

EMPLOYEE USE OF CELL PHONES

A developing problem for many OML members is how to comply with IRS regulations on employer provided cell phones to municipal employees. The phones are supplied to employees to improve efficiency and to provide around-the-clock coverage for many municipal operations. However, IRS regulations from 1989 are starting to be enforced by IRS audits.

IRS regulations require the municipal employer to keep detailed logs of the private use of these cell phones, blackberry-type devices and the like. It is both costly and virtually impossible to keep the intricate records needed by the federal law. Congressional help may be on the way. HR 5719, which has passed the House Ways and Means Committee, would eliminate this requirement. S. 2668 is a companion Senate bill.

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