

**UTAH DEPARTMENT OF HUMAN SERVICES  
POLICY AND PROCEDURES**

**Reference: 06-02**

**Effective Date: November 8, 1994  
Revision Date: March 1, 2013**

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**SUBJECT: CELL PHONES AND LAND-LINE TELEPHONES**

**RATIONALE: The Department of Human Services (DHS) requires cost effective options in meeting cell phone and land-line telephone needs and effectively serving clients; securing State data and information while it is stored, transmitted, or processed on a cell phone; and justification of business need for an employee’s use of a cell phone for State business.**

**I. Definitions**

- A. Business need – A need which supports a business goal or objective of a DHS work unit. Examples of business needs include: (1) the work unit’s need to contact the employee for work-related issues, (2) the work unit’s need that the employee be available to speak with clients in the field, and (3) the employee’s need to speak with clients outside the employee’s normal work day. Ineligible business needs include (these do not meet the criteria for providing an employee a cell phone because they create a taxable situation under the IRS guidelines): (1) to promote the morale or good will of an employee, (2) to attract a prospective employee, or (3) to provide additional employee compensation.
- B. Cell phone –any device that is designed to be moved, excluding laptops, and is capable of collecting, storing, transmitting, or processing electronic data or images. Examples include a tablet (e.g iPad), iPhone, Blackberry, Smartphone, or mobile network connected storage device.

**II. Policy**

- A. Business Need for a Cell Phone. The agency must justify an employee’s business need for a cell phone. If the business need cannot be clearly identified, no State cell phone or reimbursement (ongoing) shall be provided. Business need must be documented, signed by the appropriate individuals, retained indefinitely, or for one year after the last reimbursement, and evaluated annually using **Form A** or **Form B**.
- B. Personal Use of a State Cell Phone. Personal use of a State cell phone must be de minimis (short and infrequent) and is generally limited to incidental and occasional use in accordance with *DHS policy and procedure 06-04 on “Appropriate Use of Information Technology Resources”* and *Administrative Rule 895-7 on “Acceptable Use of Information Technology Resources.”*
- C. Reimbursement for Business Use of a Personal Cell Phone. There are two options in which an employee may be reimbursed for using a personal cell phone for State business:

- 1. Per-pay-period reimbursement (ongoing) for cell phone services:

Voice	\$14	Text	\$2	Navigation	\$5	International	\$2
Data	\$10	Tethering (wi-fi)	\$4	Emergency Priority	\$2		

**\*\*\*IMPORTANT\*\*\* *The employee’s share of the personal phone bill cannot be less than the reimbursement amount, and the calculation must be approved by the work unit manager. (See Form B for further detail.) DHS work units may set their own cell phone reimbursement rates as long as they are more restrictive (less costly to the State) than these reimbursement rates, and they should be included in the work unit’s policy.***

- 2. Occasional reimbursement of voice service at five cents per minute. Occasional reimbursement requires management approval on the Employee Reimbursement/Earnings Request, Form FI 48, with the copy of the original bill attached. (See *FIACCT 05-05.00, Procedures, Occasional Reimb. of Actual Telecommunications Expenses - nontaxable.*)
- D. Security. Any cell phone, whether State or personal, that stores or transmits State data or information must be in compliance with *Department of Technology Services (DTS) policy on*

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*“Using Network Capable Mobile Computing Devices to Store or Access Secured State Information”* and, in addition, must have:

1. Encryption enabled on the cell phone.
  2. State-required software kept up to date (e.g. anti-virus, etc.).
  3. Only approved third-party applications installed in the State’s container on the cell phone.
  4. State data or information on the cell phone backed up using DTS approved services each time the cell phone connects to State networks.
- E. Prohibited and Discouraged Use of a Cell Phone. Use of a cell phone to make or receive telephone calls while operating a motor vehicle is discouraged, and it is illegal to:
1. text message;
  2. manually communicate through an electronic mail system;
  3. manually enter data into a handheld wireless communication device;
  4. send data, read text, or view images on a handheld wireless communication device; or
  5. manipulate an application from a handheld wireless communication device.
- (See *Utah Code 41-6a-1716*.)
- F. This policy supplements other administrative rules and policies established by the State. Employees are required to be knowledgeable of and comply with these rules and policies, including:
1. DHS policies and procedures 02-03 on “Code of Ethics;” (in particular section II.B) and 06-04 on “Appropriate Use of Information Technology Resources” (in particular sections 4.a, 4.b, 4.c, and 5.);
  2. DTS Administrative Rule 895-7 on “Acceptable Use of Information Technology Resources” and policy 4300-0030 on “Using Network Capable Mobile Computing Devices to Store or Access Secured State Information;” and
  3. State Division of Finance accounting policy and procedure FIACCT 05-05.00 on “Cell Phones and Home Internet Service – State-provided, Employee Allowances or Reimbursements.”
- G. Privacy of Data on Personal Equipment. Privacy of data on personal cell phones is subject to *FIACCT 05-05, Policy, J*. Personal data may be viewed by a State officer or court.
- H. More Than One Phone Per Employee. Management should evaluate whether employees need two phones (land-line and cell phone) to meet their business need. Where two phones are not needed, management should consider eliminating one.
- I. Personal long-distance calls made on a State land-line telephone must be reimbursed to the work unit at five cents per minute.

**IKK Responsibilities**

- A. Division’s Main Budget Office Responsibilities
1. Designate work unit manager(s).
  2. Maintain list of designated work unit manager(s).
- B. Work Unit Manager Responsibilities.
1. Designate cell phone coordinator(s) to assist work unit manager.
  2. Approve **Forms A and B**. Develop monitoring procedures and monitor:
    - a. State cell phone usage to ensure personal use is within the guidelines in the *DHS policy and procedure 06-04 on Appropriate Use of Information Technology Resources*. Monitoring of personal use should occur on a monthly basis and should focus on

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employees with high minute use, large number of texts, and/or a large amount of data usage, and ensure personal use is within the guidelines in the policy. (Can be verbal discussion; does not require highlighting personal use on the cell phone bill.) This monitoring should be documented and available for audits.

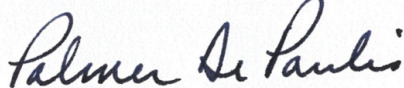
- b. Personal cell phone reimbursements (ongoing) to ensure cell phone services are still needed for State business. Monitoring of services needed for State business should occur on an annual basis and should ensure the reimbursements do not include extra services that are not justified by business need.
  3. Consider the option of allowing employees to share a State-provided cell phone when circumstances do not justify acquisition of a cell phone for an employee's exclusive use. All State-provided cell phones intended to be shared among work unit employees shall be registered in the name of the cell phone coordinator.
  4. When an employee terminates or transfers positions, notify the DTS Help Desk at (801) 538-5772 to remove all State information and data on the employee's personal cell phone.
  5. Initially and annually by May 30, require each employee who has been authorized to use a cell phone to complete a new **Form A** or **Form B** to ensure the State business need still applies. Keep these completed and signed agreements in the work unit files. At least annually, the work unit manager shall review the cost efficiency and performance of his/her Division, Office, Region, Bureau, or Institution cell phone carrier plan.
  6. Submit a copy of **Form B** to the Division's Main Budget Office for review. The Division's Main Budget Office will request State Payroll to set up a recurring payroll payment using the nontaxable Wage Type 1182 (Telephone Reimbursement). (See *FIACCT 05-05.00 Procedures, Employee-Provided Cell Phone - Nontaxable Allowance, paragraph 8.*)
- C. Cell phone Coordinator Responsibilities
1. Ensure that:
    - a. All required forms are completed accurately, including all required signatures;
    - b. A copy of the employee's personal cell phone bill used to determine the reimbursement is attached; and
    - c. All forms and personal cell phone bills are retained in a work unit file.
  2. Prepare and maintain a work unit list of all approved State cell phone and personal cell phone users. The list shall include, at a minimum, the approved user's name, work location, cell phone number, brand, model, serial number or other identification number, and carrier. When a State-provided cell phone is reassigned to another employee for State business use, update the list of approved State-provided cell phone users to reflect the reassignment.
  3. Maintain a checkout system for all State-provided cell phones available for use by more than one employee. Each time an employee uses a shared State-provided cell phone, the employee shall sign **Form C** in addition to completing **Form A**.

IV. Attachments

Form A – State Cell Phone Agreement

Form B – Personal Cell Phone Reimbursement Agreement

Form C – Shared State Cell Phone Checkout Sheet



Palmer DePaulis, Executive Director  
Department of Human Services

DATE: March 1, 2013