

## Department of Cultural and Community Engagement Personal Cell Phone Allowance Agreement

The Department of Cultural and Community Engagement has determined that \_\_\_\_\_  
(Employee Name and Number) must have cell phone service for the following business reasons  
(per DHA Cell Phones and other Data-Enabled Devices Policy 710-3-011), please check all that apply:

- CCE requires that the employee regularly travel from the primary work site for extended periods;
- The employee has a statutory requirement to be on-call outside of normal business hours; CCE needs to be able to contact the employee outside of normal business hours for business purposes, beyond contact outlined in the CCE emergency operations plan;
- CCE requires that the employee be available to communicate with customers and management and respond to important emails or other communications while away from the primary work site;
- CCE and the employee mutually agree that it is most efficient for the employee to use her/his personal mobile device as a primary means of business-related communication;
- CCE and the employee mutually agree that it is most efficient for the employee to use her/his personal mobile device as a primary business telephone in lieu of a state-issued desk telephone
- Other business-related needs as determined by the Executive Director or designee.

It has been determined that the most cost effective means of providing cell phone service to the employee is for the employee to use their personal cell phone service for business purposes and for CCE to provide the employee an ongoing stipend to cover the business use. This stipend is NOT taxable to the employee because the stipend is provided to the employee for valid business reasons, the stipend is calculated on the services needed for business purposes and does not include extra services only needed for personal reasons, and the stipend does not exceed the cost of the service. The employee is not required to track personal vs. business use, but is required to annually provide a copy of a monthly billing statement.

**Business Use Stipend Calculation:** CCE shall determine a **Monthly Service Amount (MSA)** at the beginning of each fiscal year based on an analysis of the typical market-based contract cost for unlimited use mobile device services. A calculated stipend amount for each employee will be a percentage of the MSA, based on 2 different usage levels as approved by the employee's supervisor and paid by the division:

**75% of MSA** - Heavy use of mobile device for phone call and data services:

Employee uses a mobile device as a primary means of business communication:

- Employee has or agrees to have MDM (Mobile Device Management) software installed on the device.
- Employee routinely travels away from the primary work site and depends upon a mobile device for business phone calls and to read and send business emails and texts.
- Employee routinely reads and sends emails from the mobile device.
- Employee accesses DHA applications (such as Salesforce) from the mobile device.
- Employee responds to or makes business related calls or texts several times per day on the mobile device.
- Employee routinely shares or will share the mobile device number as a primary contact number for business purposes.
- Employee's mobile device number is listed as a primary contact number on employee's business cards (if applicable), on employee's state email signature, and on any staff directories or public directories.

**35% of MSA** - Heavy use of mobile device for phone call services:

Employee uses a mobile device as a primary business telephone:

- Employee responds to or makes business related calls or texts several times per day on a mobile device.
- Employee routinely shares or will share the mobile device number as a primary contact number.
- Employee's mobile device number is listed as a primary contact number on employee's business cards (if applicable), on employee's state email signature, and on any staff or public directories.
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**In FY19, the MSA is \$70.00 per month**

- **75% Usage Level = \$52.50 per month**
- **35% Usage Level = \$24.50 per month**

**State of Utah-Issued Desk Phone Allowance:**

Any employee eligible for a cell phone stipend and willing to forego use of a desk telephone (if applicable) will receive a 10% stipend increase, if approved by their supervisor.

- **75% Usage Level = \$5.25 per month**
- **35% Usage Level = \$2.45 per month**

**Allowance Amount: \$\_\_\_\_\_ (See bottom of form for calculations)**

**Effective: \_\_\_\_\_ (Date)**

The following conditions apply:

- The employee agrees to use their cell phone for business purposes stated above.

- The employee agrees to abide by any applicable security policy or rule issued by the agency or by the State of Utah Department of Technology Services.
- The employee will notify the employer if the cell phone service cost drops below monthly stipend.
- Allowances paid under this agreement will be discontinued when the business need for cell phone service is no longer justified or the employee is no longer employed by the agency.
- The employee agrees to report lost or stolen devices to the agency immediately.
- Employee understands that personal data on the phone may be reviewed by management or a court due to a GRAMA request.
- This agreement will be reviewed and initialed annually by the employee and the Agency.
- The employee will keep copies of their monthly cell phone bills on file for one year for audit purposes.
- **The cell phone bill for the mobile device is attached to this agreement.**

Carrier, phone, plan type, and estimated monthly cost:

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Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agency Head

/Designee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CALCULATIONS:**

**75% Usage Level:**

\$52.50 per month x 12 months/26 pay periods = **\$24.23 per pay period**

**75% Usage Level + 10% Desk Phone Allowance:**

\$52.50 per month + \$5.25 per month = \$57.75 x 12 months/26 pay periods = **\$26.65 per pay period**

**35% Usage Level:**

\$24.50 per month x 12 months/26 pay periods = **\$11.31 per pay period**

**35% Usage Level + 10% Desk Phone Allowance:**

\$24.50 per month + \$2.45 per month = \$26.95 x 12 months/26 pay periods = **\$12.44 per pay period**