

Cell Phone Policy
College of Humanities
11/8/2011

Deans and chairs may use University cell phones in accordance with the IRS instructions summarized below. In exceptional cases, only the dean may approve the use of University phones for other college employees. Once the term of administrative service expires, or the employment requirement that justified the exception is no longer in force, the employee may return the phone to the university, or purchase the phone and assume personal responsibility for the active account.

IRS Notice – September 14, 2011 “Tax Treatment of Employer Provided Cell Phones”

1. This notice clarifies how to handle these employer-provided cell phones. From this notice we have learned 4 things:
 - a. 1- If a cell phone is issued to an employee for a *legitimate business purpose*, the business use portion does not have to be “substantiated” (in other words, we don’t have to track business use of that phone, or review the monthly bills and determine business and personal use).
 - b. 2- Some general guidelines are given for what is a *legitimate business purpose*. Those include:
 - i. The employer needs to contact the employee at all times for emergencies.
 - ii. The employer requires the employee to be available to speak with clients (in our terms faculty, staff, students, parents, co-workers or supervisors) at times when they may be away from their office.
 - iii. The employee needs to speak with clients located in other time zones outside of our normal work day hours.
 - c. 3 – If the cell phone is issued for a *legitimate business purpose*, then the personal use of that cell phone is now considered a “de minimis fringe benefit” and therefore is not taxable to the employee.
 - d. 4 – This notice is retroactive to January 1, 2011.