1 Statement of Policy

Mobile devices have become commonplace, are readily available, and are convenient to use for law school business. The use of mobile devices for business purposes can be expensive and the decision to incur such business expenses must be evaluated from a cost/benefit perspective. Other viable options such as a landline phone, pagers or other less expensive communication devices must be considered.

With few exceptions, the law school will not purchase mobile devices nor maintain an institutional mobile device service plan for employees that require the use of mobile device(s) for business purposes.

Law school employees required to use mobile devices for business purposes will obtain personal mobile plans and will be provided with approved mobile device allowance amounts via payroll. This must be for a business purpose that cannot be accommodated with a landline phone, pager or other less expensive communication device. The allowance amounts represent the anticipated costs associated with the estimated business use.

Due to the nature of the responsibilities and expected accessibility of employees at the director level or higher, the law school shall provide a basic cell phone service allowance to employees at this level upon request and substantiation of frequency of business use required. Additionally, the Dean and Associate Deans shall receive an allowance at the PDA mobile device level since they are expected to be reachable by phone and email when away from the office (see Compatibility with Law School Systems and ITD Support under Exceptions and Other Considerations). Other staff may be provided with an appropriate level of allowance if the staff member demonstrates a significant business need and the staff member’s request for mobile device allowance is approved as indicated in this policy. Any staff member who receives a mobile device allowance is also eligible for a hardware reimbursement once every 24 months. This reimbursement shall be for the cost of the phone or PDA device only (after provider credits, discounts and rebates available), requires a receipt, is subject to the allowance maximum indicated in this document and shall be reimbursed through payroll as a one-time additional allowance. The cost of any accessories shall be the responsibility of the employee and will not be reimbursed by the law school.

1 Early adoption or retroactive application may be approved on a case by case basis by the Associate Dean for Business.
The Associate Dean for Business must approve the issuance of a mobile device allowance. An annual review of the business purpose and associated allowance will be completed by the Executive Director of Business and Finance. Like any other organizational expense, individual departments are accountable for their prudent use of law school resources. Approved allowances shall be charged to the same departmental budget that the employee receiving the allowance is charged for payroll purposes.

Allowances may be issued for the following:

- Individual monthly service plan with a vendor
- Purchase or replacement of mobile device once every 24 months

Devices that have been lost, stolen or damaged are the responsibility of the employee to replace. Insurance plans for PDA devices are thus highly recommended.

No department in the law school may extend existing law school mobile contracts or enter into any new contracts with mobile phone companies, except the law school’s information technology department (with the approval of the Associate Dean for Business).

Some organizations have multiple staff sharing a single device for on-call rotations, etc. A number of shared or group devices will remain available via law school contracts, which shall be managed by the IT department. Personal calls or contacts may not be made to/from these devices. Though managed by the information technology department, law school mobile contracts must be also be approved by the Associate Dean for Business.

Any employee receiving either an allowance and/or law school mobile device is responsible for having that device in his/her possession during the identified business period and for responding to any calls in a safe and timely manner.

The following are not subject to an allowance and shall be purchased and maintained by the department indicated:

- Pagers (IT)
- Two-way radios (Campus Planning)
- Mobile devices acquired for testing by ITD (IT)
- Mobile devices maintained for pooled or departmental shared use (IT)
- One-time purchase/rental of international phones with limitations for a select business trip (IT)

2 Definitions

Mobile devices are devices with mobile access plans, such as Internet cards, mobile phones, Blackberries, Treo’s, etc.
The **identified business period** is the time that the employee must be accessible by the institution.

A law school **business purpose** for having a mobile device allowance may be justified under any of the following situations:

- The employee is responsible in emergency matters where he/she must be available 100% of the identified business period
- The employee does not have access to a landline or other communication device when doing a substantial portion of his or her job (defined as 75% of the identified business period)
- The use of other less expensive communication devices does not serve as a viable alternative to the business purpose
- The employee’s job effectiveness will be enhanced significantly through the use of a mobile device

**Shared or group devices** are justified when a group of employees have the need for such a device for purposes such as rotating on-call contact and the device is kept on the premises.

**Service Levels** represent the anticipated amount of peak air time that will be required for business related use and are further defined below.

- **Level 1 (light use)** allowance level shall be used by those employees who are required to be essentially on-call and reachable at all times during the identified business period however the anticipated volume of peak calls is expected to be approximately 250 minutes per month.
- **Level 2 (normal use)** allowance level shall be used by those employees who are required to reachable as in Level 1 however the anticipated business related peak call volume is between 251 and 450 minutes per month.
- **Level 3 (heavy use)** allowance level shall be used by those employees who are required to reachable as in Level 1 however the anticipated business related peak call volume is between 451 and 900 minutes per month.

Service levels may be adjusted up or down based on a review of actual average usage over a period of at least three months.

### 3 Procedures

#### 3.1 Reviews, Approvals and Documentation

The approval process must be documented and state:

- The business purpose for having a mobile device and the identified business period
The amount of the mobile device allowance for each employee at the least expensive level that will accomplish the job

Any changes to the allowance shall be documented and attached to the original approval documentation. The department must have documentation that evidences the employee actually obtained the device (i.e. phone number of mobile phone and copy of bill).

Departments shall review documentation annually to ensure that a business purpose continues to exist and that the amount is still appropriate in order to accomplish the job. This annual verification shall be submitted to the Finance Department by April 30th or the allowance will terminate after the last pay period of that fiscal year. Termination of the allowance is required at any time if the business purpose no longer exists.

Department Heads requesting an allowance for an employee shall submit a Mobile Device Allowance Request Form (available on the faculty/staff web site or through the Finance Department) to the departmental Associate Dean (or Dean if appropriate) indicating the employee for which the request is being made, the level of allowance being requested and the business purpose/justification (including why alternate less expensive options are not sufficient).

Once reviewed and recommended by the Associate Dean (or Dean), the recommended request form shall be forwarded to the Associate Dean for Business for approval then sent to the Finance Department for processing. Finance will process the additional payroll allowance, charging the requesting department’s budget.

Employee allowances will be provided via the payroll system using the Additional Pay Code M.

Base salaries are NOT to be adjusted to accommodate reimbursement of these expenses. Additional pay is the only process that can be used for this purpose. Allowance amounts have been calculated after consideration of all anticipated costs associated with the business use of mobile devices. Allowance amounts will not be subject to deductions for health and welfare benefits nor be eligible for retirement contributions. Only payroll taxes shall apply.

### 3.2 Allowance Amounts

The allowance amount approved must represent the minimal acceptable level of service deemed necessary for the business need being fulfilled. Allowance amounts are:

**Basic Mobile Phone Service Levels**

- $25 per month for Level 1 (light use)
- $50 per month for Level 2 (normal use)
- $75 per month for Level 3 (heavy use)
Additionally, up to $50 reimbursement for basic mobile phone hardware/device purchase/replacement every 24 months.

**PDA Mobile Device Service Levels** *(Level 1 is not expected to apply)*

- $100 per month for Level 2 (normal use) PDA mobile service with internet access
- $125 per month for Level 3 (heavy use) PDA mobile service with internet access

Additionally, up to $250 reimbursement for PDA mobile phone hardware/device purchase/replacement every 24 months.

**Text Add-On**

A text add-on of $10 per month may be approved under rare occasions whereby the nature of the person’s position requires contact by text messaging.

Amounts above these ranges will require the written approval of the Associate Dean for Business. The Executive Director of Finance will review allowance amounts annually and recommend any changes to the Associate Dean for Business for approval.

### 3.3 Exceptions and Other Considerations

**Contract and Grant Accounts**

Special considerations exist when attempting to charge mobile devices to federal or federal pass through Contract and Grant Accounts and must be approved in advance by the Grant Accounting Department within the LMU Controller’s office.

**Testing Exception**

ITD may continue existing or establish new law school contracts for acquiring mobile devices for testing purposes. Such exclusions shall only be approved by the Chief Technology Officer and Associate Dean for Business and shall be kept to a minimum. Such devices must remain at the law school and be appropriately safeguarded. Exceptions must be documented in writing and approved by the Chief Technology Officer and Associate Dean for Business. Personal calls or contacts shall not be made to/from these devices except in the event of an emergency and shall be reimbursed to the law school at the rate of 10 cents per minute. A periodic review of law school mobile device contracts shall be performed by the Finance Department. Funding for such devices shall come from the ITD mobile device budget.

**Law School Owned Devices**

ITD will be responsible for maintaining any mobile devices and contracts required for departments that have multiple employees sharing a single device for on-call rotations. These
devices must remain at the law school and be appropriately safeguarded. Exceptions must be documented in writing and approved by the Department Head and Associate Dean for Business. These contracts shall be managed and paid for out of the ITD mobile device budget. Departments are not allowed to set up contracts for these devices outside of the ITD framework. Personal calls or contacts shall not be made to/from these devices except in the event of an emergency and shall be reimbursed to the law school at the rate of 10 cents per minute.

Compatibility with Law School Systems and ITD Support

The law school does not provide support for personal mobile devices. Refer to the ITD website for information on synchronization with law school email and calendaring systems and current recommended devices or standards. Limited support may be provided for those employees receiving a PDA mobile device allowance.

Service Providers

Any employee receiving a law school mobile device allowance is responsible for selecting a service provider that has reliable coverage in the areas in which the law school may reasonably expect to need to contact the employee. An allowance may be terminated if the business purpose for the mobile device cannot be reasonably satisfied.

Additionally, the law school has negotiated preferred rates with one or more service providers that all faculty, staff and students may take advantage of. Please refer to the ITD web site for additional information.

Business Use of Personal Mobile Devices

In order to be eligible for a law school mobile device allowance, the anticipated business use must be substantial and regularly recurring as per the requirements in Section 2 above. Employees without allowances may occasionally be required to make or receive business related calls from a personal mobile device. Should such business calls causes the employee to exceed his/her regular monthly plan allocated minutes, he/she may request reimbursement. A copy of the detailed cell phone bill indicating the overage and the business calls identified with an appropriate description of the business purpose must be submitted with an expense reimbursement form and approved in accordance with normal expense reimbursement policies and procedures. The reimbursement must be approved for payment by the Executive Director of Business and Finance or his/her designee.