

**Suggested policy format and content. RTPA specific policies should be developed in consultation with RTPA Legal Counsel, Board of Directors and appropriate regulatory agencies.**

## **1. Business Use of Personal Cell Phones**

RTPA recognizes that cell phones, in particular smart phones (mobile phones that combine digital voice service with advanced features and connectivity that allow e-mail capability, Internet access, data storage, etc.), are a helpful tool for employees who routinely work outside the office, need to be reachable outside of usual business hours, or travel frequently on behalf of the agency. RTPA does not typically purchase or provide cell phones to employees. Instead, RTPA believes it is mutually beneficial to provide a monthly service allowance of \$25 to eligible employees who frequently use their personal cell phone for agency-related business.

### **Eligibility**

Employees holding permanent full time positions are automatically eligible for a monthly cell phone allowance.

Eligibility for temporary employees and interns will be determined on a case by case basis taking into consideration the nature of the work the employee performs and the need to maintain contact using a personal cell phone during work and non-work hours.

### **Responsibilities**

Eligible employees are responsible for purchasing their own cell phone. Cell phones are the property of the employee, not RTPA.

Eligible employees are responsible for establishing and maintaining a service plan with a service provider and paying all fees and charges associated with the plan, including costs associated with insurance and extended warranties. Employees must maintain an active cell phone service plan while receiving a monthly allowance.

Employees are responsible for reporting lost or stolen cell phones, as well as problems with the service or equipment, to the service provider. Employees will not be reimbursed for the cost to replace a lost, stolen, or damaged cell phone.

If approved for the additional data service allowance, the employee's personal cell phone (smart phone) is expected to have appropriate capabilities that allow for connection to the RTPA Exchange server for access to email, calendars, and other electronic information necessary for the performance of the employee's job duties.

RTPA assumes no responsibility or liability for the cell phone purchased or any damage or loss use of the cell phone for the employee or anyone else.

Employees approved for a cell phone allowance are required to provide their cell phone number to their manager, to Human Resources, and any other individuals (such as other employees or project partners) as identified by their manager.

Employees approved for an allowance should be familiar with the RTPA Technology and Electronic Resources policy (part of the Employee Handbook) and its applicability to the use of cell phones. A summary of some of those provisions follows:

- Employees should be aware that if they use their personal cell phone to access RTPA electronic resources to conduct RTPA business – the email system, shared network, etc. – the cell phone is potentially subject to inspection in order to respond to a public records request, subpoena, or as part of an internal investigation or employee relations matter. Data stored on RTPA servers is subject to disclosure even if a personal device was used. If RTPA pays the employee an allowance related to the device, RTPA may be obligated by law to capture data on the device itself.
- RTPA policies that forbid discrimination and harassment apply to an employee's use of their cell phone, if the cell phone/cell phone service is or has been financed in whole or in part by RTPA. Employees may not use their cell phone in any unlawful manner.
- Employees are expected to use their cell phone in a manner that protects their personal safety and the safety of co-workers and the general public. Employees are prohibited from using a cell phone without proper hands-free equipment while operating a vehicle to conduct RTPA business. Employees also are prohibited from sending text messages or emails while operating a vehicle if they are using the vehicle to conduct RTPA business.

## **Security for Personal Cell Phones**

Employees using their personal cell phone for RTPA business may need to send or receive RTPA-related data that is confidential in nature. In order to protect against unauthorized access of such data, an employee should take the following precautions whether or not the employee accepts reimbursement from RTPA.

- Cell phone operating system software updates with enhanced security functionality should be downloaded without delay
- Security settings should be used on the cell phone such as screen locks for failed password attempts and inactivity time-outs
- Strong passwords should be used on the cell phone

Cell phones should not be used to send or open confidential information on cell phones being used on unsecured networks such as those available in public places (restaurants, airports, etc.).

## **Payment and Taxation of a Service Allowance**

An approved allowance for cell phone service in the amount of \$12.50 will be added to the employee's semi-monthly paycheck. This allowance does not increase the employee's base salary and will not be

included in the calculation of any agency benefits. The allowance will show as a separate line item on the employee's pay statement.

RTPA treats the service allowance as a taxable benefit. The allowance amount will be treated as wages and subject to income tax withholdings. Because the allowance is taxable, the actual amount that the employee receives may be less than the allowance amount approved. The total annual allowance paid will be reported as taxable wages on the employee's Form W-2 at the end of each year.