

## Cellular Device Reimbursement

The purpose of this policy is to define Pleasants County Board of Education (“Board”) cellular device reimbursements for employees who frequently need to use their own communication device(s) for business purposes.

The Superintendent, at his or her sole discretion, shall determine which employees are eligible to receive a monthly cellular device reimbursement from the Board.

The Superintendent will consider the following when determining whether the employee is eligible for reimbursement herein: a cellular device is needed by the employee to promote communication in emergency circumstances; the employee has frequent business-related travel; the employee’s primary work location requires access to a cellular device; and/or there is a reasonable expectation for the Superintendent or other school officials/employees to be able to contact the employee at times other than regular business hours.

Monthly payment of a cellular device reimbursement is a privilege (no property interest to the employee) that may be revoked at any time should the Superintendent determine the factors above are no longer existing, or, by the Superintendent as a result of inappropriate conduct of the employee. The following actions, including, but not limited to, may warrant the termination of a cellular device reimbursement: budgetary issues that make the reimbursements unaffordable; the use of the device acquired under the cellular device reimbursement to violate or in violation of Board policy or any government law, regulation, or illegal activity; use of the device acquired under the cellular device reimbursement to harass and/or annoy others; excessive personal use during working hours; and/or the user’s resignation or transfer to a different position that does not warrant issuance of a cellular device reimbursement.

All users must abide by all county policies (including those of the WVDE), and state, federal and municipal laws regarding the use of cellular devices while operating a motor vehicle. It is the policy of the Board to provide a safe and healthful work environment for its employees, and, to the extent reasonably possible, to prevent injury to third-parties while employees are performing their work activities. From time to time, employees may be authorized and required to operate a licensed motor vehicle in order to perform their work activities. If in such case there is an emergency and it is necessary to use a cellular telephone while driving a motor vehicle, the employee must make every effort to pull over, off of the public or privately owned road, to a location where the vehicle does not create a hazard to the employee or to a third party and bring the vehicle to a complete stop. In no event shall the employee be in violation of state, federal and/or municipal laws in their usage of cellular devices while operating a motor vehicle and performing job related duties. Any employee to be found in violation could be subject to disciplinary action. To the extent a bus operator falls within this policy, bus operators must strictly comply with WVDE Policy 4336 as it relates to the usage of cellular devices. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their cellular phone while driving will be solely responsible for all liabilities that result from such actions, and must notify the Superintendent within three (3) working days of the issuance of the citation.

Employees selected to receive a cellular reimbursement for the business use of their cellular device will receive a nominal non-taxable reimbursement of \$40 per month (will not be reported on the employee's W-2), but may be reviewed annually to determine if they adequately compensate for the cost of business purposes. The employee agrees to inform the Superintendent immediately if the monthly reimbursement amount exceeds the employee's service plan, or if the employee ceases to have a personal cellular device.

The employee may choose the device and service plan he or she wishes to use. The arrangement is between the employee and the provider; the Board is not involved in the contract with the provider.

ADOPTED: July 23, 2015  
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