

Chapter 70 – Other Administrative Regulations

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70.10 Coffee and Light Refreshments

70.10.10 The agency must first adopt written policies

An agency may not provide coffee and light refreshments at meetings and formal training sessions unless the agency has formally adopted written internal policies and procedures that describe the approval process for these items.

70.10.20 When may coffee and light refreshments be served?

70.10.20.a The agency head or authorized designee may approve the serving of coffee and light refreshments in the conduct of official State business at certain agency-sponsored meetings. This authority is not intended for use with the normal daily business of employees or officials, but rather for special situations or occasions, as determined by the agency head or authorized designee, where:

- The purpose of the meeting is to conduct agency business, provide formal training sessions that benefit the State, or recognize agency or employee accomplishments; and
- The meeting involves elective or appointive officials, State employees, or others the agency is legally authorized to reimburse; and
- The coffee and/or light refreshments are an integral part of the meeting; and
- The agency obtains a receipt for the actual costs of the coffee and/or light refreshments, and
- The agency person responsible for the meeting receives agency approval for the serving of coffee and/or light refreshments **prior** to the event.

70.10.20.b All legally authorized boards and commissions may provide coffee and/or light refreshments at their official public meetings, including executive sessions.

70.10.20.c Agencies **are not required** to provide coffee and/or light refreshments at meetings.

70.10.30 Expenditures for coffee and light refreshments are prohibited in some cases

Agencies **may not** make expenditures for coffee and/or light refreshments in the following situations:

- For anniversaries of agencies, receptions for new, existing, and/or retiring employees or officials, election celebrations, etc.
- Any "hosting" activities. "Hosting" includes, but is not limited to, those activities that are intended either to lobby a legislator or a governmental official, or are to be a social rather than governmental business event, and include expenditures for coffee and/or light refreshments for those whom agencies are not legally authorized to reimburse.

70.10.40 Documentation of approval is required

Agencies must document the request and approval for expenditures for coffee and/or light refreshments. Agencies may use a formally written agency memorandum for this purpose. The documentation should provide support for the authorization, including:

- The names of the State organizations or persons attending the meeting (includes conferences, conventions, and formal training sessions), and
- The purpose of the meeting or expenditure.

70.20

Prospective Employee Interview Expenses

70.20.10 Agencies may pay certain expenses for qualified prospective employees

A State agency may pay a qualified prospective employee, as defined below, the necessary travel expense related to their employment interview. The agency head has the responsibility to exercise prudent judgment in the payment of interview expenses and to follow the travel reimbursement policies stated in this section and in the travel policies chapter of this policy manual.

70.20.20 Who is a qualified prospective employee?

Qualified prospective employees are limited to applicants for positions that are described in Title 2 or Title 5 MRSA, or other personnel having both executive and professional status in specialized fields which require national recruitment.

70.20.30 Allowable travel expenses and reimbursement limits

Allowable travel expenses are defined as necessary expenses, reimbursable by law, incurred by a prospective employee in traveling to and from an interview or merit system examination from out of State at the request of an agency head. Travel expenses may include:

- Transportation expenses,
- Per diem expenses, and
- Other miscellaneous travel costs.

Travel expenses may be reimbursed at rates not to exceed those established for State employees in the travel policy chapter of this policy manual.

For example, the agency may reimburse the prospective employee for transportation costs not to exceed the lowest class fare for the transportation mode used.

70.20.40 How expenses should be documented and paid

The agency needs documentation of the travel expenses before reimbursing the prospective employee. The prospective employee should document and submit travel expenses on a Travel Expense Voucher in the same detail as required for travel reimbursement to State employees. Original invoices should be attached to the voucher or the agency file location referenced.

70.20.50 Prior authorization is required for classified positions

If the prospective employee is applying for a classified position, the interviewing agency must secure prior authorization from the Bureau of Human Resources before offering to pay the prospective employee's travel expenses.

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70.30

Statewide Policy Regarding Cellular Devices and Services

70.30.10 Purpose and scope of the policies

- 70.30.10.a This policy applies to all Maine state government. The purpose of this policy is to:
- Establish approval requirements for issuing cellular devices and services
 - Establish minimum requirements for cellular device use. Agencies may choose to implement more restrictive policies
 - Establish employee responsibilities when issued a State cellular device
 - Improve efficiency
 - Provide the ability to respond in emergencies or enhance employee safety

Cellular devices and services are provided to state employees for official State business use only. State devices are assigned to meet State business needs and are not a part of any State employee benefit program.

70.30.20 Definitions

- 70.30.20.a
1. Cellular device: A portable device, including cellular telephones, satellite phones, air cards, Blackberry devices and other Personal Data Assistant (PDA) devices, with cellular communications capability. These devices may be State owned/leased (State device) or private owned/leased (private device).
 2. Essential personal calls: Personal calls of minimal duration that cannot be made at another time or from a different telephone. Examples of essential phone calls are calls to arrange for unscheduled or immediate care of a dependent, a family emergency, or to alert others of an unexpected delay due to a change in work or travel schedule.

70.30.30 Requirements and Responsibilities

Agency Responsibilities: Each agency shall comply with these policy requirements, and may establish additional requirements for their employees that exceed these minimum requirements.

70.30.30.a Cellular devices shall be issued when it is more cost effective and efficient than landlines/desk phones, pagers and State contract calling cards. State devices are issued to an individual or a work group. If a single device is shared, an individual within the work group shall be assigned responsibility for the device.

70.30.30.b Maine state government shall use the existing State contracts for state device services unless there are compelling business reasons to do otherwise.

70.30.30.c State agency division administrators or their designees shall review and approve requests for cell equipment and services consistent with these requirements.

70.30.30.d An authorization form must be completed before a cellular device can be issued. This form documents the requirements of this policy and provides a record of the equipment and the responsible individual.

70.30.30.e Eligibility: State devices shall be issued based on one or more the following job requirements:

- Employee’s job requires field work where landline phones are inaccessible or inefficient
- Employee’s job requires immediate or on-call availability
- Employee’s job requires travel and availability via cellular device

70.30.40 Requirements for State Issued Cell Phones

70.30.40.a

1. Any personal use of state devices shall be limited to essential personal calls.
2. State device numbers may be ported (transferred) from one vendor to another. The following types of number porting are prohibited:

- a. Porting a state landline business number to any cellular device (State or private device)
- b. Porting a private device number to a state device account
- c. Porting a State device number to a private device account

70.30.50 Requirements for Reimbursement of Private Device Costs

70.30.50.a

If a private device is used for business purposes a reimbursement claim may be made within the following requirements:

- Any reimbursement shall be verifiable costs in excess of the employee's plan or other fees and taxes incurred as a direct result of the business use.
- Fixed Monthly Rate Option: Approved by collective bargaining agreement when personal cell phones are used for state business, may reimburse employees at a fixed monthly rate:
 - This reimbursement is available to those employees who are required to maintain a private device and have an approved collective bargaining agreement in place to provide a fixed reimbursement plan for the performance of their job duties and have not been issued a State device, or because their agency has determined it either is more efficient or is essential for the performance of their job duties.
 - The fixed monthly rate shall be no higher than a current State contract plan that would have otherwise been selected based on the number of minutes appropriate for the employees job-related duties.
 - Employees who are issued a State device are not eligible to be reimbursed at a fixed monthly rate.

70.30.60 Responsibilities

70.30.60.a

All agencies of state government are responsible for ensuring the appropriate use of cellular devices and services, including employee eligibility, plan usage and proper billing, and enforcement.

70.30.60.b

The Employee's Agency will:

1. Ensure their employees understand this policy and its requirements

2. Review individual cellular device assignments annually to determine if there is a continuing need and if the cost is justified
3. Review vendor billing statements on a monthly basis for overage minutes, incorrect, and reimbursable charges.

70.30.60.c

Employees using cellular devices:

1. Are responsible for State device equipment and proper use of the equipment in their possession as required by the State of Maine's equipment usage policy.
2. Shall notify their supervisor or appropriate management immediately in the event of damage, loss or theft of cellular devices. The employee shall provide written notification within five business days.
3. Are responsible for operating State or private vehicles, or operating other potentially hazardous equipment while in the performance of State business, in a safe and prudent manner while using cellular devices.
4. State employees are strongly encouraged not to use handheld cell phones or other handheld electronic communications devices or objects while operating state vehicles or personal vehicles on state business.
5. Shall review the monthly statement for accurate billing, highlighting calls of a personal nature.
6. Shall reimburse the State at the current rate of **five cents per minute**, as determined periodically by the Chief Information Officer, for all personal calls that result in additional charges to the State within 10 days of the billing statement.
7. Shall return State devices to their supervisor when the employee leaves their position or is no longer an authorized cellular device user.
8. May request approval to use their private device for State business if they are required to carry a State device. The employee's supervisor may grant or deny such requests.

70.30.70 Enforcement

70.30.70.a

Policy Enforcement is the responsibility of each agency. Enforcement

actions for violations of this policy include but are not limited to revocation of cellular device privileges and/or possible disciplinary action.

70.30.70.b

This policy shall be followed unless it conflicts with specific statutes, federal rules and policies established for various programs, or the requirements of federal tax code which shall take precedence.