

CELLULAR PHONE SUPPLEMENTS

POLICY

Use of and reliance on cellular phones has become routine for business and personal use. Certain designated District positions require the employee to maintain cellular phone service as a condition of employment. As an alternative to providing District owned and maintained cellular phone plans which require an unreasonable amount of District and employee time to distinguish between the employee's personal use of cellular phone time and TTC-related business use of that time, the District will provide a salary supplement supportive of the employee's contract for cellular phone services.

The Superintendent shall designate any employee positions that require cellular phone accessibility as a condition of employment in one of two categories:

Level I: Employees who because of the essential functions of the assigned position are required to be accessible during normal work hours and hours and days beyond the normal workweek on a routine basis.

Level II: Employees who because of the essential functions of the assigned position are required to be accessible during normal work hours and to perform assigned duties at locations other than District Campuses or buildings more than one-half of the normal work schedule.

Employees whose positions have been designated by the Superintendent shall receive a salary supplement in the amount determined by the Superintendent as appropriate for the level of required accessibility to offset the expense to the employee.

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PROCEDURES

Designation of Positions Affected - The Superintendent shall designate those staff positions wherein a requirement of the position is that the employee have and maintain a cellular phone. The Superintendent's decision, in this regard, shall take into consideration the need to facilitate contact with the employee and the extent to which speed, efficiency, and effectiveness of the employee will be enhanced, and by virtue of that, TTC will benefit.

Positions affected by the Superintendent's designation shall have language explaining the cellular phone obligation and its relationship to the individual's employment included in the applicable job description, negotiated agreement, or personal contract – as applicable.

Salary Supplement - Employees whose positions have been designated by the Superintendent as involving a need for a cellular phone, shall receive a salary supplement, with the amount to be determined by the Superintendent in consultation with selected administrative staff. The supplement shall be included as a part of the employee's monthly salary warrant and shall constitute taxable income to the employee.

Termination of Cellular Phone Supplement - The Superintendent, in his discretion, may terminate the salary supplement (1) if an employee is suspended, (2) upon a recommendation for an employee's termination, (3) due to the employee's failure to be accessible notwithstanding TTC's financial commitment made to defray the cost of the cellular phone, or (4) for any other reason which the Superintendent deems as warranting the termination of the benefit.

Effect of Superintendent's Termination of Benefit - If the Superintendent terminates the benefit, the employee is not required to be accessible via the cellular phone. However, to the extent the employee's availability to the administration is an important part of the employee's position, the Superintendent may initiate disciplinary action to address the employee's performance in affected areas.

Personal Use of Cellular Phone – Because the cellular phone services contract is between the employee and the service provider, TTC does not control or regulate an employee's

personal use of the cellular phone time. In addition, the employee is not expected to account for personal as distinguished from business use of the phone.

Obligations Imposed by Bargaining Agreements – To the extent that some positions affected by the cellular phone obligation as well as the salary supplement are positions within a bargaining unit, the resulting terms and conditions affecting cellular availability shall be negotiated and otherwise handled in compliance with TTC's bargaining obligations imposed by law.