



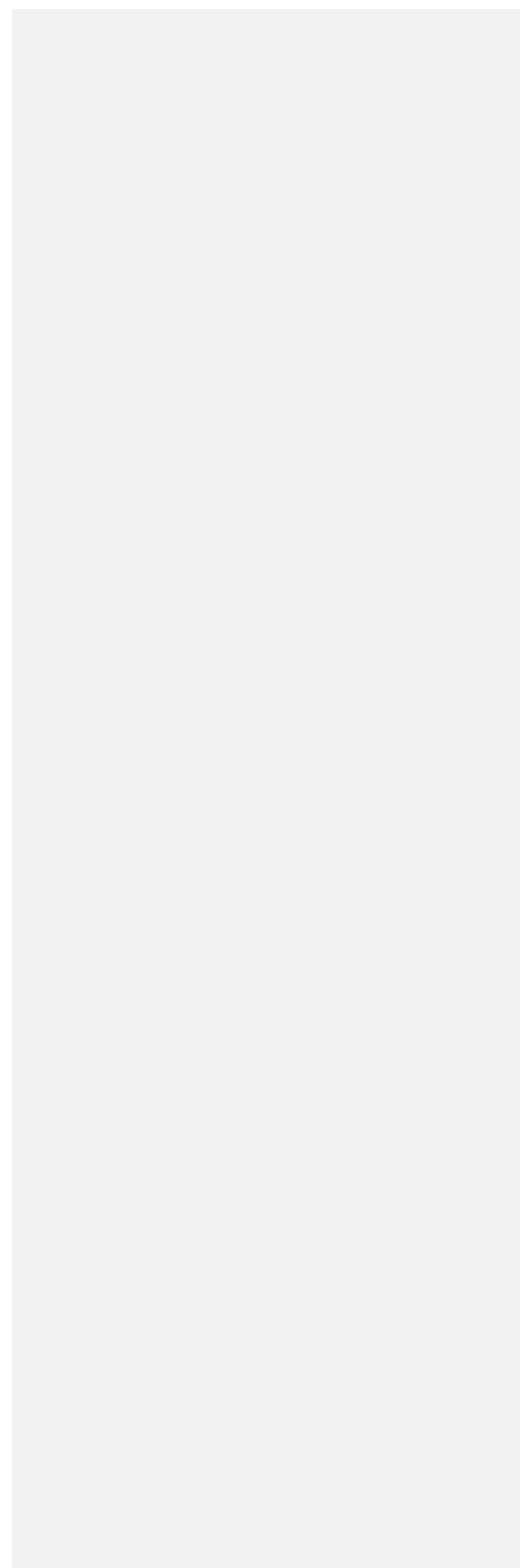
PERSONNEL MANUAL

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Port of Skamania County

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Port of Skamania Personnel Manual

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INTRODUCTION

WELCOME TO THE PORT OF SKAMANIA

Welcome to the Port of Skamania County. Our emphasis on teamwork encourages cooperative decision-making among employees and management. The Port of Skamania County actively seeks to create a positive environment in which every employee can realize their full potential.

We're happy to welcome you to The Port of Skamania County– we're glad you've joined us! We take pride in selecting people such as you to join our organization, and we truly believe you will be a positive addition to our most important asset – our employees.

We believe that you can contribute significantly to our success and want you to share in the growth of our future. We also feel that the best way to help you achieve is to help you understand our organization and your role in it. This Handbook has been prepared as a guide to give you a better understanding of the organization's policies, procedures, and practices. Please familiarize yourself with its contents and keep it handy for reference.

Our organization values two-way communication, and our “open door” policy encourages you to ask questions if there are policies or procedures you don't understand. We welcome your ideas and suggestions for ways to improve our operations and/or services or to save unnecessary costs during your employment with us.

Again, welcome to our team. We wish you success in your new position and appreciate your contributions to our agency.

Pat Albaugh
Executive Director

ABOUT THIS MANUAL

The following are guidelines that are set up as examples and a general listing of the employment requirements of the **Port of Skamania County (referred to herein as “the Port”)**. They are not all inclusive nor a complete statement of policy. Nothing contained in these guidelines shall in any way create a contract or quasi contract of employment or establish any term or tenure of employment, nor in any way be construed as a waiver of the relationship of "employment at will." The Port retains and shall always have the complete, absolute and unequivocal right to set wages, terms of employment and to hire and discharge all employees at its sole will and discretion with or without cause. Pursuant to RCW 53.12.270, the Port hereby delegates to the Executive Director authority to hire, fire and discipline personnel, to fix compensation within budgeted allowances, and to exercise discretion as the Managing Official to carry out the Port's purposes.

Neither this Handbook nor any other organizational document confers any express or implied contractual right to remain in the Port's employ. Nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific period of time and may be terminated at will, with or without cause, and without prior notice by The Port or you for any reason at any time.

Please remember that this Handbook contains only general information and guidelines. It is not intended to address all the possible applications of or exceptions to general policies and procedures. Our policies are based on the belief that common sense, good judgment, and consideration for the rights of others are paramount to our ability to serve our customers and ourselves. While we have tried to anticipate many of your questions, keep in mind that this document won't provide every answer. If you have any questions concerning eligibility for a particular benefit or how a policy or practice applies to you, please ask the Executive Director.

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within this Handbook. In that event, we'll try to make fair and equitable decisions while making sure that the best interests of the organization are served.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them and will provide replacement pages so you can keep your Handbook current.

Some subjects described in this Handbook, such as benefit plan information, are covered in detail in official policy documents. You should refer to these documents for specific information since this Handbook provides summaries only. Please note that when discrepancies occur between benefit language in this Handbook and in the official policy documents, the terms of the written insurance policies are controlling. We encourage you to use caution when making decisions with long-term impact based on our current benefit offerings, given that we may find it necessary to make changes to these programs.

You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read through the Handbook carefully and share it with your family members so they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource.

EMPLOYMENT POLICIES

EMPLOYMENT RELATIONSHIP

You and the Port are engaged in an “at-will” employment relationship. Therefore, employment at the Port is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will. This means that either you or the organization may terminate the employment relationship at any time, with or without reason or advance notice, so long as such action is not in violation of applicable federal or state law, or contractual obligations of the Port.

The guidelines of this document are not intended to create a contract, nor should they be construed to constitute contractual obligations of any kind or a contract of employment with the Port. The Port is also not bound by any oral promises concerning the length or terms of your employment. These provisions have been developed at the discretion of the Port Board of Commissioners and except for this policy of employment-at-will, may be amended or cancelled at any time. Notifications of changes to this document will be made to all employees following their revision.

These provisions supersede all existing policies, resolutions and practices, and may not be amended or added to without the written resolution of the Port Board of Commissioners.

These statements above and the guidelines of this document are not intended to abrogate any rights vested in our employees, pursuant to state or federal statutes, or constitutional provisions.

EQUAL EMPLOYMENT OPPORTUNITY

The Port is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, [creed](#), age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, genetic information, [use of a service animal](#), [HIV](#) or [Hepatitis C](#), or any other classification protected by law. All employment requirements mandated by local, state, and federal regulations will be observed.

The organization employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff and recall, termination, training, and dispute resolution.

In keeping with our philosophy and applicable laws, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: “Equal Opportunity Employer.” Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. However, in conformity with the relevant immigration statutes and regulations, our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

All employees in the organization are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination.

Employees are expected to bring any questions, issues, or complaints to management's attention. If you believe you have been harassed (**see Harassment section of this Handbook**), or if you witness or suspect any violation of this policy, you should report the matter immediately to the Executive Director. We will not retaliate against you for filing a complaint or cooperating in an investigation, and we will not tolerate or permit retaliation by management or co-workers.

AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act [ADA], amended by the ADA Amendments Act of 2008, is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities from discrimination in the workplace.

Individuals are protected under the ADA if any of the following conditions exist:

- They currently have a physical or mental condition that significantly restricts their ability to normally conduct a major life function [walking, seeing, hearing, breathing, bodily functions, etc.];
- They have a history of such impairment; or,
- They are regarded as having such impairment.

The ADA also prohibits discrimination on the basis of an individual's relationship to someone [parent, sibling, child, spouse, friend, etc.] with a disability.

The Port offers equal employment opportunities to qualified individuals who may have a physical or mental disability but are still able to perform essential job functions with reasonable accommodations. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.

Reasonable accommodations are available to employees and applicants, as long as the requested accommodations don't cause an undue hardship on the organization. Individuals protected by the ADA/ADAAA should discuss their needs for possible accommodation with the Executive Director.

EMPLOYMENT

Employment with the Port is voluntarily entered into and the employee is free to resign at will at any time, with or without cause. Similarly, the Port may terminate the employment relationship at will at any time, with or without notice or cause, so long as such action is not in violation of applicable federal or state law, or contractual obligations of the Port.

The guidelines of this document are not intended to create a contract, nor should they be construed to constitute contractual obligations of any kind or a contract of employment with the Port. These provisions have been developed at the discretion of the Port Board of Commissioners and except for this policy of employment-at-will, may be amended or cancelled at any time. Notifications of any changes to this document will be made to all employees within a reasonable time.

These provisions supersede all existing policies, resolutions and practices, and may not be amended or added to without the written resolution of the Port Board of Commissioners.

These statements above and the guidelines of this document are not intended to abrogate any rights vested in our employees, pursuant to state or federal statutes, or constitutional provisions.

It is our goal to fill employment vacancies with qualified applicants, whether recruiting internally or externally. ~~Job applicants will be considered on an equal basis for all positions without regard to sex, age, race, color, religion, national origin, marital or veteran status, sexual orientation, gender identity, genetic information, or the presence of a physical or mental condition or disability that can be reasonably accommodated.~~

Our goal is to select the most qualified person for each available job, with the possible exception of a potential preference to qualified existing employees over outside applicants.

Former employees and relatives of current employees will be considered for employment in the same manner as other applicants. We may refuse to place a spouse, domestic partner, or immediate family member under the direct supervision of their spouse, domestic partner, or family member if such placement adversely affects, in the Port's sole discretion, supervision, safety, security, or morale at the Port.

You may, from time-to-time, be temporarily or otherwise transferred or assigned to perform work outside of your regular job classification, schedule, shift, or department. Depending upon the circumstances when transferred, you may be subject to a wage adjustment. We may reassign an employee whose placement is determined to be unsuited to their individual skills and may transfer any employee who has an illness or disability that requires a modified duty job without posting the job.

NEW EMPLOYEES

New Employee Orientation

New employees are expected to participate in a thorough orientation within the first week of employment. This helps ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. Through the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies. All training documentation will be signed and dated by you and the person conducting the session, and kept in your employee personnel file.

Introductory Period

As a new employee, you are hired on a 60 day introductory period. The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by supervisors. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position and provides an opportunity to see if your abilities and the requirements of the position match. It is also a chance to see if we meet your expectations as an employer.

Your performance will be evaluated at the end of the introductory period, and a decision about your

employment status will be made. If you have successfully completed the introductory period, you

will be moved to regular status. If skills border on satisfactory, but fall a little short, the introductory period may be extended if there is reason to believe that your skills will improve within 30 days. This period may be extended only by approval of the Executive Director. A request for extension won't be approved if it is submitted after the normal conclusion of your introductory period. If expectations are not met or skills are not satisfactory, it is unlikely that your employment will be continued.

Completion of the introductory period does not alter the at-will employment relationship. Employment may be terminated at our will or discretion or by you at any time during or after the Introductory Period, with or without reason, if either party regards it as necessary or appropriate.

Reinstatement

Employees who resign from the organization in good standing may be eligible for re-employment consideration. To determine eligibility, former employees must file an employment application with the Human Resources Department and await notification of an available position. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. When a position becomes available, the Executive Director and the direct manager/supervisor will review the former employee's performance record and the circumstances surrounding their previous departure from the organization. We are not obligated to rehire former employees.

EMPLOYMENT CLASSIFICATIONS

It is recognized that the Board of Commissioners is the governing body of the Port of Skamania County. The Board of Commissioners, under the provisions of RCW 53.08.170, may appoint an Executive Director, who shall be directly responsible to the Board. The Executive Director will employ or cause to be employed, all other employees of the Port.

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws: Fair Labor Standards Act Job Classifications

- **Nonexempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). An employee who is paid an hourly wage and whose job generally calls for the payment of minimum wage and overtime as specified under state or federal regulations.
- **Exempt employees** are employees that are exempt from the overtime pay and minimum wage requirements under federal and state laws. Exempt employees include the Executive Directors, executives, supervisors, professional staff, outside sales representatives, owners, and others who are generally paid a salary [who meets the minimum salary threshold required by state law](#) and whose duties and responsibilities allow them to be exempt under federal and state law.

Employment Types

Employee status is categorized to make distinctions in benefits and other employment conditions and to aid in a better understanding of employment relationships within the organization. The following definitions apply:

- Introductory: Newly hired or promoted employees within the introductory period. New hires normally earn, but cannot use, benefits

- Regular Full-time: An employee who is regularly scheduled to work 40 hours or more per week. Classification normally is eligible for benefits

- Regular Part-time: An employee who is regularly scheduled to work at least 17 but less than 32 hours per week. This classification is not eligible for benefits

- Temporary: An employee who is hired for a specified period of time, usually no more than six months. This classification is not eligible for benefits, except those mandated by law.

- On-Call: An employee who does not have a set schedule and works only when called upon (normally scheduled to work less than **(20)** hours per week). This classification is not eligible for benefits, except those mandated by law.

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The organization maintains a personnel record for each employee, and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, performance counseling notices, correspondence, and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee to whom the file applies, or any manager involved in potential transfer, promotional consideration or other pending personnel action.

Your personnel file is available for review (except for any references and other material exempt from disclosure under state law) by making advance arrangements with the Executive Director. We will provide copies of personnel records or files as required by law, but you may be asked to reimburse us for the reasonable cost of providing copies. [You may petition the Port annually to review all the information contained in your personnel file\(s\) that are regularly maintained by the Port as part of the Port's business records. The Port shall determine if there is any irrelevant or erroneous information in the file\(s\) and shall remove all such information from the file\(s\). If you do not agree with the Port's determination, you may request to have placed in the personnel file a statement containing your rebuttal or correction.](#)

[If you request your personnel file, the Port shall treat it as a public records request. The Port shall provide the following records, if they exist, in response to your request: all job application records, all performance evaluations, all nonactive or closed disciplinary records; all leave and reasonable accommodation records; all payroll records; and all employment agreements.](#)

Change in Personal Data

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, please notify your manager: Name, Marital status, Address, Telephone number, Dependents, Beneficiary(ies), Person to be notified in case of emergency, Job related physical or other limitations that impact employment or other information having a bearing on your

employment.

Records Breach

If an employee becomes aware of a breach in maintaining the confidentiality of personal information, the employee should report the incident to the Executive Director. The Executive Director has the responsibility to investigate the incident and take corrective action. Please understand that the reasonableness of actions taken in these circumstances will be taken into consideration. It is also important to note that as a Public Agency, the Port is accountable to the Public Records Act ([RCW 42.56](#)) and some information regarding your employment with the Port may be provided when reasonably requested through a Public Records Request. Additionally, other examples of personal employee information that will not be considered a breach include the following:

- Release of partial employee birth dates [*i.e.*, day and month, which is not considered confidential and will be shared with supervisors/managers who elect to recognize employees on such dates].
- Personal telephone numbers or e-mail addresses may be distributed to supervisors/managers in order to facilitate company work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes, and for timekeeping purposes will be shared with supervisors/managers.
- Employees' company anniversary dates will be distributed to appropriate supervisors/managers periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes, for periodic benefit plan changes, or for benefit statement updates.

Should a security breach occur, you will be notified in writing as soon as possible.

TRAINING

Purpose

To encourage and facilitate training opportunities for employees, staff development and training requirements will be periodically assessed and, subject to budgetary limitations, professional, technical and vocational training opportunities may be offered to employees at the Port's expense.

Pay

Employees may be granted time with pay for authorized job-related training or educational programs, workshops, and seminars.

Authorization

Authorization for all training shall be at the sole discretion of the Executive Director.

Reimbursement

The Port may reimburse employees for job-related professional licenses provided the license is not also used to provide personal non-Port income to the employee while employed at the Port.

CONFIDENTIALITY

Organization and Customers

At the Port, employees have access to highly confidential and proprietary information, including information about our tenants. Our tenants trust us with confidential information. Disclosing confidential information without authorization would have a materially adverse impact on our integrity and on our relationships with our customers. Employees must not disclose any information pertaining to the organization or its tenants without prior explicit approval of the Executive Director and must sign a form stating such.

No organization records or information, including, without limitation, documents, files, records, computer files, and similar materials may be removed from our premises without permission from the Executive Director, except in the ordinary course of performing duties on behalf of the Port. Additionally, the contents of organization records or information otherwise obtained in regard to business may not be disclosed to anyone except where required for a business purpose. This prohibition also applies to items posted in a blog or website. Employees are subject to appropriate corrective action, up to and including termination, for revealing confidential information.

Employee Records

The Port's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the organization will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the organization includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials. All pre-employment inquiry information and reference checking records conducted on employees and former employee files are maintained in locked, separate areas and are not used by the organization in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access. ~~Personal employee information used in business system applications will be protected under company proprietary electronic transmission and Virtual Private Network policies and security systems.~~ Participants in ~~company~~ Port benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

~~Organization assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, company coding and recording systems, telephone directories, e-mail lists, and company facility or location information and addresses, is considered by the company to be proprietary company information to be used for internal purposes only. The company retains the right to communicate and distribute such company information as it feels necessary to conduct business operations.~~

Commented [AH1]: I would recommend deleting this provision unless the Port in fact uses a VPN network and computer security systems beyond standard Microsoft or Apple operating procedures.

Commented [AH2]: I recommend deleting this as it does not apply to the Port and some of this would be producible in response to a public records request.

WORKPLACE RULES

The Port believes policies and procedures are essential for the orderly operation of our business and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that everyone conducts themselves in accordance with our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive, but serve as guidelines to demonstrate work behaviors considered important to the Port).

1. You are expected to be at work on time, stay until your workday ends, and to do the work assigned or requested of you. If you are unable to be at work on time, you are expected to contact your immediate supervisor promptly.
2. You are expected to regard your workplace with respect and attention. Port records, equipment, and property are to be treated carefully and appropriately. You are responsible for those items in your custody and will be held accountable for their maintenance, appropriate use, and/or accuracy.
3. You are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the Port or outside regulatory bodies.
4. You are expected to conduct yourself in a professional manner, exhibiting a high regard for our customers, vendors, business associates, and co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol consumption when representing the Port in a business or social capacity.
5. You are expected to maintain the confidentiality of organization information or customer information in your possession (i.e., personnel information, trade secrets, etc.).
6. You are expected to wear clothing that is neat in appearance and consistent with a professional atmosphere, keeping in mind the impression made on customers, visitors, and other employees and the need to promote organization and employee safety. Good individual judgment is the best guideline, but management retains the right to decide what dress is appropriate.

This information regarding performance expectations may help in providing guidance for employee actions. You are urged to use reasonable judgment and to seek advice in doubtful or unclear situations. If all employees do their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. It is our policy to resolve conduct and performance problems in the most informal and positive manner possible. However, conduct outside the above guidelines will result in corrective action, up to and including termination.

We also believe that all of our employees should be heard in matters involving discipline; therefore, we have adopted a formal Dispute Resolution Procedure, which can be found in this Handbook.

ABSENCE FROM WORK

Non-exempt employees are required to obtain authorization from management in order to be absent from work, as defined under “Hours/Days of Work” Section. Failure to effectively notify or obtain approval from management may result in disciplinary action up to and including discharge.

ATTENDANCE

Unexcused absences and excessive tardiness, or leaving early, may lead to disciplinary action, up to and including termination of employment. Employees who are unable to report to work shall notify their supervisor before the scheduled start of their workday if possible and notify their supervisor each additional day of absence before when possible and always as soon as practicable. The Port may require employees to provide medical certification from a health care provider for absences due to illness or injury.

DRESS CODE

Employees contribute to the atmosphere and reputation of the Port in the way they present themselves. A professional appearance is essential to a favorable impression with the public. Good grooming and appropriate dress reflect employee pride and inspire confidence.

Managers have the discretion to determine appropriateness in appearance. Employees who do not meet a professional standard may be sent home to change and may not be paid for that time off. A basic essential of appropriate dress includes the need for clothing to be neat and clean. A reasonable standard of dress rules out overly-revealing clothing, tank tops, halter-tops, or any extreme in dress, accessory, fragrance, or hairstyle.

Additionally, clothing, jewelry, and hair should not be loose or dangle in such a way that creates any kind of safety hazard.

Body piercing jewelry and body art that does not convey a professional image should not be visible.

Management may make exceptions to the Dress Code for special occasions. An employee unsure of what is appropriate should check with their manager or supervisor.

COMMUNICATION AND SOFTWARE SYSTEMS

Electronic Communications Systems

The Port provides electronic communication systems to maintain superior communications both within the organization and with outside clients and vendors. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the [organization-Port](#) who may use the systems are expected to be aware of and support this policy.

Our electronic communication systems include computers, software, electronic mail (e-mail), copiers, fax machines, telephones, cell phones, voice mail, messengers, and various online services. All of these systems are operated and managed based upon this policy.

These systems and any other informational, storage, or retrieval services that the [Port](#) provides are [Port](#) tools and are to be used for business purposes only during business hours. Due to business reasons including systems capabilities and bandwidth limitations, use of [Port](#) systems during business hours for other than work-related purposes should be minimal and must not impact business operations.

The use of these systems is not private or confidential. Within the bounds of current and future laws, the [Port](#) reserves and intends to exercise the right to review, audit, intercept, access, and search these business systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the [Port](#).

As an employee, you must not permit any proprietary or confidential information of the Port to enter the public domain through electronic transmissions. Examples of the organization's proprietary and confidential information are provided in the [Confidentiality Policy](#). Also, these systems shall not be used to receive copyrighted materials, trade secrets, proprietary information, or similar materials from outside the [Port](#) without prior authorization.

Any messages or communications used through this system are subject to our anti-harassment, anti-discrimination, and non-solicitation policies. You are expected to carefully compose and review the wording, tone, and content of your communications before transmission.

You should check with the Executive Director if you have any questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisors or managers immediately. Improper use or violation of this policy can result in corrective action, up to and including termination.

Electronic Mail System

You are reminded to be courteous to other users of the e-mail system and always conduct yourself in a professional manner. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care, judgment, and responsibility than you would use for letters or internal memoranda written on organization letterhead.

You should know that even when a message is erased through e-mail, it is still possible to retrieve and read that message. Even though the [Port](#) reserves the right to retrieve and read any e-mail messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. We expect employees to respect others' privacy, and not retrieve or read electronic messages unintended for them unless authorized to do so. The use of passwords for security does not guarantee confidentiality. All passwords to company systems must be disclosed to the organization's Executive Director.

Personal Computers

To protect the integrity of our systems, all software used on our computers must be registered with the Port's technical support agency. Personal or downloaded software may only be installed after written authorization. A virus check of all such software must be made immediately before it is installed on any [Port](#) computer. A virus check must also be made of any disk originating or used on any computer outside of the [Port](#) prior to use on a [Port](#) computer.

Copy or transfer of organization-owned software may occur only with the written authorization of the Executive Director.

Social Media and Networking

Social networking websites and online communities, such as Twitter, LinkedIn, Facebook, and ~~Flickr~~ [Instagram](#) are ~~growing in usage~~ [widely used](#) and can be accessed by individuals not only from computer systems, but also from Smart Phones. ~~These tools can be used to market Port products and share information.~~ ~~Associates may~~ [but employees may not](#) use these systems as ~~a quick~~ [communications](#) and networking tools to complete [Port](#) projects.

It is not the intent of this policy to unduly limit ~~employee individuals'~~ [access](#) to these potential sources of information and communication tools. It is the intent, however, of this policy to provide guidelines and point out expectations and liabilities inherent in such use. When any employee is using [Port](#)-provided computers or cell phones, or when representing or reflecting the [Port](#) with social ~~networking~~ [media](#) activity, employees are expected to represent the [Port](#) in a professional and positive light.

Our commitment is to build an organization that can use social networking exclusively to its advantage, preventing and minimizing the downside.

We want all employees to be free of all forms of harassment and/or unprofessional behavior. Employees need to abide by all applicable laws (including copyright) and ethical considerations.

Posting on Social Media

Business Use

~~Employees~~ [Employees](#) may use social ~~media or~~ [networking](#) websites to conduct [Port](#) business, ~~so~~ long as it is authorized ~~by the Executive Director~~ and meets [Port](#) policies. [Port](#) logos or information must conform to pre-approved marketing concepts and standards. ~~We do not endorse making business references for others on sites such as LinkedIn.~~

Personal Use

Personal use of electronic resources to access social networking sites is to be limited to incidental use. [Employee use](#) must not hinder work productivity or operations in any way. This flexibility can be revised at any time at the sole discretion of the [Port](#).

All content associated with you or the [Port](#) should be consistent with professional standards and sound judgment.

Prohibited Conduct

Behavior and judgment in an electronic environment should mimic behavior in a physical setting. Employees are expressly prohibited from posting content that is malicious, abusive, threatening, intimidating, coercing, profane, disruptive, or harassing. Defamatory statements are prohibited and [Port of Skamania County](#)

Commented [AH3]: I advise not allowing employees to use the social media sites as communication tools for Port business as it will complicate responding to public records requests.

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individuals are personally responsible for the legal consequences of such statements.

Nothing in this policy should be interpreted as limiting an employee's right to engage in legally protected speech or other activity. Failure to adhere to these standards and to use appropriate protocols will lead to further corrective action, up to and including termination.

Telephone Usage

The Port realizes that employees must occasionally make and receive personal telephone calls at work. Such calls must be held to a minimum, and should impact your work as little as possible. Unauthorized use of the [Port telephone system](#), including charging long distance calls, will result in corrective action, up to and including termination.

Voice Mail System

The voice mail system at the Port is the property of the [Port](#) and is provided for use in conducting [Port](#) business. All communications and information transmitted by, received from, or stored in this system are [Port](#) records and property of the Port. The voice mail system is to be used for business only and use of the system for personal purposes is prohibited. You have no right of personal privacy in any matter stored in, created, received, or sent over the voice mail system. The Port in its discretion as owner of the voice mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the system, for any reason and without employee permission. You are not authorized to retrieve or listen to any voice mail messages that are not sent to you.

EMPLOYEE RESPONSIBILITY AND CONDUCT

Outside Employment

~~Employees who are earning more than twice the state minimum hourly wage~~~~While employed at the Port you~~ may not engage in outside employment with an additional job that conflicts with the nature of the [Port's organization's](#) business, competes with the [Port](#), conducts business with the [Port](#) or otherwise interferes with ~~you~~~~the employee's~~ ability to perform according to established standards of performance and work rules. ~~You also may not conduct~~All employees may not conduct business connected to outside employment during hours you are scheduled to work at the Port or use ~~company~~[Port](#) equipment for such purposes. All employees may not engage in outside employment with an additional job if such work raises an issue of safety for the employee, coworkers, or the public, or interferes with the reasonable and normal scheduling expectations for the Port.

Off-Duty Conduct

Generally, we regard off-duty activities of employees to be their own personal matters. However, certain types of off-duty activities concern us because of the potentially negative impact on the [Port's](#) reputation within the communities we serve. Therefore, employees who engage in or are associated with illegal or otherwise harmful conduct that adversely affects [the Port](#) or its public image, or the ~~employee's~~ own ability or credibility to carry out employment responsibilities may be subject to corrective action, up to and including termination.

Solicitation and Bulletin Boards

To make sure employees aren't disturbed or interrupted while on work duty, we have established

the following no-solicitation policy:

Individuals who are not employed at [the Port](#) may not solicit our employees or distribute literature on [Port](#) property at any time [unless otherwise allowed by law.](#) ~~e-~~

If you wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society, you may do so only during times when you are on a rest or lunch break. You may solicit or distribute literature only to those employees who are also on a rest or lunch break. The distribution of literature in work areas is prohibited at all times, but you may place it in established break areas or lunchrooms.

Obscene, profane, or inflammatory items and political advertisements or solicitations are strictly prohibited.

You may not solicit, expect, or accept contributions from vendors, clients, or anyone doing business with the [Port](#).

You may not sell merchandise or collect funds of any kind without prior approval from the Executive Director.

We use [Port](#) bulletin boards to keep you up-to-date and to post notices and information required by law. We also use them to announce activities and other items of interest to employees. We ask that you check the bulletin board regularly to obtain information that may be important to you. Bulletin boards are to be used only for posting or distributing notices or announcements of a business nature that apply equally and are of interest to all employees or are directly concerned with [Port](#) business.

The following conduct is not intended to be considered exhaustive. It merely sets forth several areas where a breach of a prescribed standard may result in discipline or termination.

A- Gratuities/Tipping

No employee shall accept a fee, gift, or other valuable item in the course of performing the employee's official duties, which is given and/or received with the hope or expectation of receiving personal favored treatment or other special consideration.

Payment for table service at a restaurant, "tip," is acceptable to the extent it is reasonable and customary and does not exceed 20 percent of the meal price.

B- Telephone Calls/Personal Business

While it may occasionally become necessary to conduct personal business or make personal phone calls during a normal workday, employees are expected to make every effort to conduct personal business on their own time and to keep the number and length of personal calls to a minimum. Use of a Port-owned cell phone for non-Port business, or more than incidental (infrequent and insubstantial) personal use, may result in the revocation of eligibility and require employee reimbursement of Port costs related to the cell phone.

D- No Smoking Policy

The Port has adopted a no-smoking policy intended to provide a smoke free-work environment. Smoking is prohibited 24 hours of the day, every day, in all Port enclosed work and common areas, facilities and automobiles. In addition, Washington State Law RCW 70.160 prohibits smoking within 25 feet of public entrances, windows, or air intakes.

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~~E.~~ ***Port Property***

In the event it is necessary for an employee to remove Port property from Port premises for use in another location for the performance of their duties, Management may so authorize. Unauthorized use of Port equipment, supplies, etc. is not allowed.

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~~F.~~ ***Confidentiality***

Although the Port district is a public body, some portions of the Port business are required by law to be confidential. No employee shall reveal in any manner any confidential information that may become available to them as a part of their employment by the Port. No employee shall reveal confidences learned in an Executive Session and doing so may result in discipline up to and including termination of employment.

TRAVEL POLICY

In general, the Port will reimburse employees for reasonable business travel time and expenses incurred while on assignments away from their normal work location. Travel must be approved in advance by the Executive Director.

A. Time Compensated

~~Non-exempt employees will be compensated for time spent on work related travel for work purposes. Commute time between the employee's home and the workplace is generally non-compensable. However, on the occasion you are required to travel from your home or the workplace to another town or city for a work purpose (e.g., conference, training, etc), the travel time from your home or the workplace until you reach the destination and are free to engage in personal activities will be considered compensable. For additional information, please refer The State of Washington, Department of Labor and Industries Policy Number ES.C.2., unless the travel is overnight, outside of regular business hours, on a common carrier where no work is done, during a normal commute between home and work, traveling to and from a common travel carrier such as an airport, or the time is spent eating.~~

Commented [AH4]: The policy language here is outdated. The law now generally requires travel time be compensable, even time spent on an airplane when the employee may be free to pursue leisure activities, such as watching a movie. Given the size of the Port, I don't believe this will come up very often for non-exempt employees, but when it does, L&I's policy will provide helpful guidance on whether to compensate the employee or not for the travel

~~Travel time will be compensated when:~~

- ~~• The travel time is during an employee's regular work hours.~~
- ~~• The travel time is out of town and is a one day or longer assignment.~~
- ~~• The travel time is on a day outside the employee's regular scheduled work days for a given week, except time to and from a common travel carrier or eating.~~
- ~~• The travel time is a situation where the employee is performing work while traveling.~~

B. Reimbursement of Cost

When approved, the actual costs of travel (mileage, carrier fees, etc.), meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Port at actual cost (limited to the established per diem rates). Receipts must be provided and a Port Travel Reimbursement Request Form completed and signed. Employees are expected to limit expenses for meals and lodging to state per diem rate for the location of travel. Expenses in excess of the state's per diem rate without prior approval of the Executive Director ~~will shall~~ not be reimbursed.

Employees who are involved in an accident while traveling on business must promptly report the incident to the Executive Director or Vice-President of the Board. Parking or traffic citations incurred by the employee while on Port business are the employee's own responsibility.

When travel is completed, employees seeking reimbursement of eligible expenses should submit a completed and signed Port Travel Reimbursement Request Form within 30 days. Reports should be accompanied by detailed receipts for expenses.

Requests for reimbursable expenses shall be submitted by the end of the calendar year that the expenses occurred. Requests submitted after the end of the year will not be reimbursed.

Employees should contact the Executive Director for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

C. Other Related Travel Policies

Vehicles owned, leased, or rented by the Port may not be used for personal use (subject also to the Port of Skamania Vehicle Use Policy – found elsewhere within this handbook).

Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

Abuse of these business travel guidelines, including falsifying expense reports, may result in disciplinary action up to and including termination of employment.

CELL PHONE POLICY

Effective Date: January 24, 2017

Approval Document: Resolution 7-2017

PURPOSE

The Port of Skamania County (Port) hereby adopts a policy for the use of Port-owned cell phones and reimbursement for personal cell phones used for Port Business.

POLICY

This policy shall apply to all Port employees.

1. Cell phones are an important and necessary tool for certain employees to perform their job duties. For this purpose, the Commission will determine whether or not the Executive Director requires a Port-provided cell phone and whether or not a data plan is necessary. The Executive Director will be responsible for determining whether any employees require a Port-provided cost-effective cell phone and whether a data plan is needed.
2. An employee may make a request to the Executive Director to receive a cell phone reimbursement for use of their personal cell phone for Port-related business. The Executive Director may make a similar request to the Commission. If approved, the Port will reimburse a maximum of \$40 for cell phone plans that do not utilize data and a maximum of \$60 for plans that do utilize data.

3. If an employee chooses a cell phone reimbursement over a Port-issued cell phone, the employee shall enter into a Cell Phone Contract with the Port, which must be active as long as a cell phone reimbursement is in place. (See Appendix 1: Cell Phone Reimbursement Contract). Port employees receiving a cell phone reimbursement are responsible for purchasing and maintaining the equipment and for payment of all bills and charges, to include accessories and taxes. Port employees should also be able to provide all billing statements as requested by the Port Executive Director or Finance Manager

PROCEDURE

1. Determination of Cell Phone Eligibility
 - a. Eligibility for either a Port-owned cell phone or a reimbursement for a personal cell phone is based on the need for frequent use of a cell phone as determined by the Executive Director and whether data service is advisable. If eligible, employees should submit a copy of their phone bill to the Finance Manager to determine the reimbursement rate.
 - b. Employees leaving Port employment must turn in Port-owned cell phones as part of their termination process. Employees transferring or promoting within the Port must re-establish their eligibility in their new position.
2. Use of Cell Phone
 - a. Port-owned cell phones shall be used for business purposes only. Use of a Port-owned cell phone for non-Port business, or more than incidental (infrequent and insubstantial) personal use, may result in the revocation of eligibility and require employee reimbursement of Port costs related to the cell phone.
 - b. Personal cell phones should be purchased and set up with the employee's preferred cell phone carrier. Personal use should be kept at a minimum during the employee's working hours. Use of the device in any manner contrary to Port policies regarding Employee responsibilities and conduct or local, state, or federal laws will constitute misuse, and the employee will be responsible for all associated liabilities. If such actions should occur, phone reimbursement will also likely be terminated.
3. Cell Phone Reimbursement Documentation and Review Requirements
 - a. The employee's monthly wireless provider billing records that establish business use are subject to audit at any time by the Accounting Department, Internal Audit, or external auditors engaged by the state or federal government. By November 30 of each year, individuals receiving a cell phone reimbursement will fill out the Cell Phone Reimbursement Contract and Annual Certification. The Finance Manager is responsible for an annual review of employee business-related wireless communication device use, to determine if existing cellular phone reimbursements should be continued as-is, changed, or discontinued, and to determine if any new reimbursements should be established.
4. Records created related to Port business—including text messages, voicemail messages, and other electronic communications—are Port records. These records therefore (1) should be managed according to the applicable retention schedule, and (2) may be subject to disclosure under the Public Records Act. The following is intended to help manage the business-related messages you send or receive on smart phones, tablets, or similar devices (iPhone, iPad, Blackberry, Android, etc.)

- a. With the Executive Director’s authorization, employees may use text messaging only for routine or transitory messages that don’t need to be retained by the Port. Examples include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication.
- b. Text messages may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text message, including social security numbers, credit card numbers, and passwords.
- c. Delete transitory, business-related text messages as soon as possible.
- d. If a text message needs to be retained pursuant to a retention schedule, employees must transfer the messages to the Port’s network and/or devices.

DISTRACTED DRIVING

Employees should not use handheld cell phones for business purposes while driving. Should an employee need to make a business call while driving, a lawfully designated area to park should be located, and the individual should pull over to make the call. Employees may use hands-free cell phones to make business calls, but only in emergency situations. Such calls should be kept short and should the circumstances warrant (e.g., heavy traffic, bad weather, unfamiliarity with area), the employee should locate an appropriate area to pull over to continue the call.

SEE APPENDIX 1 for Cell Phone Reimbursement Contract/Annual Certification and Agreement

HARASSMENT

The Port of Skamania County is proud of its professional and congenial work environment and makes appropriate efforts to provide a work environment that is pleasant for its employees. Accordingly, “employees”—defined herein [for purposes of this policy](#) as regular employees, temporary employees, contractors, commissioners, and volunteers—are expected to treat one another with courtesy, consideration, and professionalism.

The Port of Skamania—in conformance with the Federal Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin, as well as pregnancy, age, and disability (or any other status protected by state, local, or federal law)—prohibits any form of harassment or discrimination in the workplace. Retaliation against any person who complains of harassment or discrimination in good faith, or who participates in an investigation, is also prohibited and is illegal.

Some harassment is willful, and as such, very similar to bullying. Other times, the person who is doing the harassing may not even be aware that what he or she is doing is making another person uncomfortable. For a zero-tolerance policy toward harassment to be effective, it’s important that everyone has a clear understanding of what harassment is. Therefore, employees will participate annually in the Port’s preventive-protective mechanism for training in recognizing harassment. Training shall be documented in the employee’s file.

Conduct that will not be tolerated includes derogatory slurs, remarks, or jokes about any status (such as a person’s race, sexual orientation, age, sex, national origin, or disability; or mimicking one's speech, accent, disability, etc.) protected by federal, state, or local law. Harassing individuals

by making derogatory comments regarding protected status or characteristics is strictly prohibited, as well as using any other words or conduct that might create a hostile or offensive work environment

Sexual Harassment

All forms of harassment are prohibited. It is our policy to emphasize that sexual harassment is specifically prohibited. Conduct is considered to be sexual harassment if:

- Submission to the conduct is in any way deemed to be a term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; and/or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment is only one form of unlawful harassment. Sexual harassment can be, but does not have to be, “sexual” in nature. Conduct such as unwelcome sexual advances; requests for sexual favors; gender harassment; the display of sexually suggestive objects or pictures or emails; sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; and inappropriate touching or any other verbal or physical conduct that has the effect of unreasonably interfering with an employee’s work performance. are not tolerated at the Port. Cell phone use, including text messages and other similar electronic communications, can be included in harassing behavior.

Each manager/supervisor has a responsibility to maintain a workplace free of any form of sexual harassment. No manager/supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, customers, etc.) is prohibited.

Reporting Incidents of Harassment or Discrimination

If you believe that you have been harassed, have witnessed harassment, or suspect any violation of our harassment/discrimination policy, you must immediately report the matter to your manager or any other manager you feel comfortable talking with. The Executive Director is responsible for ensuring that all complaints are promptly and thoroughly investigated without prejudice or retaliation. The investigation will be conducted promptly, but no specific timeframe can be guaranteed because each situation is likely to be different, and individuals may have varying schedules. Every effort will be made to complete the investigation within two weeks. In all cases, you will be notified of the outcome of the investigation. **(See the section in this Handbook on Dispute Resolution for information on the appeal process).**

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All complaints of harassment will be investigated promptly and impartially. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while effectively completing the investigation. ~~If you are not satisfied with the handling of a complaint or the action taken by management, you should bring the complaint to the next higher level of authority. In all cases, you will generally be advised of the outcome.~~

Any employee or manager who is found, after appropriate investigation, to have engaged in harassment of another employee or to have retaliated against an employee for reporting harassment will be subject to appropriate corrective action, ~~depending on the circumstances,~~ up to and including termination.

Dispute Resolution

The Port considers each employee to be a valuable resource, and a positive working environment is essential to our employees' quality of life and productivity. An employee having a dispute with the Port is encouraged to follow the following procedure:

If an employee feels that they have a justified complaint or problem, they must discuss this problem with their supervisor. The supervisor shall provide an answer within five (5) working days. If within three (3) working days after receiving an answer from their supervisor, the employee feels that their problem has not been resolved to their satisfaction, the employee and the supervisor shall both submit to the Executive Director a written report outlining the complaint, and the circumstances surrounding it. If the Executive Director is the employee's supervisor, the employee shall discuss the problem directly with the Executive Director. If the problem is not resolved by discussion, the Executive Director shall reply in writing to the employee and to the supervisor, if applicable, regarding the complaint, within five working days. If the employee feels that their complaint is not fairly resolved by the Executive Director they may then, within five (5) working days, submit a written complaint, along with the Executive Director's answer, to the Vice President of the Port Commission. The Commission shall make a judgment as to the final resolution of the dispute. No punitive action shall be carried out against an employee for using these dispute procedures, unless the Port determines that such complaint was made in bad faith or in violation of other Port policy.

The dispute resolution procedure may only be used by a full-time or part-time Exempt or Non-exempt employee, ~~to contest the propriety of a demotion or disciplinary action, or to obtain a solution to a work-related problem.~~ The procedure is not available to contest the dismissal or discipline of any employee, since employment is at will and an employee may be dismissed at any time without cause. The dispute resolution is not available to temporary employees.

The Port will not tolerate conduct by any employee that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. We want to maintain a working environment free from all forms of harassment, whether based upon race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, or any other legally protected characteristic or status.

Behavior such as telling ethnic jokes; making religious slurs; using offensive slang or other derogatory terms regarding a person's race, sexual orientation, age, sex, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct and will not be tolerated. Retaliating against or harassing individuals by making derogatory comments regarding protected status or characteristics, and any other words or conduct that might create a hostile or offensive working atmosphere are prohibited.

This policy covers conduct in the workplace, at social functions sponsored by the organization (holiday dinners, picnics, sporting events, etc.), and at business functions (conventions, trade shows, etc.).

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. As an employee of the Port, you have the responsibility to immediately report any actions or words by a supervisor, co-worker, vendor, or other individual that you believe to be unwelcome harassment. ~~You should report the incident to Human Resources.~~ The organization will not retaliate against you for filing a complaint or cooperating in an investigation and will not tolerate or permit retaliation by management, co-workers, or non-employees such as clients, vendors, or contractors.

Commented [AH5]: Unless the Port has a human resources department, I would not recommend identifying it.

WORKPLACE BULLYING

We want our focus to be on customer service, productivity, and the ability for each employee to flourish here. This makes it essential that our employees treat each other and those with whom they come into contact, with courtesy, respect, and professionalism. Further, we require that employees work cooperatively and constructively in resolving issues or problems on the job to foster satisfactory working relationships. In that light, bullying or similar disruptive behavior does nothing positive to enhance our work conditions and will not be permitted here. While harassment due to a person’s protected class is prohibited, so too is harassment due to personality clashes or issues.

The Port defines bullying as *“repeated or one-time inappropriate behavior, either direct or indirect, whether verbal, non-verbal, or physical, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.”* Such behavior, whether exhibited between co-workers, management and staff, vendor/customer or other outside party, or a member of the public, violates our policy on how others should be treated while at the workplace or engaged in organizational operations. This policy also applies to off-site behavior exhibited by employees that negatively impacts the work relationship.

Bullying may be intentional or unintentional. Where an allegation of bullying is made, the intention of the alleged bully will be considered. However, as in sexual harassment, the effect of the behavior upon the impacted individual is given primary weight. The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that the Port will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be subject to corrective action, up to and including termination.

When determining whether or not bullying has occurred, we will consider the following examples; however, this is not considered a comprehensive list. Any actions that create the same or similar result will also be considered. Verbal bullying can include slandering, ridiculing or maligning a person; persistent name calling that is hurtful, insulting or humiliating; using a person as a butt of jokes; or abusive and offensive remarks. Physical bullying can include the obvious such as pushing or shoving or threat of physical assault, as well as damage to a person’s work area, personal possessions, or property. Other examples of emotional bullying include threatening gestures or glances, which can convey the same message, and excluding someone socially at work. Additional examples may also include:

- Making comments on Facebook, texting, misuse of other forms of social media
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person’s job performance or description

- Spreading rumors and gossip regarding individuals
- Interfering with the ability of someone to do their job duties or consistently assigning menial tasks not central to the job.
- Taking credit for another person’s ideas

Any Port employee who feels he or she has experienced bullying or intimidating behavior should immediately report that behavior according to the reporting process outlined in our anti-harassment policy. All reports will be investigated and addressed. The making of false or malicious complaints of bullying or harassment will be regarded as a serious offense, which may also lead to further corrective action up to and including termination.

Our goal is a positive workplace environment and we will take the actions necessary to provide this to both our employees and the people that we work with. Our goal is to focus on respect and regard in our words and actions!

DISPUTE RESOLUTION

We believe that undisclosed problems will remain unresolved and will lead to impaired work relationships, dissatisfaction with working conditions, and a decline in operational efficiency. Therefore, the organization has established this dispute resolution procedure to solve problems as quickly, fairly, and thoroughly as possible. This procedure is a method for impartially hearing the complaint and is intended to resolve problems and provide a fair and objective review. All issues will be handled without prejudice or retaliation.

Reporting Issues

Any other questions or concerns you may have should be discussed with your immediate manager/supervisor as soon as you are aware there is a problem or have a question. Your manager will provide a written response to your concern within one week.

We realize there may be valid reasons to forego this initial step; in those circumstances (i.e., a concern involves an immediate manager/supervisor), you may go directly to the next level of management or to the Executive Director for assistance.

Appeal Process

Honest differences of opinion occur, and some situations will need the review or decision of a higher management level. However, a higher-management review is intended to occur only after you have discussed a situation with your immediate supervisor and a satisfactory solution has not been reached. We realize there may be valid reasons to forego this initial step. For those unusual circumstances, you may go directly to the next level of management for assistance.

If you feel a policy has been inappropriately applied, or you have been unfairly treated or unjustly disciplined by your manager/supervisor, you may present the matter to the Executive Director and if dissatisfied by their assessment you can bring this concern before the Board of Commissioners. The Board of Commissioners will review the issue and make a decision. ~~If you are not satisfied with this decision, you may present the matter to the Port attorney for review and settlement. The decision of this individual will be final.~~

Commented [AH6]: Recommend deleting this as the Commissioners will presumably consult with an attorney at this stage and the attorney would have not independent authority to communicate, and reach a settlement, with the employee absent Commissioner approval.

All cases will be reviewed on an individual basis and without regard to precedent.

WHISTLEBLOWER PROTECTION ACT

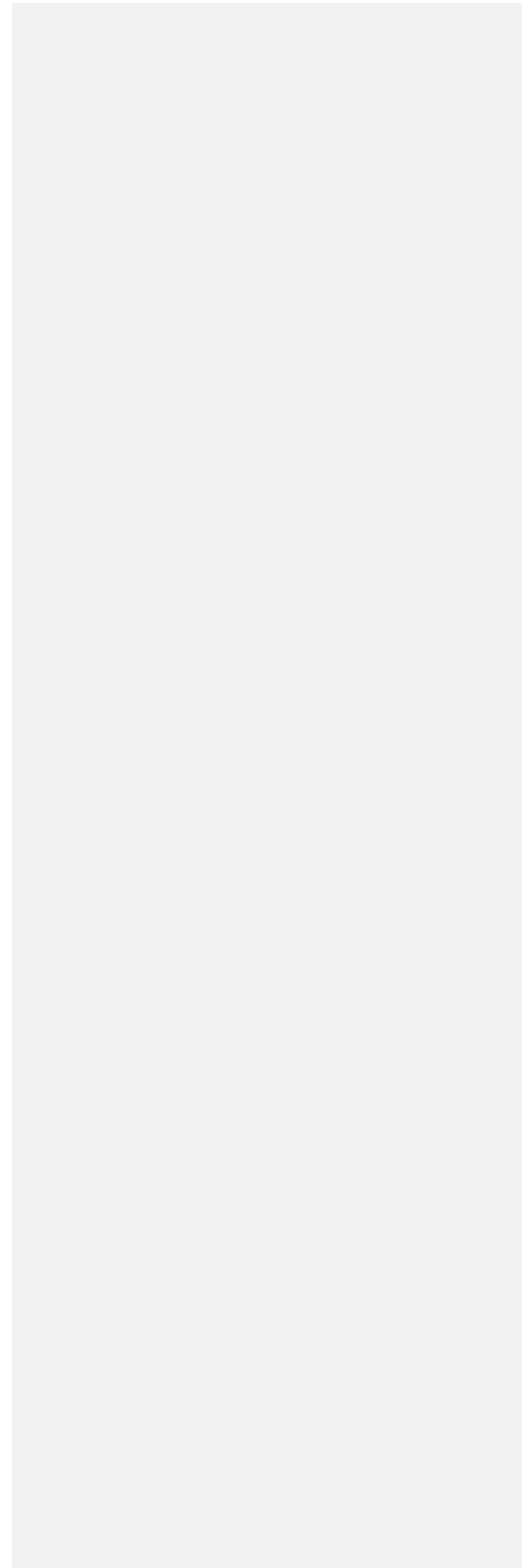
POLICY

The Port encourages any employee with knowledge of an illegal or dishonest [Port](#) activity to report it to the Executive Director (or Port Commission President if the Executive Director is involved). All such issues will be promptly investigated with the intent to determine fault and institute any appropriate corrective measures. Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. Any employee wishing for more information can obtain further details from the Executive Director or Port Commission President.

The Port, in compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41.050, encourages employees to disclose any improper governmental action taken by Port officials or employees without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints to be made first to the Port, with a process provided for speedy dispute resolution.:

1. Improper Governmental action is any action by a Port officer or employee that is:
 - a. Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, and
 - b. In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
 - c. Improper governmental action does not include personnel actions including employee complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violation of labor agreements or reprimands. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
2. Retaliatory Action is any material adverse change in the terms and conditions of an employee's employment.
3. Emergency means a circumstance that if not immediately changed may cause damage to persons or property.
4. Employees who become aware of improper governmental action should follow these procedures:
 - a. ~~Step One—bring the matter to the Port Executive Director (if not involved). This should occur as soon as the employee becomes aware of the improper action. Where the employee believes the improper action involves the Port Executive Director, the employee may raise the issue directly with the Vice President of the Commission.~~
~~In the case of an emergency, where the employee believes that damage to persons~~

| 



~~a. property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with the responsibility for investigating the improper action.~~

Commented [AH7]: This is already addressed under Point 6.

b. Step Two—the Port Executive Director or the Port Executive Director’s designees shall promptly investigate the report of improper government action. After the investigation is completed, ~~(within thirty [30] days of the employee’s report),~~ the employee shall be advised of the results of the investigation. The Port officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation. To the extent allowed under the Public Record Act, personnel actions taken as a result of the investigation may be kept confidential.

Commented [AH8]: Depending on the nature of the investigation, and the availability of an investigator, this may take longer than 30 days, so I recommend pushing this out.

5. An employee who makes a good faith effort to follow this policy is entitled to protection against retaliation pursuant to RCW 42.41.030.
6. In the case of an emergency, where the employees believe that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the improper action.
7. Employees may report information about improper governmental action directly to an outside agency if they reasonably believe that an adequate investigation was not undertaken by the Port to determine whether an improper governmental action occurred, or that insufficient action was taken by the Port to address the improper action or that for other reasons the improper action is likely to recur.

~~8.—It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. An employee who believes that retaliation has occurred for reporting an improper government action should:~~

~~8. Step One—employees must~~ notify the Port Executive Director within ~~thirty~~ (30) days of the occurrence of the alleged retaliatory action. If the Port Executive Director is involved, the notice should go to the Vice President of the Commission. The written charge must specify the alleged retaliatory action and the relief requested.

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~~b. Step Two—the Port Executive Director shall investigate the complaint and respond in writing within thirty (30) days of receipt of the written charge.~~

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~~c. Step Three—after receiving the response of the Port or thirty (30) days after the delivery of the charge to the Port, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the Port Executive Director within the earlier of either fifteen (15) days of delivery of the Port’s response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the Port for response.~~

~~d. Step Four—within five (5) working days of receipt of a request for hearing the Port shall apply to the State Office of Administrative Hearings for an adjudicative~~

proceeding before an administrative law judge (ALJ). At the hearing, the employee

must prove that a retaliatory action occurred by a preponderance of the evidence. The ALJ will issue a final decision no later than forty five (45) days after the date of the request for hearing, unless an extension is granted.

9. Additional information can be obtained on the Internet: www.sao.wa.gov/Whistleblower/index.htm

ETHICS

We believe in treating people with respect and adhering to ethical and fair practices in business. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of our organization or to compromise our reputation or our integrity. Employees who violate the Ethics Policy or who create an equally detrimental impact on the organization will be subject to corrective action, depending upon the circumstance, up to and including termination.

Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, customer/client, or any individual or organization doing or seeking business with The Port. This means you may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interests of the organization or interferes with your ability to fully perform job responsibilities. For example, if job responsibilities include purchasing, or being in a position to influence purchasing, the individual responsible must have no proprietary or financial interest in any business that furnishes products, materials, or services to the organization or in any related transaction. Nor may they benefit directly or indirectly from a third party who furnishes products, materials, or services to the organization.

Misrepresentation

As an employee, you should consider how you represent The Port in your transactions and interactions. You should be careful not to misrepresent the organization's policies, practices, procedures, or prices, or misrepresent your status and authority to enter into agreements. You should also avoid using the organization's name, likeness, facilities, assets, resources, or the authority of your position with the organization for personal gain or private interests.

Gifts

No state officer or state employee may accept gifts, other than those specified in subsections (2) and (5) of RCW 42.52.150, with an aggregate value in excess of fifty dollars from a single source in a calendar year or a single gift from multiple sources with a value in excess of fifty dollars. For purposes of this section, "single source" means any person, as defined in RCW 42.52.010, whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under RCW 42.52.010. The value of gifts given to an officer's or employee's family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

Commented [AH9]: I recommend not including this language. The 30 day notice period and the ALJ procedure is not required by law. Given the size of the Port, this also greatly reduces administrative flexibility in handling this kind of complaint. If an employee makes a good faith complaint about improper government action, I would recommend that the Port speak with counsel and if warranted, secure a third-party investigator through counsel (to maintain attorney-client privilege) or contact the State Auditor.

PROHIBITED CONDUCT

The following conduct is prohibited; intentional violation of these rules may result in disciplinary action up to and including termination:

1. Misuse of controlled and intoxicating substances while on duty or arriving on the job under the influence of intoxicating beverages or controlled substances
2. Incompetence, inefficiency, inattention to or dereliction of duty.
3. Dishonesty in securing employment.
4. Unauthorized absence including patterns of continual tardiness or absence.
5. Insubordination, defined as a purposeful defiance of authority or refusal to obey orders.
6. Dishonesty, intemperance, immoral conduct, discourteous treatment of the public or fellow employees.
7. Being absent from work without notifying and securing permission as provided in these guidelines.
8. Disorderly conduct while on duty.
9. Negligence or willful damage to public property or waste of public supplies or equipment.
10. Conviction of a felony or a misdemeanor.
11. Inability to perform the assigned job.
12. Mental or physical unfitness for the position that the employee holds.
13. Making false accident claims against the Port.
14. Misuse or misappropriation of Port property or funds.
15. Abuse of sick leave privileges by reporting sick when not sick or obtaining sick leave pay falsely or under false pretenses.
16. Intentionally misrepresenting information or facts in any statement, declaration or affidavit duly required of an employee.
17. Theft of public property or an accomplice thereto.
18. Harassment whether verbal or physical.
19. Misconduct, defined as improper or unprofessional behavior that reflects negatively on the agency
20. Any other activities or offenses to be of equal or similar gravity to those listed above.

PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which the Port can continuously monitor the effectiveness of the organization and its operations, all employees will receive regularly scheduled formal performance evaluations

The objectives of our performance management and formal appraisal process are to:

- Ensure that each employee knows how they are performing against established performance standards;
- Determine how well the organization is doing in assisting with work performance and objectives;
- Ensure communication and two-way feedback;
- Provide a consistent, objective, and fair method of making compensation decisions;

- Provide a tool for career planning; and,
- Provide a permanent record of employee performance and organizational contributions.

Managers and supervisory personnel are accountable for providing employee development actions designed to improve and enhance employee performance such as:

- Reasonable employee training;
- Assigning, directing, controlling, and reviewing employee work;
- Assisting employees in correcting deficiencies; and,
- Objectively evaluating employee performance during the evaluation period.

Our performance appraisal program is intended to be participatory and equally involves both your input and your supervisor’s. This allows you to contribute to the growth and improvement of the organization. You are encouraged to:

- Inquire about your performance periodically;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the organization;
- Ask for assistance in developing a goal-oriented path for advancement within the department or organization; and,
- Learn about training available to assist you in improving your skills or qualifying for a promotion or lateral transfer.

Performance evaluations serve as one factor in decisions related to employment such as training, merit pay increases, job assignments, employee development, promotions, and retention. Evaluations are to identify specific performance levels as compared to established standards, to acknowledge the merit of outstanding performance, and to prescribe the means and methods of improving any performance deficiencies.

CORRECTIVE ACTION

Our high-performance expectations reflect our belief that everyone benefits when we work together and conduct ourselves in a manner that reflects the best interests of both the organization and its employees. It is the philosophy of the Port to correct performance deficiencies and address violations of policies and work rules in order to correct situations and avoid repetition.

You will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. Your manager will discuss the situation with you, explaining the policy and the necessity of corrective action to avoid other disciplinary actions.

Although one or more corrective action measures may be taken in connection with a particular performance problem, no formal order will be followed. Corrective action may include any of a variety of actions depending on the circumstances and severity of the particular situation.

Corrective actions may be taken at the discretion of management and include **any** of the following:

- Verbal counseling with you, which will be confirmed in writing by your supervisor for your personnel file.
- Written warning, which will be placed in your personnel file.
- Suspension, which will be confirmed in writing for your personnel file. Suspension is normally used to remove an employee from organization premises during an investigation or as a disciplinary action. A suspension may be paid or unpaid. If you are suspended, it will be documented in your personnel file.
- Termination, which will be documented in your personnel file.

The corrective action process will not always commence with verbal counseling or include every step. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or a subsequent offense. Consideration will be given to the seriousness of the offense, your intent and motivation to change the performance, and the circumstances in which the offense took place.

[This policy shall not be construed to limit or otherwise impact your status as an at-will employee.](#)
[The District may terminate the employment relationship with you at any time, with or without reason or notice.](#)

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COMPENSATION & BENEFITS

PAY ADMINISTRATION

The Board of Commissioners may, at its sole discretion, review and adjust the salary of the Executive Director annually, or as deemed necessary.

The Executive Director may, upon approval by the Board of Commissioners, review and adjust the salary of Exempt and Non-exempt employees annually, or as deemed necessary.

Your pay as a new employee is established based on many factors, that may include the pay level of current employees in the same or similar positions and your previous experience and skills.

Information about your rate of pay and increases in pay, if any, is individual and we ask that you exercise discretion and care regarding any discussion of these matters,

PAY PRACTICES

Paydays

Employees are paid Semi-Monthly with the hours worked the 1st through the 15th to be paid by the 20th and the hours worked ~~ed the 16th-the 16~~ through the end of the month to be paid by the 5th of the following month. If a payday falls on a Saturday, Sunday, or banking holiday, paychecks will be distributed on the Friday prior to the established payday. If a payday falls on an organizational holiday, you will receive your check on the last workday prior to the holiday.

Payroll Deductions

Certain mandatory and elective deductions are made from employee pay, and are noted on the paycheck stub. The only deductions made are those mandated by law or authorized by you in writing.

Delivery of Paychecks

Paychecks will be direct deposited to your designated account unless you opt to receive a manual check. If a manual check is provided, it will not be delivered to anyone else without your written request.

Method of Payment

A statement showing gross earnings, deductions, and net salary will accompany each paycheck [or notice of direct deposit].

Employee Withholding Allowance Certificates (Form W-4)

You are required under federal law to furnish the organization with an Employee Withholding Exemption Certificate (W-4) at the date of hire. You may file a new W-4 form any time. When you submit an updated Form W-4, the organization will implement the desired changes no later than the by the start of the next payroll period. We encourage employees to seek tax advice if they have questions about withholding amounts.

Time Records for All Employees

The time card/time sheet is a record of time worked and must be filled out daily. It provides a permanent record of the time spent on the job, indicating the exact time worked. Each non-exempt employee will be issued a time card at the start of the pay period. Non-exempt employee pay is calculated from this record.

The time card should be reviewed for completeness and accuracy at the end of each week. Time cards should be reviewed, signed, and turned in at the end of the pay period. Your signature on the time sheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time card. Willfully falsifying a time card will be grounds for corrective action, up to and including termination.

Dispute Resolution Process for Paycheck Errors

If you have any questions regarding your pay or feel a manager has made a change to your pay that you do not believe is accurate, please let the Executive Director know.

Final Paycheck

We request that you give us at least 10 working days advance notice prior to departure when resigning or retiring from the Port. When [an employee resigns or is employment is terminated- either voluntarily by the employee or by action of the employer](#), the wages due must be paid "at the end of the established pay period" unless an existing agreement provides otherwise. Employers may not withhold or divert any portion of a final paycheck unless specific requirements apply (RCW 49.48.010).

HOURS OF WORK AND WORK SCHEDULES

Organization Hours

The Port's general office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday as staffing allows. The normal workday is 8 hours and the normal workweek is Saturday through Friday.

Full-time Exempt employees are generally expected to work approximately forty (40) hours per week; this is anticipated as an appropriate amount of time to efficiently perform the expected duties. However, these employees may vary their working hours as necessary in order to fulfill the duties of the position.

In the event a Non-Exempt employee is called in outside of their normal working hours, they will be paid a minimum of one (1) hour pay for time worked less than 1 hour and actual time if one (1) hour or more is worked.

Full-time Non-exempt employees typically work 32 to 40 hours per week, except as otherwise set forth herein. Management may, however, allow flexibility for work assignments outside normal work hours while complying with the provisions of the law. The Executive Director can establish and modify the hours established for all employees to work at his or her discretion as long as in compliance with the law.

Overtime

Overtime compensation is not available to Exempt employees. However, exempt employees may take an occasional day off when that time is not taken in conjunction with the use of earned absence hours.

Non-exempt employees will receive overtime pay for each hour worked beyond a normal working week of forty (40) hours at a rate of time-and-one-half (1.5) hours of overtime for those excess hours worked or shall be given the equivalent comp time off duty or as otherwise required by state and federal laws. The decision to accept comp time or pay is the employee's. Compensated time will be calculated to the nearest quarter hour of time worked. Your manager must approve any overtime hours in advance or else you may face corrective action, up to termination.

Overtime calculations are based on actual hours worked. Time absent from work by employees using earned absence hours such as paid time off, earned compensation time, holidays, or any leave of absence taken during the same day or week overtime is worked is not considered time worked for purposes of performing overtime calculations

Meal and Rest Periods

Meal and rest periods will be provided for you according to the applicable state regulations. Non-exempt employees are required to take one 15-minute break at least once during each consecutive four (4) hours of work. Breaks in excess of 15 minutes are authorized only when Port business is conducted coincident with the break. Maintenance personnel shall take breaks at their location of work if practical. If Maintenance personnel elect to travel to a break location, such travel time shall be included as break time. Breaks should be scheduled so they don't interfere with Port operations.

Lactation

The Port promotes and supports the practice and need for female employees to express breast milk on its premises, and will support female employees' continuation of expressing breast milk upon their return to work.

Until their babies are 12 months old, female employees may express breast milk as necessary during unpaid break and meal periods. Reasonable rest periods will be provided. Management and employees should work together to find mutually agreeable hours of work and breaks which support the continuation of expressing breast milk. Nursing breaks may be taken concurrently with regular meal and rest breaks (and the employee has the option of coming in early or staying late to make up any extra break time taken.)

If an employee perceives or observes adverse treatment with respect to the expression of breast milk, he or she should inform the Executive Director immediately.

The Port will provide private space, with an electrical outlet, within the office building or work area to express breast milk. This space may vary according to available empty rooms. Hand washing facilities and a refrigerator are available. Appropriate signage for privacy will be supplied.

Employees will be responsible for the storage of the expressed milk. The milk (may be stored in the refrigerator provided and) must be clearly labeled with the employee's name. (Since breast milk is a bodily fluid, and as such could harbor certain communicable diseases, it is important it be labeled with the employee's name.) To ensure the safety of stored breast milk, it is recommended that the container used to store the milk be sealed in a plastic bag to prevent contamination.

Commented [AH10]: State law mandates this policy if the employer has fifteen or more employees, so this doesn't apply to the Port. But, the Port is free to adopt this policy.

Inclement Weather and Emergency Closures

Varied and difficult weather conditions, fire, power failures, earthquakes, and other unforeseen emergencies may disrupt Port operations. In extreme cases, emergency circumstances may require the closure of the Port operations.

Employees are responsible for being at work on time and working their full assigned hours of work each day. Employees who arrive at work late due to emergency situations may make up their tardy time by working a later work schedule or by using earned absence time.

The Executive Director may declare the Port closed for business operations due to emergency conditions. At the discretion of the Executive Director, employee time off from scheduled work during the time the Port is closed for business may be paid. Exempt employees will be paid for all absences [full-day or partial day] related to emergency closures.

In cases where an emergency closing of the Port is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request use of available earned absence hours such as accrued paid time off.

Employees who provide essential operational work support may be asked to work on a day when Port operations are officially closed. In these circumstances, employees who work will receive pay at their regular rate.

PAY EQUITY STATEMENT

The Port strives to ensure all employees are paid fairly and responsibly based on a variety of factors relating to their position, job performance, and experience. From time to time, employees performing work of comparable character may have different compensation levels. Any such differences will be based on the Port's objective processes for evaluating an employee's work and potential. The Port will review the following factors when making pay decisions: seniority, merit, quantity or quality of work, workplace location, necessary travel, education, training, experience, or any combination of those factors. Any employee who believes they are not being compensated fairly in light of the above factors is highly encouraged to discuss the matter with a manager or the Executive Director to obtain additional clarification

BENEFITS ELIGIBILITY

1. Regular Full-time

Employees shall be entitled to employee benefits presented in this section, including holiday, paid time off, approved leave, insurance, retirement, social security, deferred compensation, and HRA VEBA.

2. Regular Part-time

Employees who meet the requirements associated with benefits eligibility and regularly work more than 17 hours but less than 32 hours per week shall receive a 50% share of holiday, paid time off, and health insurance. The Port will pay 50% of the health insurance premium and the employee will pay the remainder. Depending on the eligibility of the position, part-time employees may be required to participate in Washington State's Department of Retirement Systems (DRS) Public Employee Retirement Benefit. Retirement benefit is calculated using DRS's service credit month criteria for public employees. See DRS's website www.drs.wa.gov. If eligible for DRS retirement benefit, part-time employees are also eligible for deferred compensation. Part-time employees working less than 17 hours per week shall not receive any benefits other than those mandated by law.

3. Temporary and On-Call

Temporary and on-call employees shall not receive any benefits other than those mandated by law.

Benefit Design and Modification

The Port reserves the right to design plan provisions and to add, eliminate, or in other ways modify any discretionary benefits described in this Handbook or elsewhere in plan documents where and when it is deemed in the organization's best interest to do so. Management decisions and organization resources may change these benefits, so you shouldn't make a serious personal decision based solely on the current benefits plan.

Benefit Plan Documents

You'll receive summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents govern. These official documents are available from the Finance Manager for your review.

Individual benefits may be more expensive, modified or changed, or even unavailable in the future because of continuing increases in the expense of those benefits, changes in our business situation or economic conditions. We encourage you to be thoughtful about relying solely on these benefits, given that they are subject to change. On separation for any reason, employees are entitled only to those benefits that are offered at the time separation takes place. Any benefits offered in this Handbook apply only so long as the Handbook is current. They do not provide vested rights.

RETIREMENT

1. Public Employee Retirement Benefit (PERS)
Eligible employees are required to participate in Washington State’s Department of Retirement Systems (DRS). Under DRS the employee and the Port each contribute toward the cost of the retirement program, beginning on the first day of employment. Employee contributions are by payroll deduction. See www.drs.wa.gov for current rates.
2. Social Security
All employees are covered under the Federal Insurance Contribution Act from the date of employment. Employee contributions are automatically deducted from earnings.
3. Deferred Compensation
Eligible employees may participate in a Deferred Compensation program as it may be established by the Port. Such a program gives employees the opportunity to set aside additional funds for retirement. Contributions to this program are by employee payroll deduction.

HEALTH REIMBURSEMENT ARRANGEMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (HRA VEBA)

At the discretion of the Board of Commissioners, the Port may make a tax-free contribution to an HRA/VEBA account to be used by regular full-time employees for reimbursement of eligible out-of-pocket health care costs and premiums (50% benefit for regular part-time employees). This benefit is not an entitlement and the employee should be prepared in the event this benefit is reduced or eliminated by the Commission during budgeting or as necessary.

HEALTH INSURANCE BENEFIT

The Port currently provides health insurance coverage for regular full-time employees and 50% share for regular part-time employees. You will be provided with information about the plan at the time you become eligible to participate. You are asked to review the summary plan description for answers to questions you may have.

Eligibility

This benefit is provided for all regular full-time employees and available to regular part-time if they choose to contribute 50%. Temporary and on-call employees are not eligible to participate in the health insurance plan.

Plan Enrollment

Once you are eligible, you may complete enrollment forms distributed by the Finance Manager. If you don’t want to enroll at the time of eligibility, and later decide to request enrollment, a

verification of insurability form may be required from your physician, and your request for enrollment is subject to possible rejection by the healthcare plan insurance carrier.

Employees hired after November 15, 2022 may enroll spouse and dependents in the health care plan but must pay all of the premium costs associated with this coverage, which will be deducted from the employee's paycheck. Employees hired prior to November 15, 2022 will retain their existing health benefit package.

An eligible employee who chooses not to enroll in the insurance plan is not entitled to any other form of compensation in lieu of coverage and is required to sign a written waiver of participation.

Medical information is covered by HIPAA regulations. The Port realizes the responsibility we have to treat your private health information with great care and discretion. We have implemented safeguards to protect this information.

Portability/Conversion of Health Plan

If you've been continuously covered under our group medical insurance policy for at least 180 days and your employment with us ends, you may be eligible to convert to an individual policy with our insurance carrier. You may request this portability coverage before, during, or at the end of the benefit extension period described above. However, you must apply for portability coverage from our insurance carrier within 60 days after your group coverage ends. Please contact the insurance carrier for more information about this coverage.

VISION & DENTAL INSURANCE BENEFIT

The Port currently provides a Dental Insurance plan for employees.

Eligibility

Regular full-time employees (and regular part-time if they choose to contribute 50%) are eligible for dental insurance coverage on the first day of the month following the date of hire. Temporary and on-call employees are not eligible to participate in dental insurance.

Employees hired after November 15, 2022, may enroll spouse and dependents in the dental care plan but must pay all of the premium costs associated with this coverage, which will be deducted from the employee's paycheck.

PAID TIME OFF BENEFIT

1. Paid Time Off (PTO)

Regular full-time employees earn paid time off according to the schedule below (regular part-time earn 50%). PTO shall be used in increments of no less than one-half (½) hour for Non-exempt employees, and eight (8) hours for Exempt employees.

Accrual of PTO shall be based on a pro-rated basis for each pay period and is earned by the employee on the following basis

Year 0-5	23 days per year
Year 6-10	26 days per year
Year 11-15	31 days per year
Year 16-20	36 days per year
Year 21 and beyond	41 days per year

Employees may request and use PTO, subject to the approval of the Executive Director, for vacation, sick or personal time. Employees may find they need time away from work prior to accruing the hours necessary. In such cases, employees may build up a negative balance with the prior approval of the employee's manager. The Board of Commissioners may, in its sole discretion, review and adjust the PTO of the Executive Director and other employees.

2. Accrued PTO

Eligible employees shall be entitled to carry over a maximum of 360 hours of PTO into a new calendar year. Upon termination of employment, employees will be paid unused PTO earned through the last day of work, up to the maximum 360 hours.

3. Disability Bank

Employees who have accrued more than 360 hours at the end of the calendar year (12/31) can roll those hours into a disability bank. The maximum accrued hours in the disability bank is 120 hours. The accrued disability bank hours may only be used after exhausting the employee's PTO hours.

Disability bank hours will not be paid out at termination of employment.

SICK LEAVE

Employees who accumulated sick leave prior to December 2022 shall keep their balance and use sick hours when unable to perform their work duties by reason of illness or injury, necessity for medical or dental care, or by reason of illness in their immediate family for such period as the employee has sick leave credit. "Immediate family" shall mean the employee's spouse or domestic partner, children, mother, father, sister, brother, mother-in-law, father-in-law, grandparent and grandchild. Medical verification may also be requested if permitted or required under other federal, state or local laws or ordinances.

Sick leave will not be paid out at termination of employment.

PAID HOLIDAY BENEFIT

Eligibility

Employees may be asked to work on holidays due to the nature of Port operations. Regular full-time employees will be eligible for the paid holiday benefit. Regular part-time employees will be eligible for 50% of the benefit. All qualifying employees in accordance with anti-discrimination practices may be allowed to adjust their work schedule to take the holiday off or bank the holiday, with permission of their manager. Temporary and on-call employees are not eligible for paid holiday benefits.

Current Federal Holidays are as follows:

First Day of January	New Year's Day
Third Monday of January	Martin Luther King Day
Third Monday of February	President's Day
Last Monday of May	Memorial Day
Nineteenth Day of June	Juneteenth Independence Day
Fourth Day of July	July Fourth
First Monday of September	Labor Day
Second Monday of October	Columbus Day
Eleventh of November	Veteran's Day
Fourth Thursday of November	Thanksgiving Day
Twenty Fifth of December	Christmas Day

- Holiday hours are accrued the first day of the month in which the holiday is observed.
- Hours worked on a holiday will be banked to be used at the employee's discretion.
- Non-exempt employees required to work on a holiday will be paid at 1.5 times their normal hourly wage.
- Any unused hours will expire on December 31st.
- Holiday pay will not be counted toward hours worked in the computation of overtime.
- Unused holiday pay will not be paid out at the time of termination or at the time of annual expiration.

A legal holiday falling on a Saturday will be observed on the preceding Friday; a legal holiday falling on a Sunday will be observed on the following Monday unless otherwise directed, in advance, by the Executive Director.

LEAVE OF ABSENCE POLICY

We realize that our employees may encounter situations that require a temporary, but extended absence from work. We offer several different types of leaves of absence for the following purposes:

Washington Paid Family and Medical Leave	Bereavement Leave
Uniformed Service Leave	Jury Duty
Domestic Violence Leave	Personal Leave

The type of leave requested may determine which employees are eligible and what procedure should be followed in requesting and obtaining the leave. The effect of the leave on benefit accruals, benefits, and reinstatement rights also varies according to the type of leave you are requesting. Each of these leaves is discussed on the following pages. If you have any questions about your potential eligibility for a leave or your benefits and rights while on a leave, please contact the Executive Director.

WASHINGTON PAID FAMILY AND MEDICAL LEAVE

Paid Family and Medical Leave overview

Paid Family and Medical Leave is a mandatory statewide insurance program that provides almost every Washington employee with paid time off to give or receive care. The Port will follow any updates to this law.

If you qualify, this program will allow you to take up to 12 weeks, as needed, if you:

- Welcome a child into your family (through birth, adoption or foster placement)
- Experience a serious illness or injury
- Need to care for a seriously ill or injured relative
- Need time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment. <https://paidleave.wa.gov/>

If you face multiple events in a year, you might be eligible to receive up to 16 weeks, and up to 18 weeks if you experience a serious health condition during pregnancy that results in incapacity.

Payment of premiums

The program is funded by premiums paid by both employees and employers. It is administered by the Employment Security Department (ESD). The Port will follow any updates to RCW 50A.

Employers can either pay the full premium or withhold a portion of the premium from their employees. (Determined with annual budget.)

BEREAVEMENT LEAVE

You are eligible to take a Bereavement Leave in the event of death of the following immediate family members:

Individuals considered to be members of the family are mother, father, sister, brother, mother-in-law, father-in-law, husband, wife, grandparent, grandchild, son, daughter, stepchild, a child in the custody of and residing in the home of an employee (WAC 251-01-172)

Employees who wish to take time off due to the death of an immediate family member (as defined in WAC 251-01-172) should notify their direct supervisor or the Executive Director immediately.

Up to four (4) days of paid bereavement leave may be provided to regular full-time employees and pro-rated for regular part-time employees.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with prior approval of the Executive Director, use any available paid leave for additional time off as necessary.

Status of Benefits

Bereavement leave won't affect your eligibility for benefits or continuance of benefit accruals. If you're gone longer than the four (4) day leave allowance and you are granted additional time off in the form of a personal leave, the effect of the additional leave on your benefits will be determined by our personal leave policy.

UNIFORMED SERVICES LEAVE AND RE-EMPLOYMENT

Definitions.

- Military Member: Every employee who is in the National Guard or Army, Navy, Air Force, Coast Guard, or Marine Corps Reserve of the United States, or any organized reserve or armed forces of the United States.
- Military Spouse: State-registered domestic partner of the military member.

I. LEAVE FOR MILITARY MEMBERS

- A. Leave Entitlement. Every employee who is a Military Member shall be entitled to and shall be granted a military leave of absence for a period not exceeding twenty-one (21) days during each year beginning October 1st and ending the following September 30th to report for required military duty, training, or drills.
- B. Normal Pay. During the period of military leave, employees shall receive their normal pay.
- C. Charge for Scheduled Work Days. Employees shall be charged military leave only for days that they are scheduled to work. If an employee is scheduled to work a shift that begins on one calendar day and ends on the next calendar day, they shall be charged military leave for only the first calendar day. If they are scheduled to work a shift that begins on one calendar day and ends later than the next calendar day, they shall be charged military leave for each calendar day except the calendar day on which the shift ends. For each twenty-four (24)-hour

Commented [AH11]: My office has a draft policy that we recommend for military leave and it is update with the current law. I also noticed the Port's policy did not contain a section on military spousal leave, which is covered by Washington law, not the federal act, so that is added here as well.

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shift, the employee shall be charged two (2) days.

D. Paid Leave. This military leave of absence shall be in addition to any vacation or sick leave to which the employee is otherwise entitled, and shall not involve any loss of efficiency rating, privileges, or pay. If an employee exhausts their paid military leave, the employee may use accrued paid leave to remain on paid status during their military leave of absence.

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E. Health Insurance. An employee on military leave is entitled to health insurance coverage for up to twenty-four (24) months.

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F. Reemployment.

1. Employees have the right to be reemployed in their job if they leave that job to perform in the uniformed service and:

i. They ensure that the Port receives advance written or verbal notice of their service unless military necessity precluded such notice or made such notice impossible or unreasonable.

ii. They have five (5) years or less of cumulative service in the uniformed services while with Port;

iii. They return to work or apply for reemployment in a timely manner after conclusion of service;

iv. They have not been separated from service with a disqualifying discharge or under any circumstance other than honorable conditions; and

v. They held a Port at the time they entered active duty. While those who held a temporary or part-time Port job are eligible for reemployment rights, those in positions that were for a brief, non-recurrent period with no reasonable expectation that employment may have continued indefinitely or for a significant period are not eligible for reemployment rights.

2. If the individual is eligible to be reemployed, they must be restored to the job and benefits they would have attained if they had not been absent due to military service or, in some cases, a comparable job.

3. If the individual is reemployed, they shall be reinstated in a health care plan without waiting periods or exclusions.

4. Reasonable efforts (such as training or retraining) will be made to enable returning service members to qualify for reemployment.
5. If the returning service member cannot qualify for the position, the service member must be reemployed, if qualified, in any other position that is the nearest approximation to the pre-service position.
6. While an individual is performing military service, the individual is deemed to be on a leave of absence and is entitled to the non-seniority rights accorded to other similarly situated individuals on non-military leaves of absence. The time limits for returning to work are as follows:
 - i. Less than thirty-one (31) days of service: By the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight (8)-hour rest period. If this is impossible or unreasonable, then as soon as possible.
 - ii. Thirty-one (31) to one hundred eighty (180) days: The employee must apply for reemployment no later than fourteen (14) days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
 - iii. One hundred eighty-one (181) days or more: The employee must apply for reemployment no later than ninety (90) days after completion of military service.
 - iv. Service-connected injury or illness: Reporting or application deadlines are extended for up to two (2) years for persons who are hospitalized or convalescing.

G. Discrimination and Retaliation Prohibited. Military members and employees have a right to be free from any related discrimination or retaliation. They may not be denied:

1. Initial employment;
2. Reemployment;
3. Retention in employment;
4. Promotion; or
5. Any benefit of employment because of this status.

H. The Port will not retaliate against anyone assisting in the enforcement of USERRA rights.

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including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

II. NOTICE PROCEDURE

A. USERRA requires that service members provide advance written or verbal notice to their employers for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity.

1. Employees and members should provide notice as far in advance as is reasonable under the circumstances.

B. Employees receiving military orders must, within forty-eight (48) hours of receiving the military orders, submit a letter or e-mail to the Executive Director requesting the specified time off and listing each work shift that will be missed. Such requests should be accompanied with a copy of the original military orders.

1. If the orders are not available in advance of the time off, the member must submit copies of their order when they return from leave.

III. MILITARY SPOUSES

A. Unpaid Leave. Washington law grants eligible military spouses up to fifteen (15) days of unpaid leave (per deployment) if the military spouse is notified that the spouse's partner is called to active duty or deployment or when the spouse's partner is on military leave for deployment.

B. Leave Eligibility. A military spouse is eligible for leave if they perform services for the Port for an average of twenty (20) or more hours per week. A military spouse must be the state-registered domestic partner of the military member.

C. Notice. The military spouse must provide the Executive Director with written notice of the spouse's intent to take leave within five (5) business days of receiving official notice of an impending call or order to active duty or of a leave for deployment. The military spouse must provide a copy of the official notice or orders with the written notice of intent to take leave. If the official notice or orders are not available in advance of the leave date, the military spouse must submit copies of the official notice or orders on the day the military spouse returns from leave.

D. Use of Paid Leave. The military spouse may substitute accrued paid leave to run concurrently with the unpaid leave.

~~Regular employees requiring a leave of absence for service in the uniformed services are provided leave and will be re-employed at the end of the leave. Policies governing this leave are designed according to the Uniformed Services Employment and Re-employment Rights Act and applicable state regulations. The policy covers employees who enter active military duty voluntarily and extends to Reservists or National Guard members who are called to limited active duty or extended training duty, including regularly scheduled annual training and military summer camp training. These military members, and those with previous or current military service, are protected from discrimination and harassment.~~

Eligibility

~~All employees of the organization except those hired on a brief, non-recurrent basis are eligible for leave.~~

Length of Leave

~~Given that the requirements regarding this type of leave are subject to change, the length of this leave will be administered under the current provisions of all applicable laws at the time of occurrence.~~

Request Procedure

~~You must provide written notice, using the Leave of Absence Request Form, of your obligation or intention to perform service in the uniformed services, unless notice is precluded by military necessity or is otherwise unreasonable or impossible. Failure to do so may result in loss of re-employment rights.~~

Pay While on Leave

Military leaves are without pay unless you elect to utilize PTO benefits earned before commencement of the leave and are otherwise eligible to use such benefits. You must request and obtain approval to receive PTO pay during military leaves of absence.

Status of Benefits

Reservists, National Guard members, and veterans returning from military service in the Armed Forces have and retain rights with respect to seniority, leave, compensation, and length of service pay increases, as may be from time to time provided by applicable statutes of the United States and the state of Washington. You may maintain health care insurance benefits for up to 24 months while on leave by paying the insurance premium through COBRA for any leave extending beyond 30 days.

Reinstatement

If you are returning from a Uniformed Services Leave, you must report to work or request re-employment within prescribed time limits, which are based on the length of the leave as follows:

1 to 30 days: You are expected to report to work on the first regularly scheduled workday following completion of training and you will be reinstated to the same position you held at the time the service leave began.

31 to 180 days: If you are a Reservist or National Guard member returning from initial active duty for training you must submit an application for re-employment within 14 days after honorable release from service. You will be reinstated to the same position held at the time the service leave began, provided the leave has been for less than 91 days in length. If the leave is 91 days or longer, when you return you will be reinstated to the same job, or comparable job in terms of like seniority, status, and pay, as long as you are qualified to perform the duties.

181 days or longer: If you are returning from active duty in the armed services, you must submit an application for re-employment within 90 days after completion of satisfactory service. You will be reinstated to an equivalent position as long as you are qualified to perform the duties and the organization's circumstances have not changed to the extent that it would be impossible or unreasonable to provide re-employment. When returning, you must provide documentation to verify your rights to re-employment, including your separation papers. Time limits for application for re-employment are extended for up to two years for disabled veterans.

Failure to file an application within the required time period forfeits the right to re-employment.

JURY DUTY LEAVE

Employees subpoenaed to serve as witnesses or on jury duty may obtain a leave of absence. If we feel that your absence would cause an undue hardship to you or the organization, we may request, with your agreement, that jury duty be postponed. You may choose to use your accrued paid leave available for voluntary service as a witness or for court appearances you must make as part of your own legal proceedings or lawsuit.

Status of Benefits

Benefits are not affected by jury or witness duty leaves.

Length of Leave

Jury or witness duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions.

Request Procedure

You must notify your manager or supervisor as soon as is practicable after you receive notice asking you to serve as a witness or on a jury so that arrangements can be made to cover your position. You are expected to provide us with a copy of the subpoena or notice within five days after you received it.

Pay While on Leave

Employees shall collect regular salary and benefits with the provision that any monies collected for jury duty shall accrue to the Port, with the exception of monies paid for actual mileage and receipted lodging and meals charges.

DOMESTIC VIOLENCE LEAVE

An employee who is a victim of domestic violence, sexual assault, or stalking, or is a parent or guardian of a minor child or dependent who is a victim, may be entitled to take protected leave from work to obtain services or treatment.

A Domestic Violence Leave statute allows victims of domestic violence, sexual assault, or stalking to take reasonable leave from work to take care of legal or law enforcement needs and obtain health care. Family members of a victim may also take reasonable leave to help the victim obtain treatment or seek help. There is no limit on the amount of leave other than it be “reasonable.” Leave may be used by victims of domestic violence, sexual assault, or stalking to obtain legal or law-enforcement assistance, medical treatment, or counseling or by family members to help a victim obtain needed treatment or services. “Family member” includes a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee is dating. Employees who take leave under this statute may use any accrued sick leave, other paid time off, compensatory time, or unpaid leave.

Citation: Wash. Rev. Code § 49.76.

Status of Benefits

Benefits are not affected by domestic violence leave.

PERSONAL LEAVE OF ABSENCE

Requests for personal leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Unpaid Personal Leave

Unpaid personal leave may be granted at the discretion of the Executive Director. Subject to the terms, conditions, and limitations of the applicable plans, the Port of Skamania County will

continue to provide health insurance benefits for the first 20 working days within any calendar year) of any approved unpaid personal leave; PTO, and holiday benefits may also continue to accrue during the first 20 working days (within any calendar year) of an approved personal unpaid leave period.

When an allowed unpaid personal leave that totals more than 20 days ends, efforts will be made to return the employee to the same position if it is available, or to a similar available position for which the employee is qualified. However, the Port of Skamania County cannot guarantee reinstatement.

If an employee fails to report to work promptly at the expiration of the approved leave period, the employee shall be deemed to have resigned and the Port of Skamania County will replace the employee, unless other arrangements have been agreed to in advance by the Port and the employee.

HEALTH AND SAFETY

CONTROLLED SUBSTANCES AND INTOXICATING BEVERAGES

The Commission recognizes that the maintenance of a drug-free work environment is essential to the safety and welfare of its employees and the general public served by its facilities. This policy establishes programs and practices that promote and support a drug-free working environment.

1. Policy Statement:

The objective of this policy is to provide a workplace and environment that are free from the effects of substance abuse. Furthermore, the Port believe(s) that we have a responsibility to our employees, to those who use or come into contact with our products and services, and to the general public to ensure safe operating and working conditions.

2. Provisions:

a. Manufacturing, selling, attempting to sell, using, distributing or possessing alcohol or other controlled ~~or~~ substances that impair job performance or pose a hazard when use or possession occurs (as a government employer this includes marijuana) is forbidden. ~~Reporting to work under the influence of an unauthorized controlled substance or alcohol is prohibited.~~

b. During bBusiness-related meetings and events or social gatherings where alcohol is offered, employees are expected to observe the highest standards of ethical and professional conduct while in attendance.

c. Employees are prohibited from consuming intoxicating substances in a manner that in any way impairs the performance of job duties, endangers the physical well-being of oneself or others, or could result in the damage of property (in most circumstances, employees are to refrain from consuming alcohol when performing their normal duties). Port employees that operate vehicles or equipment must follow all applicable rules prohibiting the use of alcohol before and/or while operating the vehicle/equipment.

e. Employees convicted of criminal drug statutes violation(s) in the workplace shall report the conviction to their supervisor and the Port Executive Director no later than five (5) days after such conviction.

f. Any employee who knows or believes that there is unlawful involvement with controlled or intoxicating substances contrary to this policy should refer the information to their supervisor. Evidence obtained by the Port of unlawful sale or possession of drugs or narcotics will be turned over to the appropriate law enforcement agencies.

~~g.~~ Where we have a reasonable basis to believe that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. We reserve the right to determine whether reasonable basis exists.

g.

3. Prescription or Over-the-Counter Drug Use

The use of prescription and over-the-counter drugs that compromise safety in the workplace or the Port of Skamania County

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quality of the employee's work product is prohibited. It is the employee's responsibility to ensure their physician has approved use of the drug for work performance and must notify their supervisor of the physician's opinion. The Executive Director may require a note from the physician before allowing the employee to return to work.

4. Drug Use Away from the Workplace

The use of a controlled substance or intoxicating beverage off the work site by an employee may be grounds for disciplinary action if it results in an adverse impact on the Port as an employer.

5. Employee Sanctions

Every employee shall be aware of the above provisions and abide by them. Failure to observe these provisions will result in immediate disciplinary action against the employee, up to and including dismissal.

6. Employee Assistance Program

The Commission is committed to encouraging employees to undergo treatment and rehabilitation for alcohol or other chemical dependency problems. The Port will provide information to employees on available drug counseling and rehabilitation programs through our EAP.

7. Confidentiality

The confidentiality of all complaints and reported violations of the provisions of this directive will be strictly maintained, except as required by public disclosure laws or court order.

WORKPLACE VIOLENCE.

The Port recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work, as well as employee productivity.

To foster a safe workplace, this organization specifically prohibits any employee from bringing any kind of illegal weapon, knife (other than folding pocket-knife) or firearm on premises. If you have a question whether something may be considered a weapon in violation of this policy, you must ask your supervisor prior to bringing the item onto our premises. Our premises include areas such as personal vehicles parked in our designated parking area.

Situations may occur, despite our best efforts to prevent them, which present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the organization or that threaten the safety, security, or financial interests of the organization. Employees should make such reports directly to the Executive Director.

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. We will generally notify the reporting employee of action taken in response to the report.

We may, out of business necessity, conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation

of criminal records and a search of the organization's property such as desks, work areas, lockers, file cabinets, voice mail systems, and computer systems.

If an employee is found to have violated any part of this policy, corrective action up to and including termination may occur.

EMPLOYEE HEALTH AND SAFETY

The Port is committed to providing our employees with a safe and healthful work environment. To accomplish this goal, both management and employees must make diligent efforts to promote safety.

We develop and implement safety rules and regulations through our managers and supervisors. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. We also educate employees about workplace hazards and the proper and safe methods to use in performing job tasks. Employees will be provided with a copy of the Port's Safety Policy which outlines the relevant and mandatory training, procedures, and requirements for maintaining a safe work environment.

If you are injured on the job and your doctor determines that you are able to perform modified work, the organization will attempt to provide such a job until you are able to resume your regular duties. The program is not intended to be a substitute for a reasonable accommodation when an injured employee also qualifies as an individual with a disability. If you are offered a modified position that has been medically approved, failure to report at the designated time and place may affect time loss compensation.

Smoking in the Workplace

The Port has adopted a no-smoking policy intended to provide a smoke free-work environment. Smoking is prohibited 24 hours of the day, every day, in all Port enclosed work and common areas, facilities and automobiles. In addition, Washington State Law RCW 70.160 prohibits smoking within 25 feet of public entrances, windows, or air intakes.

Employee Right to Know/Hazard Communication Program

The Port provides a Hazard Communication Plan so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this information, you can help prevent injuries and illnesses from chemical exposure. If you have any questions regarding chemical hazards, do not delay in asking your manager.

EMPLOYMENT SEPARATION

SEPARATION FROM EMPLOYMENT

Separation from employment with the Port occurs when you voluntarily resign, or you are laid off or discharged by the Port.

Resignation

Employment with us is “at-will,” which means you are free to resign at any time, with or without notice. However, in order to achieve an orderly transition, we would appreciate receiving notification of intent to resign at least (ten) working days before departure, and (30) days before departure for supervisors and management-level personnel.

Job Abandonment

To maintain a safe and productive work environment, employees are expected to be reliable in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the organization. Poor attendance and excessive tardiness are disruptive. Either may lead to corrective action, up to and including termination of employment.

Job Elimination, Reduction in Work Hours or Staff

Our desire is to avoid circumstances that require a reduction in hours or staff, but we also recognize that situations may arise where such reductions would be necessary. Depending upon the circumstances, we may respond in a variety of ways, including offering a voluntary reduction in hours or days of work, reducing your work hours or days of work, reducing the workforce, or reducing expenses by other means. Among the factors we will consider in selecting employees for any reduced hours or reduction in force are:

- Your department, location, or job;
- Your job knowledge, skills, and ability to do the required work;
- Your performance, attendance, and safety and corrective action history and records;
- Your possession of licenses, registrations, and certifications required by the job;
- Your creativity and teamwork skills, if required for the job;
- Your demonstrated willingness to go the extra mile for the organization, co-workers, and customers; and,
- The efficiency of our operation.

Evaluation of these factors is at our discretion. When we conclude that all the factors are substantially equal, we will reduce the hours of or lay off the employee with the least length of service. The immediate supervisor/manager will personally notify employees of a layoff. After explaining the layoff procedure, you will be given a letter describing the conditions of the layoff, such as the effects on benefits, the possibility of reemployment, procedures, and any outplacement services.

If practicable at the time of lay-off, we will provide limited re-employment rights to any employee laid off through no fault of their own for a period of six months from the date of lay-off.

The order of recall will be determined using the above factors. If you are not rehired during that period, you may be separated from employment. An offer of re-employment may be made orally or

in writing to the last address reflected in your personnel records. It is your obligation to keep us informed of any changes in your telephone number and address. The offer will identify the available job and the date you are to report to work. If you decline re-employment or fail to report on the date specified, you will be deemed to have waived any re-employment privileges and will be treated as a voluntary termination.

Discharge

Our philosophy and general practice is to provide employees who have completed the initial introductory period of employment with an opportunity to correct minor performance and conduct problems before discharge is implemented.

The organization has a corrective action policy in this Handbook that describes action management may take, at our discretion, to correct performance infractions prior to discharging employees.

The decision to discharge employees is based not only on the seriousness of the current performance infraction, but also on the individual's overall performance record and length of service.

We also believe that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal dispute resolution procedure in this Handbook for that purpose. You are encouraged to use this procedure to resolve any issues you may have that cannot be resolved by consulting with your supervisor.

Exit Interview

An exit interview will be arranged to give you an opportunity to address unresolved issues before leaving the organization and allow us to solicit your opinions about our organization and any suggestions for improvement. We encourage all employees to participate in an exit interview when they separate from employment, and we value all opinions and suggestions we receive in the process.

At the exit interview session, you will be given information such as your benefit continuation rights and responsibilities and your final paycheck.

Return of Organization Property

Upon separation from your employment, either voluntarily or otherwise, you must return all organization property in your possession by your last day of employment. Organization property may include credit cards, organization vehicles, keys, ID cards, tools, uniforms, and any other items in your possession that belong to the organization.

APPENDICES

Appendix 1
Port of Skamania

**CELL PHONE REIMBURSEMENT MEMO AND ANNUAL
CERTIFICATION**

NAME OF EMPLOYEE: _____

EFFECTIVE DATE: _____

MONTHLY REIMBURSEMENT AMOUNT: _____

Notification:

Employees should be aware that all cell phones create data that is stored on the device, to include e-mails, text messages, and communication logs. When the cell phone is used for Port business that record is, in nearly every case, a public record, subject to possible disclosure under the Public Records Act. As such, all communications created or received using a Port cell phone and all data stored on the devices is the property of the Port and is subject to review by the Executive Director. It is the employee's responsibility to ensure that all cell phone data related to Port business is retained and all Port rules, regulations, policies and procedures are followed. Employees have no personal or property right in these communications and data and no expectation of privacy with regard to their use of Port communication devices. Port employees shall adhere to the Port Cell Phone Policy regarding using Port supplied or reimbursed cell phones for text messaging and by signing below the employee acknowledges having read the policy.

Employee Certification and Signature:

I certify that I will use the reimbursement funds toward the business use of my cell phone, and promptly report any changes in the level of those business expenses to my supervisor. The reimbursement does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, bonuses, benefits based on a percentage of salary, etc. I further certify that I have read, understood and intend to comply with the Port of Skamania Cell Phone Policy dated: January 17, 2017 and all Port rules, regulations, policies and procedures as they may apply.

Employee Signature: _____ Date: _____

I certify that the requested reimbursement is needed for this employee to cover work related expenditures due to cell phone communications, as described above.

Executive Director Signature: _____ Date: _____

This contract is:

- A new contract
- Replaces an existing contract
- Annual certification

PAYROLL USE:

Pay period effective: _____ Entered by: _____

Appendix 2
Port of Skamania
CREDIT CARD POLICY

Effective Date: February 9, 2010

Approval Document: Resolution 7-2010

Effective Date: February 9, 2010

PURPOSE

The Port of Skamania County (Port) hereby adopts a policy for the use of credit cards and charge accounts for covering expenses associated with authorized travel for official Port business, purchases and acquisitions.

DEFINITIONS

Employee—A person employed by the Port, does not include an independent contractor.

Port Commissioner—A person elected or appointed to the Board of Commissioners of the Port of Skamania.

Port Business—Official actions taken on behalf of the Port by an employee or official.

Retail Gasoline Credit Cards

- a. Retail gasoline credit cards may be used for the purchase of gasoline and other minor automotive supplies for Port vehicles. Cash advances, purchases of food or other non-automotive related items are not authorized.
- b. No single transaction shall exceed \$300.00 unless authorized by the Port Executive Director.
- c. The Port Executive Director shall be responsible for establishing credit arrangements and agreements with applicable vendors and managing the use of retail gasoline credit cards by Port employees or Commissioners.
- d. Except when being used by an employee, or Commissioner, retail gasoline credit cards shall remain in the possession of the Port Executive Director or their designee.
- e. Employees or Commissioners requesting to use a retail gasoline credit card shall make a request to the Port Executive Director and shall sign for receipt and return of the card. An employee whose job responsibilities would be facilitated by the use of a retail gasoline credit card will be assigned a gas credit card to be used in the day-to-day operations of the Port.
- f. Original receipts for purchases against the retail gasoline credit card shall be submitted to the Accounting Department promptly after the purchase or when the card is returned. The employee or Commissioner must write on the receipt the name of the vehicle the fuel was purchased for, and the purpose for the purchase, if applicable.

- g. The credit card vendor shall be required to submit a bill for the credit card to the Port monthly. Charges will be reviewed by the Accounting Department before being routed to the employee or Commissioner for initialing to verify expense.
- h. The Port Executive Director may disallow the use of any Port credit card by a Port employee or Commissioner for a violation or misuse of this policy.

All Other Credit Cards/Charge Accounts

- a. The Port shall contract with an appropriate banking facility for two merchant credit cards account with a limit of \$3,000.00 each. The Port may establish credit arrangements with other vendors from time to time. The Port Executive Director shall set individual credit limits on each account as they are established, not to exceed \$3,000 per account.
- b. Credit cards may be used by Port employees and Commissioners for advance payment of expenses associated with authorized travel such as registration and tuition fees, lodging expenses, meals, and transportation expenses. Credit cards may only be used for authorized Port purchases. Purchases may include supplies, small tools and equipment, or capital equipment approved by budget or authorization of the Board of Commissioners, unless the law requires the Port to purchase such equipment by bid process. Credit cards shall not be used for cash advances.
- c. The Port Executive Director shall be responsible for managing the use of credit cards by Port employees and Commissioners. Except when being used by an employee or Commissioner to make an authorized transaction, credit cards shall remain in the possession of the Port Executive Director or designee. Employees or Commissioners requesting to use a Port credit card or charge account shall make a request to the Port Executive Director and shall sign for receipt and return of the card.
- d. The original receipt(s), including the detailed receipt, obtained from the vendor for all purchases against the credit card shall be submitted to the Accounting Department promptly after the purchase or when the card is returned.
 - i. Employees or Commissioners must ensure the detailed receipt contains the time, place, business purpose and participants, if applicable, for the purchase.
 - ii. Employees and Commissioners who use the credit cards are required to comply with the provisions of RCW 42.24.115 regarding the submission of fully itemized travel expenses and to repayment of disallowed charges.
- e. The credit card vendor shall be required to submit a bill for the credit card to the Port monthly. Charges will be reviewed by the Accounting Department before being routed to the employee or Commissioner for initialing to verify expense.
- f. The Port Executive Director may disallow the use of any Port credit card by a Port employee or Commissioner for a violation or misuse of this policy.

Appendix 3

PORT OF SKAMANIA VEHICLE USE POLICY

Approval Document: Resolution No. 8-2007

Effective Date: April 10, 2007

PURPOSE

The Port of Skamania County (Port) hereby adopts a policy for the use and maintenance of Port-owned vehicles and vehicles driven for Port purpose.

DEFINITIONS

De minimis use—Reasonably anticipated use of Port vehicles of fewer than one hundred (100) miles per year.

Employee—an officer, or employee of the Port, elected or appointed, but does not include an independent contractor.

Personal Vehicles—Includes personally-owned vehicles driven by an employee or volunteer while conducting Port business.

Port Business—A trip taken at the direction of and on behalf of the Port. This does not include commuting to and from home to the Port properties or attending seminars.

Port Vehicles—Includes any automobile, boat, truck, tractor, heavy equipment or any other motorized vehicle which is owned, leased, or in the possession or control of the Port.

Volunteer—A person who provides services to the Port on a voluntary basis and is not compensated for their time of service. A list of authorized volunteers who will be driving Port vehicles or personal vehicles on Port business will be developed by the Port Executive Director.

POLICY

1. Identification of Port Vehicles

All Port vehicles will be distinctly identified with a C-License and an official insignia in accordance with RCW 46.08.065.

2. Authorization to Occupy Port Vehicles

Only authorized persons may ride in vehicles owned, leased, or under the control of the Port. Authorized persons are limited to:

- a. Port employees on Port business.
- b. Persons conducting business with the Port that necessitates transportation by or is advantageous to the Port.

3. Authorization to Use Personal Vehicles on Port Business

Except in the case of de minimis use, Employees and volunteers using their personal vehicle for Port business must meet the following criteria:

- a. Employee or volunteer possesses a valid Washington State Motor Vehicle Operator’s License, or valid Oregon State Motor Vehicle Operator’s license if a resident of Oregon, and, if required, “endorsement” or validation for operation of special equipment.
- b. An employee or volunteer driving a personal vehicle on Port business has automobile liability insurance that meets minimum state requirements.
- c. Employees or volunteers must be at least 18 years old to drive on Port business.

4. Use of Port Vehicles

- a. Before operating a Port Vehicle, any employee or volunteer shall obtain the approval of the Port Executive Director. In considering this request, the Port Executive Director shall do the following to determine if employee or volunteer is eligible to drive on Port business.

Verify that the Employee or Volunteer has a valid driver’s license(s). Except in the case of de minimis use, require the Employee or Volunteer (at no cost to them) to order their driving record from prior to employment and thereafter as required periodically by the Port Executive Director. The Employee/Volunteer shall have no more than three (3) moving violations within the 36-month period just past, as evidenced by DOL records. A serious violation (such as DWI, DUI, vehicular assault, vehicular homicide, driving while license suspended/revoked, hit and run attended/unattended, conviction for drug offenses [VUCSA], operation of a motor vehicle without liability insurance, etc.) may result in denial or suspension of Port driving privileges. DOL records showing a frequency of accidents, tickets, or any moving traffic violations or infractions, may affect an employee’s privilege to drive any vehicle on Port business. Keep these confidential driving records in the Employee/Volunteer personnel files.

Verify that the Employee or Volunteer meets the Port’s age requirements for driving.

If operating Port maintenance equipment, verify that the Employee/Volunteer is qualified to operate, or has appropriate supervision if in training.

- b. The Port Executive Director may reassign a vehicle for a period of time, when an Employee with an assigned vehicle is on leave.
- c. When necessary, the Port Executive Director may take appropriate action to discipline or suspend or deny driving privileges.
 - i. The Port Executive Director may deny or suspend employees from driving on Port business who have three (3) or more moving violations or any serious violation set forth in Section 4(A)(ii).

- ii. The Employee/Volunteer fails to promptly advise the Port Executive Director of accidents, moving violations, fines, proposed suspension or denial action, or any other violation or offense set forth in Section 4(A)(ii).
- d. All drivers of vehicles on Port business will practice defensive driving at all times and will abide by state, federal, and local laws. The Port Executive Director may require the Employee/Volunteer to attend a defensive driving class as a condition of further vehicle use.
- e. Individuals driving or riding in a vehicle must wear a seat belt, as defined in RCW 46.61.688 (mandatory seat belt law).
- f. Port vehicles will be used for Port business. No Port vehicle may be used for personal business, except minimal personal use (such as a stop for a personal errand on the way between a scheduled business stop or the employee's worksite).
- g. Port vehicles will be stored or parked on Port property. Exceptions:
 - i. Vehicles may be parked at work sites when not in use during the duration of a project.
 - ii. Employees with approved 24-hour per day vehicle assignments may park the vehicle at their residence within Skamania County or other non-residential site approved by the Port Executive Director.
 - iii. Employees who are not assigned a 24-hour per day vehicle may park a Port vehicle at their residence for a short duration, if necessary, to serve a Port function, only if authorized by the Port Executive Director.
- h. Drivers of Port vehicles will check and verify that the vehicle is in safe operating condition prior to and following operation of the vehicle.
- i. Operators of Port vehicles will take appropriate precaution to protect the Port vehicle from damage or theft.
- j. Employees will be personally responsible for any fines related to the violation set forth in RCW 42.61 (Rules of the Road), parking tickets, RCW 46.44.010-038 and RCW 46.44.050-105 as well as hanging material (dirt, rock, brush, etc.) on the vehicle, unsecured loads, and any spilling that may occur if upon investigation they are proven to have been negligent in driver responsibilities and/or duties.

5. Review Statement

Vehicle assignments may be reviewed each year by the Port of Skamania Board of Commissioners during the budget deliberations.

6. Maintenance of Vehicles

- a. Port will maintain safe motor vehicles. The Port Maintenance Staff will provide preventive, demand, and crisis maintenance of its vehicles to ensure the safety of its motor vehicles and employees.
- b. The Port's Facilities Specialist will maintain individual Port vehicle records. Each vehicle shall have the following equipment:
 - i. First aid kit per WAC 246-24-065

- ii. Fire extinguisher per WAC 296-24-59207

7. Penalty

The Port Executive Director may discipline for failure to comply with this policy.

- a. Employees who fail to comply may be suspended from further vehicle use and/or disciplined based on the applicable disciplinary procedures in the Port Personnel Policy and/or the Port Safety Policy.
- b. Volunteers who fail to comply with this policy may be immediately suspended from Port operation of vehicles and constitute grounds for disciplinary action, up to and including suspension or dismissal from volunteering.

8. Action required by Employee

- a. Receives authorization from the Port Executive Director to drive on Port business.
- b. Operates the vehicle or equipment in a safe manner that will comply with local, state and Federal traffic laws. ~~Promptly~~ ~~Notifies~~ the Port Executive Director when they are charged with a moving violation or an offense or receives a fine for any conduct set forth in Section 4(A)(ii).
- c. Takes appropriate precaution to protect the vehicle from damage or theft.
- d. Uses the vehicle for official business only, except minimal personal use (such as a stop for a personal errand on the way between a scheduled business stop or the employee's worksite).
- e. Transports non-Port employees only in connection with official business.
- f. Checks the condition of the vehicle prior to operation including tires and fluids, (i.e. oil, water).
- g. Cleans the interior and the exterior of the vehicle, if appropriate.
- h. Reports equipment problems/failures to the Facilities Specialist as soon as practicable.
- i. Returns the vehicle to its assigned location at the conclusion of Port business with sufficient gas in the tank.
- j. Returns keys and gas cards to the appropriate location immediately upon return, or in the case of afterhours or weekends returns, the next business day.
- k. Reports any accident promptly to the employee's supervisor, the Port Executive Director, and to the proper law enforcement agency.

Appendix 4
Port of Skamania
VOLUNTEER POLICY

Approval Document: Resolution No. 7-2007
Effective Date: April 10, 2007

Purpose: The Port of Skamania (Port) hereby adopts a policy to establish official procedures and guidelines for the protection and coverage of volunteers for the Port.

Definitions

Official Port Business: authorized business that relates directly to a person’s work tasks and benefits the Port.

Volunteer: anyone, who, without compensation or expectations of compensation beyond reimbursement, performs a task at the direction of and on behalf of the Port. A “volunteer” must be officially accepted and enrolled by the Port prior to performance of the task.

A. Use of Volunteers

From time to time an opportunity to use volunteers on specific Port projects may arise. Procedures and guidelines for the use of Volunteers are as follows:

1. The Executive Director or Supervisor utilizing the Volunteer shall clearly define in writing the tasks to be performed by each volunteer or group of volunteers.
2. The Executive Director or Supervisor directly responsible for the volunteers shall train, supervise and monitor the performance of volunteers.
3. Volunteers are not Port employees.
4. Volunteers under the age of 18 shall not engage in Port service until the Port has received written consent signed by the parent or guardian.
5. Volunteers must adhere to the same safety and accident reporting rules and procedures as Port employees.
6. Volunteers must abide by the same rules and policies governing Port employee conduct.
7. Volunteers, as representatives of the Port, must present a good image to citizens and the community.
8. Volunteers shall dress appropriately for the conditions and performance of their duties.
9. The Supervisor or Executive Director shall base volunteer status on the need to receive service and discontinue volunteer service at any time and for any reason. Volunteers shall have no right to appeal such decision.

B. Record Keeping

1. Volunteers shall fully complete a “Volunteer Application Form.”
2. Request information about skills and experience
3. Provide current and past employment, if requested
4. Provide information about education and knowledge

5. Provide references, if requested
6. The form shall contain a “Referral Release” option giving the Port authority to release information relating to the Volunteer’s service to prospective employers. Unless this is signed by the Applicant, the Port will not release this information to third parties.
7. The Executive Director or Supervisor shall maintain a system of records on each Volunteer:
 - i. Volunteer Application Form
 - ii. Dates of Service
 - iii. Hours Worked
 - iv. Work Performed

C. Worker Compensation

Except where a Volunteer is covered under an employer’s worker compensation insurance, the Port shall have no duty to include the worker under its worker compensation insurance, and the employer’s coverage shall be the only coverage. RCW 51.12.035 and RCW 51.12.050(2). However, if the Port is notified in advance of a Volunteer’s non-coverage, it may, at the sole discretion of the Port Executive Director, include Medical Aid coverage only for the Volunteer.

D. Record Keeping

Volunteers and appropriate staff shall submit all records and information in a timely and accurate manner to the Port Executive Director.

E. Confidentiality

Volunteer personnel records maintain the same confidentiality as staff personnel records.

F. Training

1. The Executive Director or Supervisor shall define the specific training needs which will depend on the type of work the volunteer performs.
2. All volunteers shall attend an orientation provided by the Executive Director or Supervisor.
 - Port Policies
 - Review OSHA/WISHA and Port Safety Policy
 - Safety/Evacuation/Emergency Procedures

G. Use of Port vehicles and Equipment by volunteers

1. Volunteers 18 years of age or older may drive on behalf of the Port under specific requirements and conditions.
2. Must have vehicle use pre-approved by the Port Executive Director
3. Must comply with the Port’s Vehicle Use Policy.
4. Volunteers may operate Port machinery and equipment only if they meet the age requirement under the law, have had sufficient training to operate in a safe manner and have the appropriate personal protective equipment.
5. Volunteers who drive their personal vehicles on official Port business must carry proof of insurance. The Volunteer must agree that their insurance is primary and the Port’s insurance is secondary.

H. Reimbursement of Expenses

When authorized in writing by the Executive Director or, Supervisor volunteers may request reimbursement of expenses such as transportation, meals, uniform/cleaning, registrations and tuition, without losing their status as volunteers.

I. Legal

- a. The Port shall provide protection for Volunteers against claims for harm caused by an act or omission on their part while acting in the scope of their responsibilities for the Port.
- b. The Port shall not protect Volunteers for an action which constitutes a hate crime, involves a sexual offense, or constitutes a crime of violence.
- c. The Washington Governmental Entity Pool shall cover Volunteers under the Liability coverage of the Port while volunteers perform acts for and under the direction of the Port, but not for working or acting outside the direction and control of the Port.
- d. Volunteers may undergo an extensive criminal history check and such other tests as deemed appropriate by the Supervisor or Executive Director.
- e. The Executive Director or Supervisor may require Volunteers to sign an Indemnification and Hold Harmless Agreement releasing the Port from further responsibility and liability for volunteer service.
- f. The Executive Director or Supervisor will strictly enforce the Fair Labor Standards Act and Washington Law as it pertains to volunteer service.
- g. The Executive Director or Supervisor may terminate from Port volunteer service any Volunteers who knowingly or unknowingly violates the Port's rules and policies or the State or Federal laws and regulations.

The Port of Skamania County

HANDBOOK RECEIPT ACKNOWLEDGMENT FORM

As an employee of The Port of Skamania County, I acknowledge the following:

I have received a copy of the Employee Handbook. I understand that the Handbook contains important information about the organization’s policies, work rules, and my benefits. I understand that I have the responsibility to read and understand the information in the Handbook, and to ask my supervisor and/or Human Resources for clarification of any information I do not understand.

I understand that this Handbook is not a contract of employment or a guarantee of specific treatment in specific situations. I understand that this Handbook supersedes all prior Handbooks, policies, and understandings on the subjects contained in it.

I understand that the organization has the right to change, modify, add to, substitute, eliminate, interpret, and apply in its sole judgment, the policies, rules, and benefits described in this Handbook. Any changes to the content will be communicated to employees via official notices.

Unless otherwise stated in a written employment contract, I understand that my employment relationship with the organization is at-will – either the organization or I can terminate the relationship at any time, with or without reason or notice.

I understand that the Executive Director is the only person who is authorized to make changes in the policies, rules, and benefits described in this Handbook and that all such changes must be in writing to be valid. I also understand that they are the only person who will ever have the authority to enter into an employment contract, and that all such contracts must be in writing and signed by both parties to be valid.

I am aware that I may be given confidential information during the course of my employment, including customer lists, proprietary organization plans, and other information. I understand that this information is critical to the success of The Port and I agree not to disseminate or use it outside of the organization. In the event of my termination, either voluntary or involuntary, I agree not to use this information or communicate it to any other individual, organization, or entity.

I also acknowledge that, before signing this form, I have asked for and received clarification on any of the items listed above that I did not understand.

Employee Signature

Date

Print Employee's Name