

Chapter 70 – Other Administrative Regulations

70.30 Cellular Devices and Services

70.30.10	Purpose and scope of the policies	Dec. 9, 2008
70.30.20	Definitions	Dec. 9, 2008
70.30.30	Requirements and Responsibilities	Dec. 9, 2008
70.30.40	Requirements for State Issued Cell Phones	Dec. 9, 2008
70.30.50	Requirements for Reimbursement of Private Device Costs	Dec. 9, 2008
70.30.60	Responsibilities	Dec. 9, 2008
70.30.70	Enforcement	Dec. 9, 2008

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.