**Morgan Community College**

**Cell Phone Policy**

1. **COLLEGE-OWNED CELL PHONES**
2. **Qualifications -** In order to qualify for a College-Owned cell phone, the following criteria must be met:
3. **Nature of the work** - Nature of work is critical to the operation of the College and requires:
4. substantial travel, and therefore, limits the ability to use the employee’s office phone, or other available office phones, or,
5. the employee to respond immediately, or
6. the employee to be available outside of normal office hours.
7. **De minimis personal use** –The employee uses the cell phone primarily for conducting College business. The employee may use the College-owned cell phone for personal use provided all the following criteria are met:
8. the employee’s personal use of the cell phone is infrequent and short in duration, and
9. the personal use of the cell phone does not result in additional charges to the State, and
10. the personal use of the cell phone does not count as work time, and
11. it is administratively impracticable to separate business from personal charges.
12. for purposes of this section, “infrequent” and “short in duration” mean no more than 100 monthly minutes are personal.
13. **Procedures for Requesting a College-owned Cell Phone**. Requests for College-owned phones are coordinated between the requestor and their supervisor, and approved by the Vice President of Administration and Finance. Once a phone and service plan are selected and approved by the V.P., requestor will work with the Accounting Office to set up the account and billing options with the cell phone provider.

1. **Agreement between College and Employee** – Each employee provided a College-owned phone will sign a document agreeing to:
2. abide by the terms of this policy,
3. use the College-issued cell phone only for de minimis personal use,
4. not use the cell phone in an unsafe manner while operating a motor vehicle or other equipment provided by the College,
5. not use the cell phone for any purpose that would violate any Federal or State law, rule, or regulation,
6. reimburse the College for the current cost of a similar cell phone if the employee loses or damages the College-owned cell phone,
7. acknowledge that the College-owned cell phone bills or “other documents” that are subject to the Colorado Open Records Act, Colorado Revised Statute Title 24, Article 72.
8. return the cell phone to the College immediately either upon request or upon separation of employment with the College, and
9. reimburse the College for the current cost of a similar cell phone if the employee fails to return the phone under provisions specified in this policy 1(c)(vii).
10. **No Charges to Employees.** Because an employee agrees to use a State-owned cell phone for de minimis personal use, the College shall not charge employees for personal use of a College-owned cell phone.
11. **EMPLOYEE-OWNED CELL PHONES**
12. **Reimbursement for College Use**  - The College may choose to reimburse its employees who use their personal cell phone for College use. The employee must meet the nature of work qualifications as set forth in this policy, section 1(a)(i). Employees who use their employee-owned cell phones for College use shall submit a request for reimbursement to the College. The reimbursement request shall include sufficient detail so that the College can see that the employee is covered by a monthly cell phone service plan and incurring monthly expenses related to the use of a personal cell phone.
13. **Reimbursement Amount** – It is often administratively impractical to separate charges for business and personal charges related to a cell phone plan. It is also often more cost effective for the College to pay a pre-established allocated amount as a reimbursement for the College use of a cell phone, rather than an employee maintaining a separate College-owned phone for College use. Therefore the College will reimburse the employee for College use of a personal cell phone based on a rate established annually by the College. The rate will be consistent among employees based on the type of cell phone use required for the nature of work, and will take into consideration the cost of a basic cell phone plan available for College owned plans.
14. **Subject to Colorado Records Act** – Employee-owned cell phone records are subject to the Colorado Open Records Act, Colorado Revised Statute Title 24, Article 72, if the employee has been reimbursed for business use of the employee-owned cell phone.

 8/25/11

**Morgan Community College**

**College-Owned Cell Phone Agreement**

By signing below I understand and agree to all the conditions of issuance of a College-owned cell phone.

1. I agree to abide by the terms of the Morgan Community College Cell Phone Policy.
2. I understand that only de minimis personal use of a College-issued cell phone is permitted as noted in the Cell Phone Policy. I will respond to any request by the College to verify that I am in compliance with the de minimis personal use. I certify that I am in compliance with the conditions of de minimis personal use of the Cell Phone Policy, including that no more than 100 minutes of my monthly minutes are personal.
3. I understand and agree that I will not use the College owned cell phone in an unsafe manner while operating a motor vehicle or other equipment provided by the College. I will also apply the same safety consideration for using a College-owned cell phone while operating my personal vehicle on College business as are required when operating a State vehicle.
4. I understand and agree that I will not use the College-owned cell phone for any purpose that would violate any Federal or State law, rule, or regulation,
5. I understand and agree that if I lose or damage the College-owned cell phone, I am responsible for paying for its replacement at its current cost unless sufficient evidence is provided that the phone was stolen, damaged, or lost outside my control. Exceptions may be made by the Vice President of Administration and Finance.
6. Cell phone billings are subject to audit by the State as well as other entities. I also acknowledge that the cell phone bills and other documents are subject to the Colorado Open Records Act, Colorado Revised Statute Title 24, Article 72.
7. I understand that I must return the College-owned cell phone to the College immediately upon request or separation of employment with the College. I will reimburse the College for the current cost of a similar cell phone if I fail to return the College-owned cell phone upon separation of employment.
8. I understand and agree that in the event I do not adhere to any part of this agreement I may be subject to termination of access to the College cell phone or reimbursement to the College.

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Employee Name (printed)

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Employee Signature Date

Original – Filed in Personnel File

Copy – Filed in Accounting 8/25/11