

Cell Phones

Effective: December 18, 2012

UDOT 02-26

Revised: January 1, 2020

Purpose

To set Department-wide policy for the Utah Department of Transportation (Department) regarding the requirement for employee provided cell phones, allowances for the employee-provided cell phones used for business purposes, and access to the state system.

Policy

The Department will evaluate an employee's State of Utah business need for cell phone services. No cell phone allowances or services will be provided if the business need cannot be clearly identified. The Department will no longer issue cell phones or appurtenances to employees and will require employees to provide their own cell phones by employing a practice of BYOD (bring your own device). Exceptions to this policy must be approved by the Executive Director or Deputy Director.

Mobile devices represent a risk to agency information security and data protection. When the appropriate security applications and procedures are not applied, they can be a conduit for unauthorized access to the organization's data and IT infrastructure. This can subsequently lead to costly data leakages and system infection. Installation of DTS approved security software will be required for individuals to access the state system from their personal devices.

The Department reserves the right to restrict the use of mobile devices if users do not abide by the policies and procedures outlined herein.

Employee-provided cell phone

- A. An eligible employee will receive a monthly taxable allowance to cover the cost of business-related use of an employee provided cell phone. The allowance amount is set by the Executive Director and defined on the Employee-Provided Taxable Cell Phone Allowance Agreement (Adobe Form PLCY-26A).
- B. A list of eligible employee titles is kept by the comptroller. Employee's eligibility is determined by the Region Director or Group Leader. An approved list of employee titles should be updated annually and submitted to the comptroller. (Document PLCY-26C).
- C. An employee with a clearly identified business need for cell phone services must fill out the Employee-Provided Taxable Cell Phone Allowance Agreement (Adobe Form PLCY-26A) to receive a monthly taxable allowance for the use of their employee provided cell phone. The agreement must be signed by the employee, supervisor, Administrative

Manager or Finance Manager and the Region Director or Group Leader. A new agreement must be completed if the business need changes or the employee changes positions.

- D. The employee is responsible for the purchase of and payment for all cell phone equipment, accessories, and service plans.
- E. The employee must retain an active cell phone contract that provides data, talk and text capabilities for as long as the allowance is in place.
- F. The allowance will be paid through the payroll process and is considered taxable income. The allowance does not constitute an increase to base pay and will not be included when calculating retirement contributions.
- G. An employee's supervisor may terminate the allowance agreement if the employee is not using the phone for essential functions it was approved for according to policy and the Employee-Provided Cell Phone Allowance Agreement.
- H. Any personal information on the cell phone is considered private when an employee receives an allowance for business use of a personal cell phone. However, because personal data is commingled with business data, the personal data may be viewed by a state officer or court in response to a GRAMA request or court action related to the business data as defined by Utah Law.
- I. The employee agrees to abide by any applicable security policy or rule issued by the Department or by the Department of Technology Services. Installation of DTS-approved security software will be required for individuals to access the state system from their personal devices.
- J. Employees are not allowed to use state-provided cell phones, issued by the Department, upon moving to the BYOD Employee-Provided Cell Phone option, upon termination, or transferring to a position that does not warrant a cell phone.

State-provided cell phone

The Department does not issue cell phones or appurtenances to employees and will require employees to provide their own cell phones. The agency employs a practice of BYOD (bring your own device). Exceptions to issue any state-provided cell phone must be approved in writing by the Executive Director or Deputy Director.

An employee with a clearly identified business need for a cell phone, who receives an exception to be issued a state-provided cell phone, will fill out the State-Provided Cell Phone Agreement (Adobe FormPLCY-26B). The agreement

must be signed by the employee, supervisor, and the Administrative Manager or Finance Manager and the Region Director or Group Leader.

The following will apply for employees that currently have a state-provided cell phone:

- A. The Department will not upgrade any phones for employees. In addition all cell phone accessories, not provided in the original packaging, except screen protector and case, must be purchased by the employee.
- B. Employees will read, understand, and comply with Administrative Rule R895-7, Acceptable Use of Information Technology Resources. Failure to abide by these rules puts employees and the Department at risk. The rule only permits “incidental and occasional personal use of IT resources” and should not be abused.
- C. Employees will return state-provided cell phones to the Department upon moving to the Employee-Provided Cell Phone allowance, upon termination, or transferring to a position that does not warrant a cell phone.
- D. An employee’s supervisor may require an employee to return a state-provided cell phone at any time, for any reason.
- E. An employee with a state-provided cell phone is responsible to reimburse the Department for any additional charges beyond the standard monthly fee, unless the charges are work-related and approved by the employee’s supervisor. This includes but is not limited to international service fees, texting and messaging fees, and overage fees.

Forms, Document, and Rule (for Reference)

Employee-Provided Taxable Cell Phone Allowance Agreement (PLCY-26A)

State-Provided Cell Phone Agreement (PLCY-26B)

Approved List of Employee Titles (PLCY-26C)

Acceptable Use of Information Technology Resources (Admin Rule R895-7)

Procedures

Employee-provided cell phone

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Responsibility: Region Director/Group Leader

Actions

1. Identify business needs for cell phone service and prepare the list of eligible employee titles.
2. Submit updated approved employee title (PLCY-26C) list to Comptroller's Office annually.

Responsibility: Employees, Supervisors, Administrative Manager/ Finance Manager and the Region Director/Group Leader

3. Complete the Employee-Provided Taxable Cell Phone Allowance Agreement (PLCY-26A).
4. Provide a copy to the Comptroller's Office Payroll Coordinator.

Responsibility: Comptroller's Office/Payroll Coordinator

5. Verify with the appropriate Administrative Manager / Financial Manager that the employee does not have a State-provided cell phone.
6. Enter the recurring allowance in the State payroll system.

Responsibility: Employees

7. Purchase and pay for all necessary equipment, accessories, and service plans to maintain cell phone service level with data, talk and text capabilities.

Responsibility: Employees/Supervisors

8. Complete a new agreement if the employee changes positions.

State-provided cell phones

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Responsibility: Administrative Manager/Financial Manager

Actions

1. Obtain and maintain copy of exception authorization for a state-issued device in a file.
2. Maintain the completed State-Provided Cell Phone Agreement (PLCY-26B) in a file.
3. Periodically review services plans and pools to guarantee the best use of State funds.
4. Review monthly bills, and provide detail to employees and Group/Region leaders as needed.

Responsibility: Accounts Payable/Accountants

5. Pay monthly invoices via FINET or a p-card, and allocate costs as necessary.

Responsibility: Employees with State-provided cell phones

6. Reimburse UDOT for any personal use that increases the cost of service.
7. Return the cell phone to the supervisor upon moving to BYOD allowance, termination, transfer to a position that does not require a cell phone, transfer to a different Group or Region, or request by the supervisor for return of the phone.