

**Cellular Equipment and Service Plan
POLICY**

I. Title: "Cellular Equipment Policy"

II. Purpose: To establish a general policy to define how excessive costs and reimbursement of costs for cellular equipment, and service plans are assessed and paid.

This policy applies to all cellular equipment and service plan contracts entered into by the Little Traverse Bay Bands of Odawa Indians (LTBB) Legislative Branch, effective as of the date of this procedure.

III. Scope: This applies to all Legislative employees and Tribal Council members.

IV. Definitions:

- A. Service Plan Level** means a contract or service agreement by a vendor to provide cellular communication service at a fixed monthly charge for a fixed number of minutes beyond which additional charges will accrue.
- B. Cellular Equipment** means Cellular telephones, wireless telephones that transmit communication via tower antennas, cellular data transmission/receipt equipment, and radio-cellular telephones and Blackberry.
- C. Business-related Calls** means calls necessary to conduct Little Traverse Bay Bands of Odawa Indians business.
- D. Personal-related Calls** means calls conducted for purposes other than accomplishing official or otherwise authorized activity.

V. Establishing Need:

The Office Manger shall determine the need for cellular equipment, and service plans.

A. The following criteria will be used to establish the need for a cellular equipment and service plans:

1. Frequent to travel on Little Traverse Bay Bands of Odawa Indians business;
2. To be in constant communication with others;
3. To communicate constantly with LTBB while traveling;
4. Personal safety concerns for individuals while traveling, working evening hours, working in isolated areas, or working in high crime areas;
5. =To contact individual after normal business on a constant basis.

B. If an employee or official meets one or more of these criteria, they should be considered a viable candidate for a cellular equipment and service plan.

VI. Equipment and Plan:

A. An individual requesting cellular equipment and service plan shall submit a request form to the Legislative Office for approval.

B. The Legislative Office will submit a purchase order for the cost of the cellular equipment (if a new purchase) and the cost of a service plan. No additional equipment or services costs will be covered by the Tribe without prior approval of the cost.

C. Upon receipt of the cellular equipment and/or service plan, the individual shall receive a copy of the Cellular equipment Policy, read and sign a form indicating that they understand and agree to the terms and conditions of the policy, and if needed, initial usage training will be provided by the Legislative Office or their designee.

VII. Phone Usage Rules:

A. All cellular equipment that have the feature for voice-mail shall be utilized.

B. Legislative Branch employees and Tribal Council members are strongly discouraged from using governmental provided cellular equipment while

operating a motor vehicle. The employee or official shall find an area off the traveled portion of the road way, stop the vehicle before conducting business on any governmental issued hand-held cellular equipment.

C. Excessive Personal use is found; if the personal use of equipment results in an increase in costs or additionally incurred costs.

D. Personal use of cellular equipment for private commercial purposes is strictly prohibited regardless of whether or not it results in additional charge to the Tribe.

E. Excessive use of cellular equipment could result in loss of use or limitations on use, disciplinary or adverse actions, or reimbursement of costs. Failure to reimburse costs may result in the Tribe reporting the value of the device and activation plan as taxable income to the employee or official.

F. The Legislative Office shall be responsible for oversight of employees and officials cellular equipment usage by providing softcopy bills directly to the LTBB Accounting Department. Accounts Payable will check bills to identify any red flag areas for additional investigation and will then notify the Legislative Office of any concerns. The Accounts Payable will look at the following areas:

1. Billing costs for the individual exceed the budgeted amount greater than ten percent (>10%);
2. Significant personal call activity;
3. Lengthy calls (calls in excess of 45 minutes);
4. Excessive roaming and/or long distance charges.
5. Excessive Texting
6. Download of Applications/ Games, Ringtones, etc.

G. Identified misuse of cellular equipment may result in termination of cellular services. Individuals will also be required to compensate the Tribe for personal usages that cause the bill to exceed the monthly service charge. The LTBB Accounting may draw personal usage costs from the individual's payroll or stipend, with prior notice.

H. The Legislative Office shall be responsible for submitting any requests to discontinue service to the Purchasing Technician including the date of termination of services.

I. The Purchasing Technician will contact the Legislative Office to ensure that the removed user has returned the equipment.

VIII. Lost, Damaged or Stolen Cellular equipment : If a cellular equipment is lost or stolen the Legislative Office shall be notified immediately. The individual shall submit such necessary documents such as police reports, lost item reports, etc. to the Legislative Office. Cellular equipment is insured and the individual will be allowed a replacement of one (1) cellular piece of equipment every four years for lost or broken equipment. If there is future lost cellular equipment beyond the first replacement, then the employee or Tribal Council member will be responsible for all costs associated with replacing the cellular equipment.

IX. Return of Equipment: Employees and Tribal Council members are responsible for LTBB cellular equipment issued to them.

A. Employees must return issued cellular equipment upon request or termination of employment.

B. Tribal Council members must return issued cellular equipment upon request or within 10 days from termination of their term of office.

C. Failure to return issued cellular equipment may result in withholding from any outstanding compensation due and owing.

This Policy was approved by Tribal Council on:

Regina Gasco Bentley, Tribal Council Secretary

12-19-10

Date