated by the department head or until this policy is revised and the employee is not eligible for the allowance according to the revised policy.

b. Department heads are responsible for notifying the Office of Human Resources when the monthly wireless communication plan allowance should be terminated during the budget year by completing a Termination of Wireless Communication Plan Allowance Form available at:


c. Requests must be received by the Office of Human Resources by the 10th of the month in which the termination is to be effective.

6. Reimbursement for Business Calls

a. Employees who are not receiving an allowance for a wireless communication plan may be reimbursed for business calls made using a personal device. Upon approval of the project manager, employees may be reimbursed when business calls cause the employee to incur additional costs (an itemized billing statement will be required). Reimbursement will be limited only to the amount attributable to business calls.

b. Employees receiving an allowance for communications services may not be reimbursed for business calls except in extraordinary circumstances at the discretion and approval of the appropriate vice president. The reimbursement will only be
Institutional Guideline

approved if the total number of minutes related to business calls exceeds the allowed plan minutes. An itemized billing statement reflecting an itemization of all business calls must be submitted. The employee may be reimbursed only for the amount attributable to business calls made in excess of plan minutes.

c. A purchase requisition should be processed under normal purchasing procedures

7. UTRGV Provided Communication Equipment and Plans

a. UTRGV does not purchase communication devices. Only in rare cases will exceptions be considered on a case-by-case basis by submitting a request with justification through the organizational hierarchy for approval by the division vice president. If approved by the vice president, the approved request should be attached to the purchase requisition and submitted to the Purchasing Department for handling. The device will be UTRGV property. The department head is responsible for any university-purchased devices. The Justification for Exception to Wireless Communication Device Policy form is available at:


b. In unique circumstances, a department may have a business need for a communication device assigned to the department rather than to a specific employee. In those instances, the department head may request that the monthly communication plan and equipment be paid by UTRGV. The service and equipment request must also be requested and approved as stated in F.7.a above. University-purchased devices are to be used for official business only. The department head is responsible for the equipment and monthly billing statements. The department head must confirm from all users of a departmental device that all calls were directly related to University business and ensure that any incidental personal calls are reimbursed. The monthly billing statement approved by the project manager and department head and copies of any Payments and Collections receipts (for personal calls) must then be forwarded to the Accounts Payable Office for payment processing.

E. Applicable Forms

Justification for Exception to Wireless Communication Device Policy

Termination of Wireless Communication Plan Allowance

Wireless Communication Plan Allowance and/or Equipment Reimbursement Request