



UBLIC MEETING: Port Commission Action Meeting

DATE: Tuesday **May 7, 2024, 6 PM**

LOCATION: Cascade Locks City Hall 140 Wa Na Pa St, Cascade Locks, OR 97014

<https://us02web.zoom.us/j/85806615790>

## AGENDA

- 1) Commission meeting called to order
  - a. Pledge of Allegiance
  - b. Roll Call
  - c. Modifications, Additions and Changes to the Agenda
- 2) Public Comment (Speakers may be limited to three (3) minutes)
- 3) Consent Agenda (\*\*\*)Consent Agenda may be approved in its entirety in a single motion. Items are considered routine. Any Commissioner may take a motion to remove any items from the Consent Agenda for individual discussion).
  - a. Approval of minutes from Annual Planning Session on March 9<sup>th</sup>, from Commission Meetings on March 19<sup>th</sup>, April 2<sup>nd</sup>, and April 20<sup>th</sup>, Budget Orientation on March 26<sup>th</sup>, and Budget Meeting on April 23<sup>rd</sup> – [Page 2](#)
- 4) Special Presentation and Reports by outside resources, staff, and Government Officials
  - a. Columbia Gorge Public Transit Fixed Route Service Update and Toll Waiver Request – Emily Reed, Columbia Gorge Tourism Alliance, Kathy Fitzpatrick – Gorge Translink, and Sophie Miller – Skamania County Senior Services Program Manager
  - b. Strategic Business Plan Update – [Page 19](#)
- 5) Discussion
  - a. Review Employee Handbook Update – [Page 21](#)
- 6) Executive Session under ORS 192.660 (2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions and ORS 192.660 (2)(h) Legal counsel regarding litigation or likely litigation to be filed
- 7) Executive Director Report
- 8) Commissioner Comments and Sub-Committee Reports
- 9) Adjournment

## IMPORTANT DATES

### **Friday, May 10, 2024**

Commission Input on Strategic Business Plan Due

### **Tuesday, May 14, 2024**

Port Budget Meeting

### **Tuesday, May 21, 2024**

Port Commission Meeting

### **Monday, May 27, 2024**

Port Office Closed – Memorial Day



PUBLIC MEETING: Annual Planning Session 2024 #2

DATE: Saturday **March 9, 2023, 8:30 AM**

LOCATION: Cascade Locks City Hall 140 Wa Na Pa St, Cascade Locks, OR 97014

<https://us02web.zoom.us/j/85806615790>

## MINUTES

- 1) Commission meeting called to order 8:31 am
  - a. Pledge of Allegiance
  - b. Roll Call
    - i. President Lorang
    - ii. Vice-President Klute
    - iii. Commissioner Nance
    - iv. Commissioner Peterson
    - v. Commissioner Thweatt
    - vi. Executive Director Jeremiah Blue; Deputy Executive Director Genevieve Scholl; Secretary Keriane Stocker; Operations Manager Parker Nelson; Accounting Specialist Melissa Warren; Attorney Tommy Brooks; Jessie Lenhardt, Senior Manager – Moss Adams; Annie Fadley, Strategy and Operations Senior – Moss Adams; David McCurry, Senior Program Director Transportation – Parsons
    - vii. Members of the Public – (via Zoom) Janice Crane, iPhone
  - c. Modifications, Additions and Changes to the Agenda
- 2) Presentations
  - a. Strategic Business Planning: Next Steps – Moss Adams
    - i. Welcome
      - ❖ Lenhardt gave a brief overview of the goal of the work session: review the draft vision, mission, and values, refine the goals and objectives that were brainstormed during the first planning session, and identify additional items.
    - ii. Review Draft Vision, Mission, Values
      - ❖ The Commission discussed and rated the fit of the drafted values, refined the mission statement, and reflected on the drafted vision.
    - iii. Review Draft Goals and Objectives
      - ❖ The Commission discussed the scope of what the Port does and reviewed key priorities. They included the Bridge of the Gods, Land Use and Development, Economic Development and Recreational Assets. The Commission engaged in a robust discussion on which projects had the highest priority.
- 3) 12:00 – Lunch
  - a. Legislative Update – Dan Mahr
    - i. Mahr gave a brief overview of his time in Washington DC for the PNWA Mission to DC Conference. The big focuses were on the Lower Snake River dams and the treatment of Columbia River Tribes. He was able to address Representative Blumenauer and took the opportunity to mention the [ACL] docks and requested his guidance through the permitting process. Mahr announced that the Port was awarded the \$6 million for seismic and preservation studies. Senator Bonham was a significant part of the success in acquiring the \$6 million.
- 4) Discussions

a. Brainstorm Performance Measures

i. Funding Strategy Draft Criteria

- ❖ The Commission evaluated the priority ranking of different criteria of funding strategies. "Safety and Structural Integrity" and "Impact on Local Economy" were considered an essential factor to all commissioners.

5) Adjournment 2:11 pm

**VP KLUTE MADE A MOTION TO ADJOURN; C NANCE SECONDED; Passed Unanimously**

Port of Cascade Locks:

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Port Commission President  
Brad Lorang

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Port Commission Secretary  
Albert Nance

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Date Approved

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Prepared by: Keriane Stocker



PUBLIC MEETING: Port Commission Meeting

DATE: Tuesday, **March 19, 2024, 6 PM**

LOCATION: Cascade Locks City Hall 140 Wa Na Pa St, Cascade Locks, OR 97014

<https://us02web.zoom.us/j/85806615790>

## MINUTES

- 1) Commission meeting called to order 6:00 PM
  - a. Pledge of Allegiance
  - b. Roll Call
    - i. President Lorang
    - ii. Vice-President Klute
    - iii. Commissioner Nance
    - iv. Commissioner Peterson
    - v. Commissioner Thweatt
    - vi. Members of the Staff and Other Support – Executive Director Jeremiah Blue; Deputy Executive Director Genevieve Scholl; Secretary Keriane Stocker; Operations Manager Parker Nelson; David Bledsoe – Audit Supervisor, Pauly Rogers; Matt Apken – Managing Consultant, Merina+Co
    - vii. Members of the Public – (via Zoom) Flora Gibson, Chris Matlock, iPhone
  - c. Modifications, Additions and Changes to the Agenda
- 2) Consent Agenda (\*\*\*) Consent Agenda may be approved in its entirety in a single motion. Items are considered routine. Any Commissioner may take a motion to remove any items from the Consent Agenda for individual discussion).
  - a. Approval of minutes for Commission Meeting from February 20, 2024, March 5, 2024
  - b. Ratification of bills in the amount of \$365,101.91
  - c. Approval of payroll for February 19, 2024 in the amount of \$36,493.60 and for March 4, 2024 in the amount of \$35,278.38

**VP KLUTE APPROVED THE CONSENT AGENDA IN ITS ENTIRETY; C PETERSON SECONDED; Passed Unanimously**

- 3) Presentation
  - a. Annual Review of Audit for FY2020–2021 – David Bledsoe, Pauly Rogers; Matt Apken, Merina+Co
    - i. ED Blue introduced David Bledsoe and Matt Apken, whom have been working on the Port’s audits. ED Blue noted that they, along with Warren, have worked quite heavily to complete the 2020–2021 the Port can move on to their next audit which they plan to be caught up by the end of this year and back on track.

Bledsoe explained the documents that have been presented. The *Management Letter* is a communication that they give when they encounter items that are either a material weakness or a significant deficiency in the design or operation of internal controls.

The first item is related to capital assets. This is an item that Apken and Bledsoe worked closely on trying to clean up. During the Fiscal 20–21 Year, the Port continued to embark on really large expansions of operations. During that process, the Port did

not have controls in place that ensured significant accounts were reconciled and matched the general ledger. Bledsoe noted that this is a material weakness which is considered a severe finding, largely relating to the dollar impact of the Port's activity that time.

The next findings were significant deficiencies. These are shortcomings that are less severe than a material weakness, yet important enough to merit attention by those charged with governance. The findings related to inaccurate recording of payments received against Long-Term Receivables, significant delays in the timing of obtaining accounting records, and the inaccuracy and recording of financial information which resulted in the auditors having to adjust eighteen (18) journal entries.

The *Management Letter* also delved into a few best practices recommended by the auditors, which included a concern regarding fidelity insurance coverage, the use of QuickBooks accounting software, a concern over the segregation of duties, and the monitoring of financial activities by the governing body.

Apken also pointed out that the auditors gave an unmodified opinion or a clean opinion on the financial statements of the Port, which is the best audit opinion possible for financial statements. Apken noted that the controls that the Port will be putting into place to make sure that going forward, the Port is not getting those same comments. He indicated that it is possible for the 21–22 audit, that they might see the same comments from the auditors because, as of 2022, nothing had really changed.

ED Blue requested to modify the agenda and move 4a) Adopt Resolution 2024-1 – A Resolution Approving the Plan of Action From The Fiscal Year Ended June 30, 2021, Financial Statement Audit to before 3c) Increase Rates for Campground.

#### 4) Business Action Items

- a. Adopt Resolution 2024-1 – A Resolution Approving the Plan of Action From The Fiscal Year Ended June 30, 2021, Financial Statement Audit
  - i. With Apken's guidance, the Commission reviewed the Plan of Action for the Port of Cascade Locks which reflected the plan of corrective actions the Port will take in response to the deficiencies reported in the financial audit.

**VP KLUTE MADE A MOTION TO ADOPT RESOLUTION 2024-1 – A RESOLUTION APPROVING THE PLAN OF ACTION FROM THE FISCAL YEAR ENDED JUNE 30, 2021, FINANCIAL STATEMENT AUDIT; C PETERSON SECONDED; Passed Unanimously**

#### 3) Presentation

- b. Increase Rates for Campground – Parker Nelson
  - i. Camp Host Lauryl Nagode addressed the Commission, giving them a personal perspective of the campground. She also included some customer feedback and experience. Nagode stated that she strongly supports the increase rates for the campground.

C Peterson asked if there are amenities or other services that campers ask for, like obtaining the Northwest Forest Pass and/or fishing license, rental lockers, etc. Nagode mentioned that PCT hikers do ask about a charging station.

ED Blue noted that the general consensus is an increase of \$8–\$12. VP Klute stated that she was leaning more towards a \$5 increase. C Nance replied that he was leaning towards \$15.

ED Blue mentioned that the previous Commission approved to put \$500 towards advertising for the Campground. He suggested using it now. P Lorang stated that he would be hesitant with advertising in local publications as they would want a wider reach. DED Scholl agreed that \$500 would result in a healthy Instagram campaign.

**5) Executive Director Report**

- a.** A report was provided at the meeting.

ED Blue informed the Commission that Staff is looking to utilize separate programs for Events and Campground. Currently, they are both under the same Flybook account which results in many accounting issues.

ED Blue turned the report over to OM Nelson for the update on the Thunder Island Pedestrian Bridge Repair. OM Nelson reported that contractor Omega Morgan came on Monday. They successfully lifted the bridge and slid it over to its permanent place. Bulldog Welding will be coming to set new bridge bearings. On Thursday, Omega Morgan will set the bridge on the new bearings. OM Nelson stated that on the following Monday, Contech will come to do the concrete girder repair, which will take a couple of days to dry. Once the concrete forms are off and inspected, Bulldog Welding will return to complete the handrails. OM Nelson is hoping to open the bridge for use on Monday, April 15<sup>th</sup>.

ED Blue added that, through JettyLight's insurance, they were able to get a check to the Brigham family whose fishing platform got taken down during the incident.

ED Blue noted that he and DED Scholl met with Deputy Joel Carmody, the Marine Deputy for Hood River County Sheriff's Office to discuss potentially getting rescue boats out to the marina.

ED Blue mentioned that Staff has also been working with the Oregon Emergency Management to get a warming shelter in place, a project that was spearheaded by C Nance. They are looking to get a few more stakeholders in place.

ED Blue reported that the Sternwheeler is at JT Marine Shipyard, and will be there for three to four weeks.

Lastly, ED Blue reported that Ixtapa will not be ready to open until May 15<sup>th</sup>.

**6) Commissioner Comments**

- a.** VP Klute brought up the Centennial Celebration of the bridge and the recognition of Captain Tom and his 40+ years of service as well as his and the others' assistance during the Sternwheeler incident. ED Blue commented that the Centennial Celebration subcommittee would have to be formed as an advisory committee. He will bring a proposal on that at the next meeting.

VP Klute inquired about Flex 6. ED Blue reported that he has a meeting with Darrin Eckman from AKS Engineering and a potential tenant regarding what buildouts would look like and what sort of investment they would potentially need from the Port. ED Blue believes that the

potential tenant's timeline is much farther out than the Commission's. DED Scholl added that they met with the Business Recruitment team from Business Oregon and had an in-depth discussion on ways they could help the Port with marketing to site selectors.

- b.** C Thweatt invited the public and the media to ask questions and peruse the minutes to understand the full context of the meetings. She thanked Nagode for her insight on the campground as well as Apken and Bledsoe for all their hard work on the audit.
- c.** C Peterson announced that Nagode and he started a nonprofit organization, Main Street Cascade Locks. Nagode is the president. Main Street is a national organization that helps organize small towns in their revitalizing their downtown and search for opportunities for business. Stevenson and Mosier are the two (2) closest cities that participate in the program. DED commented that once they are set up as a 501(c)(3), she is aware of a grant that might be useful to them.

C Peterson commented that, in November, the Gorge Canoe Club will be applying for a grant to resupply the life jackets and maybe additional life vest station.

Lastly, C Peterson informed that VP Klute has organized a highway cleanup to honor Earth Day. And there will also be an Easter Egg Hunt at Gorges Beer Co.

- d.** C Nance announced that the Cascade Locks PTO will be holding their annual Casino Night on April 20<sup>th</sup>. He noted that there has been an uptick at easyCLIMB and inquired about bringing in more picnic tables, and also more signage about paid parking.
- e.** P Lorang expressed his appreciation for his fellow commissioners for being actively involved with their trainings, subcommittees and the community. He also thanked the efforts of Helfrich and Bonham for aiding in acquiring the \$6 million for the Port.

**7) Adjournment 8:17 pm**

Port of Cascade Locks:

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Port Commission President  
Brad Lorang

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Port Commission Secretary  
Albert Nance

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Date Approved

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Prepared by: Keriane Stocker



PUBLIC MEETING: Port Commission Meeting

DATE: Tuesday **April 2, 2024, 6 PM**

LOCATION: Cascade Locks City Hall 140 Wa Na Pa St, Cascade Locks, OR 97014

<https://us02web.zoom.us/j/85806615790>

## MINUTES

- 1) Commission meeting called to order 6:01 PM
  - a. Pledge of Allegiance
  - b. Roll Call
    - i. President Lorang
    - ii. Vice-President Klute
    - iii. Commissioner Nance
    - iv. Commissioner Peterson
    - v. Commissioner Thweatt (excused)
    - vi. Members of the Staff and Other Support – Executive Director Jeremiah Blue; Deputy Executive Director Genevieve Scholl; Secretary Keriane Stocker; Operations Manager Parker Nelson; Accounting Specialist Melissa Warren
    - vii. Members of the Public – Ted Dodd, Cascade Locks Trail Steward – NW Trail Alliance Flora Gibson, Chris Matlock
  - c. Modifications, Additions and Changes to the Agenda
- 2) Special Presentations and Reports by outside resources, staff and Government Officials
  - a. easyCLIMB Improvements and New Trail Construction Progress Update – Ted Dodd, NW Trail Alliance
    - i. ED Blue introduced Tedd Dodd of NW Trail Alliance. Dodd presented a quick overview of Northwest Trail Alliance (NWTa), explaining that they are a volunteer organization that builds and maintains mountain bike trails. They have been working in Cascade Locks for over fifteen (15) years and are currently building a portion of the new Cascade Locks Trail. The NWTa also requested funding for \$14,385, to help cover the cost of construction for Phase Two of easyCLIMB. They believe that the new trail will attract more visitors to Cascade Locks and help to boost the local economy.

DED Scholl emphasized the importance of acknowledging the partnership between the Port and NWTa. NWTa has maintained every trail that they have built for the Port via volunteers. The Port has not had to budget any expenditures thus far, or Port staff. And there are no added responsibilities to approve these projects. The Port should always consider long-term maintenance and NWTa has done a huge service alleviating that from the Port.

C Nance inquired about available funding. DED Scholl noted that if the Commission wishes, staff will investigate grant opportunities.
- 3) Discussions
  - a. Letter of Support for Special District Grant Accessibility Act (HR 7525) – Dan Mahr
    - i. Mahr explained that HR 7525 would establish specific definition of “Special District”, at the federal level. Then, it would implement that definition with individual agencies.



Ports are well represented and recognized within the federal agencies, but not all special districts have that luxury. The bill would create a level playing field.

The Commission gave a consensus to support the letter.

- 4) Executive Session under ORS 192.660 (2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions, ORS 192.660 (2)(f) To consider information or records that are exempt by law from public inspection and ORS 192.660 (2)(h) Legal counsel regarding litigation or likely litigation to be filed
  - a. Recess from Regular Session, into Executive Session at 6:20 PM
  - b. Recess out of Executive Session, into Regular Session at 7:46 PM
  - c. No action was taken as a result of Executive Session
- 5) Business Action Items
  - a. Consider Intergovernmental Agreement Between City and Port
    - i. ED Blue provided an overview of the intergovernmental agreement (IGA). The previous IGA between the City and Port that came in front of the Commission was based on the prior commission's intention to bring a larger scale project into the business park. Since then, staff at the City and Port revised the draft agreement, ensuring that it fulfills all of the EDA grant requirements and was reviewed by the Brooks. ED Blue noted that the Port will invest \$110,000 that will go directly to the City to help them finish the project they started. The IGA will be a legally binding agreement between the City and the Port, guaranteeing that the Port's intended function of providing power for economic development in the Business Park will continue for twenty (20) years.

**VP KLUTE MADE A MOTION TO APPROVE THE INTERGOVERNMENTAL AGREEMENT AS PRESENTED; C PETERSON SECONDED; Passed Unanimously**

- b. Adopt Charge for Bridge of the Gods Centennial Celebration Advisory Committee
  - i. ED reported that during the last meeting, the creation of a Bridge of the Gods Centennial Celebration Advisory Committee was discussed and received a general approval from the Commission. P Lorang commented that John Stipan was very excited about the idea. VP Klute added that she had spoken to him and he would love to be on the subcommittee.

**VP KLUTE MADE A MOTION TO ESTABLISH THE BRIDGE OF THE GODS CENTENNIAL CELEBRATION ADVISORY COMMITTEE CHARGE AND APPOINT TWO (2) COMMISSIONERS AS MEMBERS, INCLUDING HERSELF; C PETERSON SECONDED; Passed Unanimously**

- ii. C Peterson was selected to fulfill the second Commission position.
- c. Approve Updated Pricing for Campground
  - i. ED Blue noted that the staff has taken the Commission's feedback from the previous meeting and is now presenting a final report for consideration.

**C PETERSON MADE A MOTION TO INCREASE THE CAMPGROUND RATES FOR SITES 2–12 TO \$51 AND SITES 13–15 TO \$41, SHOWERS TO \$10 FOR HIKERS AND BIKERS AND CGRA CAMPSITES TO \$25; C NANCE SECONDED;** OM Nelson reminded that there was an inclusion of a \$7.00 processing fee for all first night stays; **C PETERSON MODIFIED THE MOTION TO INCLUDE A \$7.00 PROCESSING FEE FOR ALL FIRST NIGHT STAYS AND IMPLEMENT A YEARLY INCREASE OF 5%, TO BE REVIEWED AND APPROVED BY THE COMMISSION ANNUALLY; C NANCE SECONDED THE AMENDMENT;** DED Scholl asked to clarify the section of motion regarding showers. C Peterson mentioned a \$10 fee per shower. Staff is proposing that the hiker/biker rate be \$10 and include a shower so it's \$10 for both the camping and the shower. C Peterson agreed that that is what he meant. DED Scholl also inquired about the Commission's position on considering a

holiday upcharge. **C PETERSON MADE A MOTION TO AMEND THE PREVIOUS MOTION TO INCLUDE A HOLIDAY SURCHARGE OF \$10; C NANCE SECONDED; Passed 3-1 (P LORANG – AYE; VP KLUTE – NAY; C NANCE – AYE; C PETERSON – AYE)**

**6) Executive Director Report**

- a. ED Blue turned the maintenance portion of the report over to OM Nelson to give details on the repair on the Thunder Island pedestrian bridge.

DED Scholl gave a status update on the Port's grants. She is currently awaiting the decision on the \$19,000 grant request from Experience Gorge Mt. Hood. She informed the Commission that at the next meeting, staff will be asking for permission to potentially pursue two (2) applications to the Oregon Emergency Management Office's Resilience Hubs and Networks Grant Program.

ED Blue mentioned that Staff had the opportunity to meet with Bree Irish, Field Representative for Senator Ron Wyden. They gave her a tour of the Port and showed her the different projects that the Port is involved in.

ED Blue also informed the Commission that DED Scholl has been working extensively to update the Employee Handbook. Staff will be presenting a draft copy for the Commission to review in the next couple of months. It is currently with Human Resource consultants, HR Answers and will then be sent to legal review.

ED Blue notified the Commission that they have heard back from the City regarding the concern with the smell from the wastewater treatment facility. The City has resolved not to operate the digester during Landmass Wines' showcase event, as that is the cause of the smell. In the long-term, there are costs associated with doing so and the City will work to better understand what those costs will involve.

**7) Commissioner Comments**

- a. VP Klute first inquired about the missing Public Comment section on the agenda. ED Blue explained that staff was testing a two-part meeting structure. The first meeting of the month would focus on presentations and discussions. This would allow for comprehensive information sharing and thorough explanation of business items. The second meeting, would then be dedicated to taking action on the discussed business items. Given this structure, they felt that public comment would be most productive during the action meetings, where decisions would be made. VP Klute informed that the Museum's annual prom fundraiser will be postponed to next February. And October 5<sup>th</sup> is the Magical Mystery Tour.
- b. C Nance commented that he noticed that the advertising sign for Flex 6 still has Anne Medenbach featured. He also noticed that the sign for Flex 1 is outdated as well. C Nance mentioned that easyCLIMB is getting busier and over the Easter weekend, someone held a Easter egg hunt party but there were many eggs left over and trash left.
- c. C Peterson expressed his gratitude to the Port staff for moving and pivoting with all the different challenges that they have had on short notice. C Peterson thanked Nwta as well as the new Budget Committee members, George, Brian and Shelley.
- d. P Lorang commented that he enjoyed meeting Bree Irish and feels positive about the relationship the Port will build with her.

**8) Adjournment 8:30 pm**

Port of Cascade Locks:

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Port Commission President  
Brad Lorang

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Port Commission Secretary  
Albert Nance

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Date Approved

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Prepared by: Keriane Stocker



PUBLIC MEETING: Port Special Commission Meeting

DATE: Saturday **April 20, 2024, 12:35 PM**

LOCATION: <https://us02web.zoom.us/j/85806615790>

## MINUTES

### 1) Commission meeting called to order 12:35 PM

#### a. Roll Call

- i. President Lorang (excused)
- ii. Vice-President Klute
- iii. Commissioner Nance
- iv. Commissioner Peterson
- v. Commissioner Thweatt
- vi. Members of the Staff and Other Support – Executive Director Jeremiah Blue, Secretary Keriane Stocker, Operations Manager Parker Nelson

#### b. Modifications, Additions and Changes to the Agenda

- i. ED Blue clarified that regarding Item 2a) Approve Procurement of Sewer Lift Stations and Scope of Work for \$40,492.00, most of the procurement process has already occurred and only the approval of the purchase itself is needed.

### 2) Business Action Items

#### a. Approve Procurement of Sewer Lift Stations and Scope of Work for \$40,492.00

- i. ED Blue informed that the purchase of new sewer lift stations was not foreseen in this year's budget, but they have found the funds for it in a different line item under Maintenance, so the Port does have the funds available. The amount does exceed his authority so has not yet been approved.

OM Nelson explained that the sewer lift stations serve the Visitor Center, the Marina pumpout station, and the Sternwheeler pumpout station. During the January 13<sup>th</sup> storm, the main pump N<sup>o</sup> 1 froze and cracked and became no longer usable. The specific pump model is no longer in production so a replacement cover could not be rebuilt. Pump N<sup>o</sup> 2 served as a backup but started to have electrical and overheating issues. Hurley Engineering provided the Port with temporary pumps and they have currently been using those.

OM Nelson informed that they solicited quotes from four (4) vendors, and Hurley was the only one who submitted a response. It is crucial that sewer lift station is installed and operating as soon as possible for the Sternwheeler's reopening and Ixtapa's opening.

C Peterson and VP Klute requested acquiring warranty for the equipment.

ED Blue also briefed the Commission that in the upcoming budget, they will notice that there is an additional \$40,000 set aside for potential pump replacements elsewhere in the pump. He noted that this is different than the ones that are being approved right now.

**C PETERSON MADE A MOTION TO APPROVE THE PURCHASE OF SEWER LIFT STATIONS AND THE SCOPE OF WORK FROM HURLEY ENGINEERING, NOT TO EXCEED \$40,4952.00 AND ALSO INCLUDE A REASONABLE WARRANTY PLAN; C NANCE SECONDED; Passed Unanimously**

3) Adjournment 12:47 pm

Port of Cascade Locks:

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Port Commission President  
Brad Lorang

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Port Commission Secretary  
Albert Nance

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Date Approved

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Prepared by: Keriane Stocker



PUBLIC MEETING: Port Budget Meeting

DATE: Tuesday **March 26, 2024, 6 PM**

LOCATION: Cascade Locks City Hall 140 Wa Na Pa St, Cascade Locks, OR 97014

<https://us02web.zoom.us/j/85806615790>

## MINUTES

- 1) Commission meeting called to order 6:00 PM
  - a. Pledge of Allegiance
  - b. Roll Call
    - i. President Lorang
    - ii. Vice-President Klute
    - iii. Commissioner Nance (excused)
    - iv. Commissioner Peterson (arrived at 6:05 pm)
    - v. Commissioner Thweatt
    - vi. Budget Committee Member Reedy-VanWinkle
    - vii. Budget Committee Member Olvera (joined via Zoom at 6:08 pm)
    - viii. Budget Committee Member Keilty
    - ix. Budget Committee Member Torres
    - x. Budget Committee Member Mohr (excused)
    - xi. Members of the Staff and Other Support – Executive Director Jeremiah Blue, Deputy Executive Director Genevieve Scholl, Secretary Keriane Stocker, Accounting Specialist Melissa Warren, Matt Apken – Managing Consultant, Merina+Co
  - c. Modifications, Additions and Changes to the Agenda
    - i. ED Blue requested to remove 2b) Review of the Port’s 2023-2024 Budget Format as that will be discussed during the first budget meeting.
  - d. Declarations of Potential Conflicts of Interest
    - i. Committee Member Torres declared that he may have a potential conflict of interest as he is employed by JettyLight who manages the Sternwheeler.
- 2) Presentations
  - a. Budget Training
    - i. Apken provided an overview of the budget process in Oregon local government, highlighting the four phases and the role of the budget committee.
  - b. Review of the Port’s 2023-2024 Budget Format**
- 3) Adjournment 6:43 pm

Port of Cascade Locks:

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Port Commission President  
Brad Lorang

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Port Commission Secretary  
Albert Nance

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Date Approved

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Prepared by: Keriane Stocker



PUBLIC MEETING: Budget Committee Meeting

DATE: Tuesday **April 23, 2024, 6 PM**

LOCATION: Cascade Locks City Hall 140 Wa Na Pa St, Cascade Locks, OR 97014

<https://us02web.zoom.us/j/85806615790>

## MINUTES

- 1) Commission meeting called to order 6:00 PM
  - a. Pledge of Allegiance
  - b. Roll Call
    - i. President Lorang
    - ii. Vice-President Klute
    - iii. Commissioner Nance
    - iv. Commissioner Peterson (via Zoom)
    - v. Commissioner Thweatt
    - vi. Committee Member Mohr
    - vii. Committee Member VanWinkle
    - viii. Committee Member Torres
    - ix. Committee Member Olvera
    - x. Committee Member Keilty
    - xi. Members of the Staff and Other Support – Executive Director Jeremiah Blue; Deputy Executive Director Genevieve Scholl; Secretary Keriane Stocker; Operations Manager Parker Nelson; Accounting Specialist Melissa Warren; Matt Apken – Managing Consultant, Merina+Co
    - xii. Members of the Public – iPhone
  - c. Modifications, Additions and Changes to the Agenda

- 2) Election of Budget Committee Officers

- a. President

**P LORANG MADE A MOTION TO HAVE DONNA MOHR AS BUDGET COMMITTEE PRESIDENT; VP KLUTE SECONDED; Passed Unanimously**

- b. Vice-President

**P LORANG MADE A MOTION TO HAVE DIANA VANWINKLE AS BUDGET COMMITTEE VICE-PRESIDENT; C NANCE SECONDED; Passed Unanimously**

- 3) Presentation of Budget Message – Jeremiah Blue

- a. ED Blue read the budget message provided in the budget document, noting that the Port previously moved away from developing a budget with three funds: the General Fund, the Development Fund, and the Reserve Fund. This year, they have continued to use this new format and have added a new department for Port Sponsored Events. Admin added Port Funded Grants. This line-item represents the Port's Community Benefit Initiative, through which it awards small grants to local businesses, non-profits, and municipalities to support planning, programming, construction, and development projects that benefit the Cascade Locks economy. For the proposed budget, operating requirements exceed operating resources by a notable amount of \$581,316. This amount assumes Flex 6 remains empty for this fiscal year. Additionally, this includes \$227,000 in one-time interest payments and \$55,000 in one-time IT projects. Without



these one-time requirements, requirements would exceed new resources by \$299,316. If Flex 6 were to be leased, we would increase resources by over \$500,000 and resources would then exceed requirements by over \$200,000. Resolving the vacancy in the Flex 6 building is an important step to resolve the operating deficiency, in addition to other efforts to increase revenues.

**4) Review of Budget Detail**

**a. General Fund**

**i. Administration**

- ❖ CM Mohr commented that she would really like to see a breakdown of the Contracted Services.

**ii. General Operations**

**iii. Marine Park and Recreational Areas – Other**

**iv. Toll Bridge**

**v. Commercial Properties**

**vi. Campground**

- ❖ C Nance inquired about the State and Federal taxes the Camp Host will have to pay on her salary if the rate for her camp space is including in her salary. He pointed out that she would be receiving less, based on taxable income. EB Blue noted that they can increase the proposed amount by 30% to accommodate for taxes.

**vii. Marina**

- ❖ The committee went into a short ten (10) minute break at 6:59 pm and resumed at 7:09 pm.

- ❖ C Peterson encountered technical difficulties and left the meeting.

**viii. Sternwheeler**

**ix. Marine Park and Recreational Areas – Events**

**x. Marine Park and Recreational Areas – Parking – Security**

**xi. Port Sponsored Events**

**xii. Development**

**xiii. Non-Allocated**

**b. Salary Schedule**

**c. Debt Services**

- i.** CM Mohr commented that she was displeased to see that the Business Park Road Improvements loan was still listed in Debt Services. ED Blue informed that he had made the decision to be conservative with this year's finances and had chosen not to pay it off yet, but now that he has a better estimate of the current budget, he assured her that the loan will be paid off in its entirety by the end of the fiscal year.

**P LORANG MADE A MOTION TO APPROVE THE BUDGET AS PRESENTED WITH THE MODIFICATION IN CAMPGROUND FOR 30%; C THWEATT SECONDED; Passed Unanimously**

**5) Public Comment (Speakers may be limited to three (3) minutes)**

**6) Adjournment 7:54 pm**

**C NANCE MADE A MOTION TO ADJOURN; CM OLVERA SECONDED; Passed Unanimously**

Port of Cascade Locks:

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Port Commission President  
Brad Lorang

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Port Commission Secretary  
Albert Nance

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Date Approved

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Prepared by: Keriane Stocker

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## PORT COMMISSION REPORT

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**TO:** PORT COMMISSION

**FROM:** JEREMIAH BLUE, EXECUTIVE DIRECTOR

**SUBJECT: STRATEGIC BUSINESS PLAN UPDATE**

**DATE:** MAY 7, 2024

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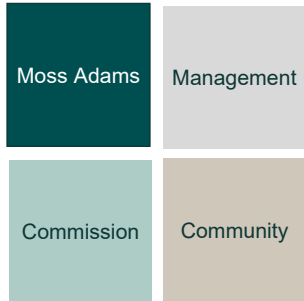
**Introduction:**

Since the second Commission Work Session in March, in which the Commission refined the Port's vision, mission, and goals, the Moss Adams consulting team has been working on the full draft of the Port's FY 24-29 Strategic Business Plan ("SBP").

Administrative staff has contributed their feedback on the draft. Now the Commission should review the draft and provide their comments and edits in writing, preferably via email to the Moss Adams team. Moss Adams would like to receive each Commissioner's feedback by May 10<sup>th</sup>. They will then present a final updated draft for approval and publication. This will be followed by an opportunity for the community to provide feedback via a survey.

Once the community input is reviewed, the SBP will be finalized and it will be sent to the Oregon Business Development Department ("OBDD") for review, towards the end of May. Moss Adams will hopefully receive the SBP back by the first week of June. Formal adoption of the SBP should occur during the second meeting in June.

# Milestones



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## PORT COMMISSION REPORT

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**TO:** PORT COMMISSION

**FROM:** GENEVIEVE SCHOLL, DEPUTY EXECUTIVE DIRECTOR

**SUBJECT: EMPLOYEE HANDBOOK UPDATE**

**DATE:** MAY 7, 2024

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### **Introduction:**

The Port's main personnel policy document, the Employee Handbook ("Handbook") was last updated in 2008, with a number of individual policy additions incorporated over time. Since January, staff has worked on a comprehensive policy review and update effort to achieve the following goals:

1. Ensure Port compliance with all applicable state and federal employment laws.
2. Foster a healthy, safe, productive, and efficient work environment in which Port employees can contribute to the successful attainment of Port goals.
3. Address human resources issues that either have an adverse effect on Port operations now or have persisted historically as desired improvements expressed by Port staff.

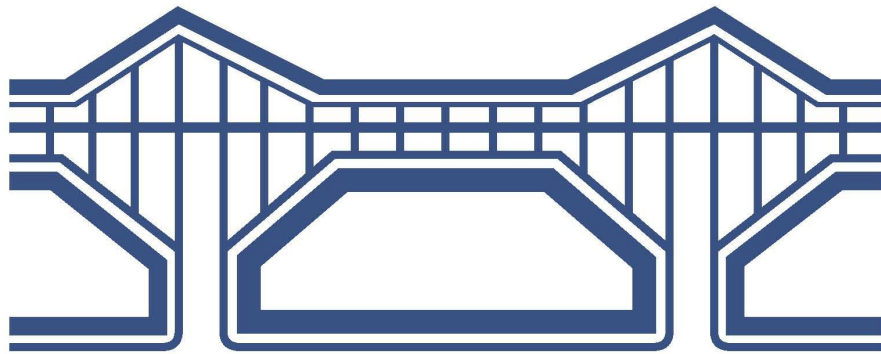
As part of this effort, the management team has also conducted a thorough review of all active job descriptions and made adjustments where needed in consultation with the managers and staff currently holding those positions. This effort resulted in updated job descriptions for several positions that now accurately reflect the essential duties, responsibilities, and minimum qualifications for each position. The Port utilizes the SDIS human resources consultant, HR Answers, in review of both the Handbook update, the job descriptions update, and a salary survey tied to the updated job descriptions.

The draft Handbook document was reviewed by HR Answers and their edits and commentary are reflected in it. Port General Counsel is performing their review, and their edits and comments will be included in a final draft presented to the Commission for approval during the May 21 meeting.

### **Recommendation:**

Commission review and discussion of the draft Handbook update is requested during the meeting. Staff will incorporate Commission edits or changes to recommended policy and present a final draft for approval during the May 21 meeting.

# PORT OF CASCADE LOCKS EMPLOYEE HANDBOOK



**PORT OF CASCADE LOCKS**

Adopted date: XXXX, XX, XXXX

Effective Date: XXXX, XX, XXXX





## WELCOME TO THE PORT OF CASCADE LOCKS

We are happy to welcome you to the Port of Cascade Locks! 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 team of employees. As the main economic development entity for our community, our work is focused on creating a vibrant, resilient, business-friendly environment. Your work is important for the health and security of future generations of Cascade Locks residents. Thank you for joining the team!

The Employee Handbook outlines the Port's personnel policies. The handbook explains the Port's approach to personnel matters and is intended to establish clear expectations and consistent practice. Recognizing that employees are the foundation of any successful organization, our publicly elected Board of Commissioners works to support personnel policies that enable the Port to attract, develop, and retain outstanding staff.

Along with an open-door policy, we encourage active communication. Please feel free to discuss any questions you may have about any of these policies with your direct supervisor, the Deputy Executive Director (who functions as the lead Human Resources point of contact), or myself.

The Port is committed to encouraging professional development and growth in our staff, holding ourselves to high professional and ethical standards and celebrating our many successes. We welcome your ideas and suggestions for ways to improve Port operations and services or to save unnecessary costs during your employment with us.

Again, to new employees, welcome aboard. To those current employees receiving an updated handbook, I greatly appreciate your continued service.

Sincerely,

Jeremiah Blue

Executive Director

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SECTION 1  
INTRODUCTION TO THE PORT

## Mission, Vision, Values; Communication Principles and Ethics

### Mission

Through partnerships and preservation of the Bridge of the Gods, the Port is a promoter of economic growth, recreation, and tourism within the Columbia River Gorge.

### Vision

Our vision is that the Port will serve as a dynamic hub for economic development, blending commerce and recreation to enhance the livability of our community. With the Port's support, Cascade Locks will be known as a vibrant, business friendly, and environmentally sustainable city that offers an exceptional quality of life for current and future generations.

### Values

As Port professionals, we are:

#### **Collaborative**

Our community is our greatest strength. We strive to build productive relationships between the Port and our stakeholders—including residents, and city, county, Tribal members, business owners, and regional partners.

#### **Accountable**

We act ethically and transparently. We take responsibility for our actions and communicate intentionally with stakeholders to ensure a culture of openness, accountability, and integrity.

#### **Adaptable**

By embracing innovation and forward thinking, we strive to anticipate the needs of our current community and future generations.

#### **Caring**

We create an environment based on mutual respect, inclusion, and equitable treatment of all people.

#### **Effective**

As stewards of public resources, we make informed data-driven decisions to ensure the organization remains environmentally and financially sustainable now and into the future.

### Code of Ethics

The Port is a Special District, and all of its employees, volunteers, and Commissioners operate under Oregon Revised Statutes Chapter 777 and other state and federal laws. By statute, a port district is a local unit of government whose primary responsibilities are to enhance transportation, promote industrial development, manage recreational facilities, and encourage general economic



growth and stability in the district. The Port abides by the ethics rules promulgated by the state of Oregon. Port employees are expected to conduct business with the best interests of the Port in mind. Employees have the right to engage in activities outside of Port business which are of a private nature and unrelated to Port business that do not conflict with the best interests of the Port. No activity should be undertaken that conflicts with or appears to conflict with their Port responsibilities. A conflict of interest or the appearance of a conflict of interest exists whenever a reasonable and prudent person would believe that the activity in question creates such a conflict.

Examples of conflict of interest include but are not limited to:

- Having a monetary interest directly or indirectly in a contract or transaction for product or services paid for with Port funds.
- Accepting or soliciting any gift, favor, loan, or anything of value, which can reasonably be construed as given for the purpose of obtaining special consideration or influence.

If an employee is given anything of value that could be reasonably construed to create a conflict of interest, the employee must immediately report such activity to the Executive Director. Failure to report a potential conflict of interest will be grounds for disciplinary action up to and including termination. Contact the Deputy Executive Director if you have any questions regarding a possible conflict of interest including outside work.

## Port Districts and Port of Cascade Locks History

A port district is a local unit of government with primary responsibility for stimulating economic development and facilitating maritime shipping, aviation, and commercial interests of the region within the district boundaries.

The people of Oregon's coastal and Columbia River communities have organized themselves into 23 port districts. These districts are engaged in a wide variety of activities from water-borne commerce to managing recreational facilities and promoting industrial development. Ports typically provide an important hub for the economic activities in their region. Port powers are granted by the state legislature under ORS 777. Ports can only perform activities as specifically authorized by state statute.

Five primary types of activities in which port districts are authorized are:

1. Facilitating commerce and shipping
2. Operating or facilitating recreational enterprises
3. Facilitating commercial fishing
4. Encouraging industrial development
5. Channel maintenance

Responsibility for governing the port district resides in a board of five (5) elected commissioners, each of whom must be a registered voter residing within the boundaries of the port. Each

commissioner is elected to a four-year term. Elections are held biennially on odd number years, with two (2) commissioners elected in one biennial election and three (3) the next year.

The board is required to meet monthly and may hold special meetings, all of which are held in accordance with public meeting laws. Proceedings of the board must be recorded and are public record available for review by any citizen. The board chooses from its members a president, vice president, secretary, treasurer and may hire staff to carry out day-to-day transactions for the port.

The usual role of a commissioner is to set policy; the responsibility of the administrative staff is to carry out these policies. More specifically, the role of a commissioner will vary from one port district to another. Each district is organized for greatest efficiency handling the tasks required for optimal operations of each district. The organizational structure of the commission board is determined by the commissioners themselves.

Established in 1937, the Port of Cascade Locks played a pivotal role in the Columbia River's navigation history. Initially formed to as a jurisdiction to accomplish Columbia River navigation channel improvements, the Port took ownership of the obsolete Cascade Locks from the U.S. Army Corps of Engineers in 1939, following the construction of Bonneville Dam. Since then, the Port has continuously evolved, launching numerous initiatives and facilities to drive economic development in the region.

The Port district encompasses the charming City of Cascade Locks, nestled along the Columbia River Gorge National Scenic Area, just 45 miles east of Portland and 20 miles west of Hood River. With a population of around 1,500, Cascade Locks offers a vibrant community atmosphere. The unincorporated areas within the district have minimal impact on the overall population size.

Today, the Port of Cascade Locks remains dedicated to fostering economic growth and prosperity in the region. Their commitment to innovation and collaboration ensures a bright future for Cascade Locks and the surrounding communities.

## Employee Handbook Overview

### Handbook Scope and Purpose

This handbook is designed as a guide to the Port's policies, procedures, and practices relating to employment matters. All Port employees should familiarize themselves with the contents of the handbook and keep a copy for periodic reference and review. Please be sure to ask questions or seek clarification on any part of the handbook or any policy that is unclear to you right away from either your supervisor or the Deputy Executive Director, who functions as your lead Human Resources contact.

The handbook contains only general information and guidelines and is not intended to be comprehensive or to address all the possible applications or exceptions to the general policies and procedures of the Port. The rules and policies apply to everyone employed at the Port and cannot be altered except by resolution of the Port Commission.

The Port reserves the right to revise, supplement, or rescind any policy or portion of the handbook from time to time as it deems necessary, in its sole discretion. The Executive Director may adopt policies and guidelines for the implementation of any of the policies in this handbook. Employees will be notified within 15 days of any changes as they occur and will be provided with written copies of the changes or additions. However, lack of written notice will not make any change in policy of no effect.

Neither this handbook nor any other organizational documents confer any contractual right, either express or implied, to remain in the Port's employ. Your employment is not for any specific time and may be terminated by the Port, or you may resign, with or without reason or notice at any time. This handbook supersedes all prior versions and any other prior verbal or written provisions, descriptions, agreements or understandings of the Port's policies, rules, procedures, and benefits addressed within.

In all matters covered by this handbook, including without limitation, working conditions, disciplinary matters, policy formations and compensation, the Port intends to reserve complete discretion except where limited by law. In all disputes, investigations or matters of controversy, Port determination of the facts, made in good faith, will be conclusive. The Port reserves the right to interpret these policies as situations arise and its interpretation, made in good faith, will be conclusive.

All references to the Human Resources Manager are references to the Deputy Executive Director, who functions as the lead contact for personnel matters, or the Executive Director in the absence of the Deputy Executive Director.

## Employment Relationship

As an employee of the Port of Cascade Locks, you are engaged in an “at will” employment relationship. This means that either you or the Port of Cascade Locks may terminate the employment relationship at any time with or without reason or notice. Your employment with the Port is entered into voluntarily, and you are free to resign at any time and for any reason. Similarly, the Port is free to terminate the employment relationship at any time, for any reason. The Port’s at will provision extends to all employees.

## Employment Definitions

The following terms are used to describe the classification of employees, their employment status, and special conditions:

**Exempt Employees.** Employees who are paid on a salary basis and whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and state law. Exempt employees are exempt from overtime pay requirements.

**Non-exempt Employees.** Employees who do not meet FLSA and state exemption criteria. Employees who are non-exempt are paid their regular rate of pay for hours worked up to 40 hours in a work week and a premium of 1.5 times their regular rate of pay for hours worked in excess of 40 hours per work week. Time is managed and recorded in 15-minute increments.

**Full-time Employees.** Employees whose position is scheduled to work 40 hours per week on an ongoing basis (longer than six months).

**Part-time Employees.** An employee who is normally scheduled to work less than 40 hours per week. Regular part-time employees whose budgeted regular schedule calls for 26 to 35 hours per week will be considered a 75% FTE (Full Time Equivalent). Regular part-time employees whose budget regular schedule calls for 18 to 25 hours per week will be considered a 50% FTE. Part-time employees are ineligible for some Port benefits.

**Probationary Employees.** Newly hired employees must serve a six-month probationary period which will include performance evaluations with the immediate supervisor at 30, 60, 90 and 180 days of service.

**Temporary or “Seasonal” Employees.** An employee who is hired for a specified period of time, usually no more than six [6] months. This classification is typically not eligible for benefits, except for those mandated by law.

**On-Call Employees.** An employee who does not have a set schedule and works only when called upon.

**Interns.** Students who are currently enrolled in an accredited school, hired for a limited period of time, usually during the summer. Interns may work a full-time or part-time schedule. Interns are ineligible for Port benefits except for those mandated by law. Interns may be paid by the Port, paid by other entities, or unpaid.

**Employment of Minors.** Generally, Port employees must be 18 years of age or older. Occasionally, the Port may hire students or others who are 16 or 17 years old, but the Executive Director must approve their hire in advance. State law defines work hours and conditions.

**Essential Personnel.** Employees designated as “Essential Personnel” on their position descriptions are required to report to work in emergencies even if the Port Office is closed for inclement weather conditions.

### Changes in Policy

The Employee Handbook functions as an introduction to the Port and as a guide to its overall expectations and policies. The policies described in the handbook are in effect when approved by the Board of Commissioners and supersede all other pre-existing policies and practices, expressed or implied, written or verbal, which may have been issued on subjects covered herein.

The Port reserves the right to make additions, deletions or other changes to the provisions and policies of the Employee Handbook as appropriate, and any changes will become effective upon adoption by the Board of Commissioners or when ordered by the Executive Director.

The Port will try to give employees immediate notice of any changes as is practicable under the circumstances, but lack of notice will not make any change in policy of no effect. In all matters covered by the handbook, including without limitation working conditions, disciplinary matters, policy formations and compensation, the Port intends to reserve complete discretion except where limited by law. In all disputes, investigations, or matters of controversy, Port determination of the facts, made in good faith, will be conclusive. The Port reserves the right to interpret these policies as situations arise and its interpretation, made in good faith, will be conclusive.

If you are uncertain about any policy or procedure, please check with your supervisor and/or the Deputy Executive Director. The information contained in this handbook applies to all employees of the Port. It is presented as a matter of information only, and its contents should not be interpreted as a contract between the Port and any of its employees.

SECTION 2  
PORT PERSONNEL POLICIES

## Ethics & Public Officials

We believe in treating people with respect and adhering to ethical and fair practices. All Public Officials are held accountable to the state's Ethics laws in ORS 244. As an employee of the Port of Cascade Locks, you are a public official. By state law, a public official includes anyone serving the State of Oregon or any of its political subdivisions or any other public body in any of the listed capacities, including as an "agent." An "agent" means any individual performing governmental functions. Governmental functions are services provided on behalf of the government as distinguished from services provided to the government. This may include private contractors and volunteers, depending on the circumstances. As a Port employee, it is important that you understand the following basic ethics laws governing our work.

### Gifts

During a calendar year, a public official, or a relative or member of the household of the public official, may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50.00 from any single source that could reasonably be known to have a legislative or administrative interest. During a calendar year, a person who has a legislative or administrative interest may not offer to any other public official or a relative or member of the household of the public official any gift or gifts with an aggregate value in excess of \$50.

### Use of Official Position or Office

A public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office, except for the following:

- Any part of an official compensation package as determined by the public body that the public official serves.
- The receipt by a public official or a relative or member of the household of the public official of an honorarium or any other item allowed under ORS 244.042 (Honoraria).
- Reimbursement of expenses.
- An unsolicited award for professional achievement.
- Gifts that do not exceed the limits specified in ORS 244.025 (Gift limit) received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest.

- Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest.
- The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of “gift” in ORS 244.020 (Definitions).
- Contributions made to a legal expense trust fund established under ORS 244.209 (Application to establish fund) for the benefit of the public official.

A public official may not solicit or receive, either directly or indirectly, and a person may not offer or give to any public official any pledge or promise of future employment, based on any understanding that the vote, official action or judgment of the public official would be influenced by the pledge or promise.

A public official may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official.

A person who has ceased to be a public official may not attempt to further or further the personal gain of any person through the use of confidential information gained in the course of or by reason of holding position as a public official or the activities of the person as a public official.

A person may not attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member. This subsection does not apply to the person’s employer, business partner or other associate.

The provisions of this section apply regardless of whether actual conflicts of interest or potential conflicts of interest are announced or disclosed under ORS 244.120. This section shall be superseded by applicable law to the extent that any aspect of this section is inconsistent with applicable law, or sets a lower standard than applicable law.

### Honoraria

A public official may not solicit or receive, whether directly or indirectly, honoraria for the public official or any member of the household of the public official if the honoraria are solicited or received in connection with the official duties of the public official.

A public official may receive of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or receive an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the public official or candidate.



## Financial Interest in Public Contracts

Since a person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract for two years after the date the contract was authorized, you are required to inform us of any activity that is ongoing or planned that may be or is a conflict with these laws. We will work with the State Ethics commission to determine the appropriate steps for resolution. Failure to meet these standards will result in investigation and, depending on the outcome, result in discipline up to and including separation.

## Equal Employment and Non-Discrimination

The Port is an Equal Opportunity Employer. We believe that every employee has the right to work in an environment free from all forms of unlawful discrimination, harassment, and retaliation. It is the policy of the Port that employment decisions for all prospective and current employees will be made without regard to race, color, religion, sex, sexual orientation, gender identity, veteran status, military status, association with members of a protected class, injured worker status, non-supervisory family relationships, age, national origin, creed, marital status, disability, or other characteristics protected under federal, state or local law.

This policy applies to all areas of employment including but not limited to recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation benefits, social and recreational programs and all other conditions and privileges of employment. Employment and promotional decisions are based upon the ability to meet and exceed essential job duties and not on personal characteristics that are not related to their ability to do their job.

The Port will apply sound recruitment practices that provide all qualified job applicants with the opportunity to apply for and be considered for all positions that open within the Port.

The Port expects that all employees will maintain a working environment that encourages mutual respect, promotes civil and congenial relationships, and is free from all forms of discrimination, harassment, retaliation, and violence. Violations of the Port's standards and policies may result in corrective action, up to and including termination.

## Harassment, Including Sexual Harassment

The Port is committed to providing a workplace where everyone relates and behaves to each other in a courteous, professional, and respectful manner. The Port will not tolerate discrimination, harassment, or retaliation based on race, color, religion, sex, sexual orientation, gender identity or expression, ethnic or national origin, age, creed, marital status, disability, veteran status, military status, retaliation for opposing unlawful employment practices, injured worker status, non-supervisory family relationships, or any other protected class, regardless of whether such conduct is targeted specifically at the employee.

Behavior such as telling ethnic jokes, making slurs, using offensive slang or other derogatory terms denoting a person's identity, speech or accent, or disability, are a non-exhaustive list of examples of prohibited conduct that will not be tolerated by the Port. Employees who violate this policy will be subject to corrective action up to and including termination.

Oregon Law provides further protection from sexual assault defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

### Sexual Harassment

Sexual harassment is considered sex discrimination not only because of the sexual nature of the conduct to which the victim is subjected, but also because the harasser treats the victim differently based on the victim's gender. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct perceived by the victim to be of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of employment; or
2. Submission or rejection of the conduct by an individual is used as a basis for employment decisions affecting the individual; or
3. 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.

The prohibited conduct may be verbal, written, visual, or physical in nature. More subtle forms of prohibited behavior, such as offensive posters, cartoons, memes, caricatures, comments and jokes, language or innuendoes, hugging, kissing or unwelcome touch of other sorts may also constitute sexual harassment when they create or contribute to a hostile or offensive work environment.

Some examples of harassment, which may violate Port policy, also include:

- Verbal harassment, including language included in emails, such as epithets, derogatory comments or slurs, demeaning, or sexually explicit jokes.
- Physical harassment such as assault, impeding or blocking movement, unwelcome touching or any physical interference with normal work or movement when directed at any individual.
- Visual forms of harassment such as derogatory, offensive, or sexually suggestive posters, cartoons, pictures or drawings displayed in the workplace; or
- Behavioral forms of harassment such as suggestive facial expressions or noises, leering or obscene gestures.

This policy applies to all employees. All employees have a duty to report acts of harassment to themselves or to others immediately. No employee who observes or is subjected to an act of sexual or

other harassment shall overlook the act. All employees have a duty to report acts of harassment to themselves or to others immediately.

The Port will not tolerate discrimination, harassment, or retaliation against employees by non-employees.

### Bullying & Workplace Violence

The Port is committed to providing a safe and productive work environment for all employees. Any form of workplace violence committed by or against employees will not be tolerated. Employees are prohibited from making threats or engaging in any kind of bullying or violent behavior.

The following list of behaviors, while not all-inclusive, provides examples of prohibited conduct under this policy:

- **Verbal Bullying:** Slandering, ridiculing, or maligning a person or their family; persistent name calling which is hurtful, insulting, or humiliating; using a person as the focus of jokes; abusive and/or offensive remarks.
- **Physical Bullying:** Intentionally causing physical injury to another person, pushing, shoving, kicking, poking, blocking passage or freedom of movement, assault, or threat of physical assault; damage or vandalism to person's work area or personal property. Any aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- **Gesture Bullying:** Non-verbal threatening gestures, glances that convey threatening messages. Threats to display or use a weapon.
- **Exclusion Bullying:** Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative or working well with co-workers may be viewed as bullying.
- **Cyber Bullying:** Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messaging, chat, memes, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos, or graphics, creating or spreading rumors by email or posted on social media, creating fake profiles, and so on.

Possession of a weapon while on Port property or while otherwise conducting District business is prohibited. Items required to perform essential duties, such as utility knives, may be carried for that purpose. Personal "pocket" knives are permissible if the blade is 3" or less in length. No firearms, hunting knives or any other items that could reasonably be considered a weapon, either concealable or carried openly, will be permitted on Port property.

Employees who are aware of potentially dangerous situations, or who witness or are privy to violent threats or conduct are required to report them immediately to a supervisor or manager. All reports will be investigated immediately, and confidentiality will be maintained whenever possible. All parties involved in a dangerous situation will be counseled as appropriate, and the results of the investigation will be discussed with them. Additionally, any incidents involving non-employees, vendors, customers, tenants, or others who engage in threats, threatening conduct or violent acts, should be immediately reported to a supervisor or manager. All employees have the right and authority to call 911 and request police response whenever an act of violence is taking place and help is needed.

### Safety Measures

Employees are expected to exercise good judgment and to inform a supervisor or the Human Resources Manager or Executive Director whenever any employee or non-employee exhibits behavior that might lead to a potential danger. Such potentially dangerous behavior may include, but is not limited to:

- Carrying weapons in the workplace or while on Port business.
- Displaying overt signs of extreme stress, resentment, hostility, or anger.
- Making threatening remarks.
- Sudden deterioration of performance; or
- Irrational or inappropriate behavior.

Employees who are subject to harassment, violence, or threats from a non-employee, including situations of stalking or domestic violence, should notify Port management. Port management will assess the situation and, if appropriate, design a plan or otherwise assist at-risk employees and Port staff to prepare for possible emergency situations. All employees should familiarize themselves with the Port's security systems including the locations of panic buttons and surveillance cameras, authorized key check out/check in procedures, and security patrol officer duties and responsibilities.

The Port encourages reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position.

Harassment, Discrimination, or Retaliation reports should be submitted in writing, either hard copy or via email to your supervisor, the Human Resources Manager, or the Executive Director. The information provided should specifically state the incident(s) of harassment leading to the complaint and any other pertinent information that will assist in the investigative process. All investigations will be conducted in a prompt, thorough, and impartial manner. The person with whom the complaint is filed will take immediate and appropriate action. In all cases, action must include immediate notification of the Human Resources Manager who will institute the investigation. Confidentiality will be maintained to the extent practicable.

A written report will be created documenting the nature of the alleged harassment and the steps taken during the investigation process. At the conclusion of the investigation, the Human Resources Manager will decide on what, if any, immediate, appropriate corrective action should be taken, and the results communicated to the employee and other parties involved. Appropriate corrective action, up to and including termination, will be taken against any Port employee found to be engaging in, or to have engaged in, discrimination or harassment. If an employee is dissatisfied with the Human Resource Manager's report or decision, they may file an appeal to the Executive Director.

An employee who believes they have been subjected to harassment, if they feel safe doing so and believe that it would not result in escalation, may take affirmative steps to stop the prohibited behavior immediately by telling the alleged harasser to stop their offensive conduct. The employee is not required to take affirmative steps. At any time, the employee may submit a complaint/report of harassment to their supervisor and/or the Human Resources Manager, or to any manager or supervisory employee with whom the person filing the complaint/report feels comfortable. No employee will suffer any retaliation as a result of acting in good faith to bring the prohibited behavior to the Port's attention or to participate in an investigation. Any conduct perceived to be in retaliation for making a claim of harassment should be reported in the same manner as a harassment claim under this policy.

Following receipt of a complaint or concern management will follow up every three months for one year to ensure no further concerns or retaliation are experienced. Employees should not wait for the management follow-up to share related experiences. If an employee would like to discontinue the follow-up process a request must be submitted in writing to the Executive Director.

### Enforcement

Any employee who, after an investigation is complete, is determined to have engaged in prohibited discrimination, retaliation, or harassment, such as bullying, threatening conduct, sexual harassment, or any inappropriate acts of aggression or violence in the workplace or off-site while conducting Port business, will be subject to corrective action, up to and including termination.

Non-employees engaged in these acts on the Port's premises or directed at employees during the course of conducting Port business, shall be immediately removed from Port property and reported to the proper authorities and supervisors.

Misconduct constituting harassment, discrimination, or retaliation will be attended to promptly and appropriately. Following the conclusion of any investigation, the Port will take appropriate responsive action, up to and including termination. Appropriate responsive action short of termination may include, but is not limited to, required specific training, referral to counseling, and/or corrective action such as verbal or written warning, implementation of corrective action plan and probationary period, reprimand, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay.

False or malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may also result in disciplinary action.

### Your Responsibilities

All employees are responsible for knowing the Port's policy on Harassment, Sexual Harassment, Discrimination, Bullying and Workplace Violence. All department managers and supervisors are responsible for maintaining a workplace free of any form of harassment or discrimination and for enforcing these policies. Annual training on these issues and policies is required. Supervisors will record and certify each employee's attendance in writing and place the written record in the employee's personnel file. In the event of an investigation resulting from a report of violation of any of these policies, all employees are required to cooperate with the investigation upon the request of their supervisor, the Human Resources manager, or the Executive Director.

### Disability Accommodation

The Port endorses and complies with the Americans with Disabilities Act (ADA) and amendments, as well as local and state laws prohibiting discrimination in the employment of persons with disabilities. The Port is committed to ensuring equal opportunity in employment for qualified persons with disabilities. Further, the Port prohibits unlawful discrimination in employment on the basis of disability against applicants and employees with regard to the hiring, promoting, discharge, wages, job training, benefits, or any other terms and conditions of employment.

The Port will attempt to provide reasonable accommodation to the known physical or mental limitations of a qualified applicant and employee, unless doing so would impose an undue hardship on the operation of the Port or present a direct threat of harm to the individual or others.

An applicant or employee may request reasonable accommodation if the applicant/employee believes it is needed to assist in the application process (for new employment, transfers or promotions), to enable performance of the essential functions of the job, and/or to allow for equal access to the benefits and privileges of employment.

Further, an applicant or employee may request reasonable accommodation by speaking with their supervisor and/or by contacting the Human Resources Manager. It helps if the person requesting accommodation explains the request (including what the requestor believes is needed and why). Further, an employee who believes that they are having difficulty meeting the performance requirements of the job due to a physical or mental disability is encouraged to report this to their supervisor or the Human Resources Manager; such a report would be considered a request for reasonable accommodation.

After a request for accommodation has been made, the Port will engage the person requesting the accommodation in the interactive process to determine what, if any, accommodation is needed and

would be reasonable. This interactive communication may cover the specific accommodation requested, the precise nature of the problem that is generating the request, how a disability is prompting a need for an accommodation, and alternative accommodations that may be effective in meeting an individual's needs.

Any medical information provided by or regarding the employee or applicant is maintained as confidential and will be used only to evaluate requests for reasonable accommodation and fitness for duty in an employment position. An applicant or employee is not required to provide medical information related to an accommodation request and would not be subject to discipline for withholding such information; however, the Port notes that relevant medical information may be needed to support an accommodation request and the absence of such information may result in denial of the request.

Whenever the Port requests medical information or a medical examination, the Port will pay for the uninsured cost of the information request or medical examination. To request an accommodation or to discuss concerns or questions about this notice, an applicant or employee should contact their manager, Human Resources representative, or Port Manager.

### Pregnancy Accommodation Policy

The Port will make reasonable accommodations to employees that are experiencing known limitations related to pregnancy, childbirth or a related medical condition, to the extent the accommodation can be made without imposing an undue hardship on the organization. The Port seeks to comply with both the federal Pregnant Workers Fairness Act (PWFA) and any state provisions and rules it is subject to regarding pregnancy-related conditions as well. Possible accommodations may include:

- Acquisition or modification of equipment or devices;
- More frequent or longer break periods or periodic rest;
- Assistance with manual labor; or
- Modification of work schedules or job assignments.

The Port will not take adverse action against an employee for inquiring about, requesting, or using a reasonable accommodation.

### Employment Eligibility Verification

#### I-9 Verification

The Port complies with the Immigration Reform and Control Act of 1986 (IRCA), the Immigration Act of 1990 and any other applicable laws that relate to work eligibility. Specifically, the Port will hire only

individuals eligible to work in the United States. Verification documentation is required of all new hires, and employees are expected to inform the Port immediately if their eligibility changes.

After an individual is employed by the Port, the Port may choose (as allowed by law) to use the federal E-Verify program to validate social security numbers, or the Port may use other methods for verifying social security numbers.

An individual must provide appropriate documentation to verify identity and employment eligibility from the lists of appropriate documents on the Form I-9. The Port will not tell a person which documents on the lists need to be presented or indicate a preference in any way. Expired documents are not valid documents for I-9 purposes.

## Whistleblower Protection

The Port's Whistleblower Protection policy implements state law which provides each employee rights and obligations to report to the appropriate person information concerning alleged improper governmental actions and the right to do so free from retaliatory action. Port officials and employees are prohibited from taking retaliatory action against any Port employee because he or she reported in good faith an improper governmental action in accordance with state law.

It is the Port policy to:

- Encourage Port employees to report what they perceive to be "improper governmental actions" taken by Port officers or employees; and,
- Protect Port employees who have reported what they perceive to be improper governmental actions, in accordance with the Port's policies and procedures.

"Improper governmental action" means any action by a local governmental officer or employee undertaken in the performance of the officer's or employee's official duties, whether or not within the scope of the employee's employment that is in violation of any 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.

"Retaliatory action" means; 1) any adverse change in an employee's employment status, or the terms and conditions of employment, including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsubstantiated unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal or any other disciplinary action; or 2) hostile actions by another employee to the employee that were encouraged by a supervisor, manager or official.

"Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.



Port employees who become aware of what they perceive to be improper governmental action shall report such action to the Executive Director. If the Executive Director is the subject of the report, then the discussion or report should be made to the President of the Board of Commissioners or, in the President's absence, to any Board member. Except in the case of an emergency, before an employee provides information of an improper governmental action to a person who is not a public official or a person listed in the Port's policy, the employee shall discuss or provide a written report to the Executive Director. An employee who fails to make a good faith attempt to follow this policy shall be subject to appropriate disciplinary action.

### Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### No Retaliation

The Port will not tolerate discrimination or retaliation against employees who make good faith reports of alleged or perceived violations of applicable laws, rules, or regulations. Any employee who believes that he or she has been subjected to discrimination or retaliation for whistleblowing, or that a violation of this policy has occurred, should immediately contact the Human Resources Office. The Human Resources Manager or designee shall conduct an investigation regarding the complaint maintaining anonymity and confidentiality to the greatest extent possible. Appropriate corrective action will be taken if warranted by the investigation.

### Religious Accommodation

The Port respects the religious beliefs and practices of all employees and will provide, upon request, accommodation for such observances when reasonable accommodation is available that does not create an undue hardship on Port business. An employee whose religious beliefs or practices conflict with their job, work schedule, with Port policy or practice on dress and appearance, or with other aspects of employment, and who seeks a religious accommodation should submit a request for the accommodation to their immediate supervisor. The request should be in writing and include a description of the religious conflict that exists and the employees' suggested accommodation.

## Recruitment and Hiring

### Job Postings

The Port seeks talented and motivated professionals to fill all positions at the Port. Whenever a position becomes available and posted at the Port, the hiring manager will review applicants (both internal and external) who meet the qualifications of the position as defined in the Position Description are

evaluated for the position. Current job openings are typically posted on the Port's website, in local newspapers, and through WorkSource Oregon web listings.

### Internal Recruitments

The Port may issue Notices of Internal Recruitment to advertise job openings in-house. Current employees possessing the required knowledge, skills, and abilities to meet the minimum qualification requirements of a position are encouraged to apply.

### Employment Applications and Reference Checks

Employment applications received by the Port become the property of the Port and cannot be returned. Misrepresentations, falsifications, or material omissions in any of the information stated in the application may result in the exclusion of the applicant from further consideration for employment or, if the person has already been hired, termination of employment.

It is the Port's policy to check employment references for all applicants being considered for employment. The Port may request a consumer report from an applicant (most commonly for positions within the Finance Department), but only with the applicant's written authorization and upon providing the required disclosure of employee's rights under the Fair Credit Reporting Act. Pursuant to the Fair Credit Reporting Act, if the Port requested and obtained a consumer report from an applicant and decides not to extend an offer of employment, the Human Resources Manager will provide a copy of the report to the applicant as soon as possible before formally notifying the applicant that an employment offer will not be extended. The formal notification must include notice to the applicant explaining how to contact the reporting agency.

Only the Deputy Executive Director or the Executive Director are authorized to respond to employer reference check inquiries regarding current or former employees. Responses to employment reference checks will be limited to dates of employment, position, title, and job location.

### Pre-employment Background, Credit, and Drug Tests

Upon acceptance of a job offer from the Port, all candidates will be required to pass a basic criminal background check. Candidates for sensitive financial positions may also be required to pass a credit history check. Candidates for specific safety and security sensitive positions and those involving operation of heavy machinery will be required to pass a drug test before reporting to duty. Candidates for positions that involve regularly driving Port vehicles will be required to present a 5-year driving record from the DMV before starting work (see below). All these requirements are detailed in each specific job description.

### Employment Motor Vehicle Record Checks

Driving and operating heavy machinery on and near roadways and bridges are among the most hazardous tasks performed by Port employees. Most employees are required to drive at some point while on duty, whether as part of their job duties or to attend an education or training program, an event, or a meeting. To improve employee safety, the Port will conduct a motor vehicle record check

for all applicants for positions for which driving or heavy machinery operation is an essential function. Only applicants with acceptable motor vehicle record will be eligible for those positions.

Finalist applicants for positions for which driving or heavy machinery operation are essential functions will be required to provide a five (5) year consecutive driving history prior to final selection. An applicant will not be offered employment in these positions if the applicant's five-year record does not meet the following standards:

1. No class "A" infraction convictions during the past thirty-six (36) months and no more than one (1) class "A" infraction conviction between the past (36) and (60) months.
2. No more than one (1) class "B" infraction conviction during the past twelve (12) months and no more than two (2) class "B" infraction convictions during the past thirty-six (36) months.
3. No more than two (2) class "C" infraction convictions during the past twelve (12) months and no more than three (3) class "C" infraction convictions during the past thirty-six (36) months.
4. Demonstrated ability to maintain a driver's license without suspension for the past sixty (60) months.
5. No felony or misdemeanor driving convictions within the past sixty (60) months.

### Employment of Relatives

Since the employment of relatives or members of the same household in the same department or in a supervisory relationship can cause conflicts and problems with employee morale, it is the Port's policy that relatives of a current employee may not occupy a position that will be either supervised or supervising the relative. For this purpose, "relative" means the spouse, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, or stepparent or stepchild of the employee or other the employee's spouse or domestic partner. A domestic partner includes an individual involved in a dating relationship with an employee. This applies to all employees without regard to gender or sexual orientation, or genetic relationship. A member of the household is any person who resides with the employee.

Relatives of a current employee may not occupy a position that will be working directly for, or supervising, the relative. Likewise, a domestic partner involved in a dating relationship with a current employee may not occupy a position that will be working directly for, or supervising, the employee. Members of a household should not occupy positions in which one member directly works for or supervises the other. When these situations occur, each situation will be individually evaluated by the Deputy Executive Director or Executive Director.

If a relative relationship (a relative relationship includes dating) is established after employment between employees who are in a reporting situation described above, the employee in the supervisory role is responsible to disclose the existence of the relationship to the Deputy Executive Director and Executive Director.

### Dispute Resolution

Under normal conditions, if you have a job-related problem or complaint and you are unable to resolve it on a one-to-one personal level, you should discuss the problem or complaint with your supervisor.

The Port has an open-door policy that enables all employees, at any time, to seek advice and guidance from the Executive Director and the Deputy Executive Director.

If the discussion with your supervisor does not address your problem or complaint, or resolve the matter to your satisfaction, then the following process can be used:

Within 15 calendar days following your discussion with your supervisor, you may present your written or oral complaint to the Deputy Executive Director. If the matter is still not resolved satisfactorily within 15 calendar days following your discussion with the Deputy Executive Director, you may present your written or oral complaint to the Executive Director. The Executive Director will investigate the problem or complaint by undertaking whatever means the Executive Director deems appropriate and will render a decision on the matter. If the matter is still not resolved to your satisfaction, within 15 calendar days following your receipt of the Executive Director's decision, you may appeal the Executive Director's decision in writing to the Board of Commissioners.

Within 30 calendar days, the Board of Commissioners will decide whether they will hear your appeal and advise you of its decision. If the Board of Commissioners decides to review your appeal, it will be heard at the next regularly scheduled Board meeting, unless otherwise provided by the Board. Contact the Deputy Executive Director with any questions you have relating to the proper appeal procedure.

When the issue involves the supervisor or manager with whom you would ordinarily discuss a complaint, you may submit your complaint to the next person in authority, without compromising your appeal rights or fear of retaliatory action. At any time, you may seek the advice and guidance of the Deputy Executive Director or the Executive Director.

This complaint handling procedure does not apply to any disciplinary action or non-action taken by the Port, which action or non-action is within the Port's sole discretion. The above procedure is a non-binding guideline that the Port tries to follow. It does not confer or guarantee to you any rights.

This complaint handling procedure is made available to employees for the purpose of amicably and effectively resolving job-related complaints unrelated to the disciplinary decisions or acts of the Port. The Port will not retaliate against an employee making a good faith report of a complaint under the procedure set forth herein, nor subject any employee to an adverse employment decision based on that employee's good faith report. However, if the Port determines that a frivolous complaint is made under this procedure for the sole purpose of harassing, disparaging, or intimidating another employee, the reporting employee may be subject to discipline, up to and including termination.

The Port takes all complaints seriously and will address such complaints in a manner that it deems appropriate. If an investigation of a complaint is deemed necessary, the Port will conduct such investigation as discreetly as possible and practical. The Port will disseminate information relating to the complaint on a "need to know" basis only; however, the Port cannot guarantee the confidentiality of any complaint.

## Personnel File, Privacy and Confidentiality

The Port of Cascade Locks's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of this information. Also, the organization will only collect personal information required to pursue its business operations and 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, benefit plan enrollment information, which may include dependents' personal information, and school/college or certification credentials.

Personal employee information will be considered confidential and shared only as required and with those who need access to such information. All hard copy records will be maintained in locked, secured 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 benefit plans should be aware that personal information will be shared with plan providers as required for claim handling or record keeping needs.

Organization-assigned information, which may include organizational charts, department titles and staff charts, Designated Positions, 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 information as it feels necessary to conduct business operations.

If an employee becomes aware of a breach in maintaining the confidentiality of any personal information, the employee should report the incident to Human Resources or their supervisor. Human Resources has the responsibility to investigate the incident and take or recommend corrective action. Please understand that the reasonableness of actions taken in these circumstances will be considered. Examples of the release 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 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.

#### Right to Examine Personnel File

An employee or former employee may request to view the employee's personnel file or may request a certified copy of the employee's personnel file at any time. The Port must comply with the request within 45 days after receipt of the request. The Port may charge an amount to the employee or former employee to recover the actual cost of providing locating, copying, and certifying services.

## PORT STANDARDS OF CONDUCT AND CORRECTIVE ACTION

### Basic Workplace Rules Summary

The Port of Cascade Locks believes policies and procedures are essential for the orderly daily operation of the Port and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that each employee behaves according to our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive but serve as basic summary guidelines to demonstrate the daily work behaviors considered important to the Port of Cascade Locks.

1. You are expected to be at work on time, to stay until your workday ends, and to do the work assigned to 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 accuracy in record keeping.
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 of Cascade Locks or by 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 for 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 of Cascade Locks 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 it has on customers, visitors, and other employees as well as 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 our behavioral expectations should help guide 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, disciplinary instances will be infrequent. It is our aim to resolve conduct and performance problems in the most informal and positive manner possible; however, conduct which falls outside of the above guidelines will result in corrective action, up to and including termination.

## Workplace Surveillance

At the Port, we prioritize safety and security for both employees and the workplace. As part of our commitment to maintaining a secure environment, we utilize camera surveillance in certain areas. These cameras are strategically placed to enhance safety, monitor premises, and protect company assets. Clear and visible signage is posted at each entrance to areas under surveillance, ensuring that employees are aware of their presence. We respect your privacy and adhere to all legal requirements regarding surveillance. If you have any questions or concerns, please feel free to reach out to our HR department.

## Communications

### Open Door Policy

The Port of Cascade Locks Open Door Policy is based on the understanding that open, honest communication between managers and employees is a best practice. The Port's managers and supervisors are responsible for creating a work environment where employee input presented in good faith is welcomed, and where issues are identified early and shared without fear of retaliation. If you have an issue, complaint, suggestion, or question about your job or working conditions, please raise them first with your immediate supervisor. If you are not satisfied with the response from your supervisor, or if your issue involves your supervisor, please next reach out to the department director. If at that point your concern is still unresolved, request to have the situation reviewed by Deputy Executive Director or the Executive Director.

### Interpersonal Communications

Every employee is entitled to be treated with professionalism and respect by our coworkers. Communications between employees at all levels are required to be courteous, respectful, and professional. When we are talking to or about each other, what we say and how we say it are important.

### Workspace Bulletin Boards & Announcements

The Port has bulletin boards located in the front office, the Maintenance Shop, and at the Toll Booth that are used to help communicate important information related to the Port operations. All items to be posted must be approved in advance by the department supervisor. All employees are responsible for regularly reading the information posted on the bulletin board in their work area.

### Confidentiality

As a public agency, most of our records are public information, but confidentiality is a crucial concern and requirement for all Port customer account and personal information, employee personnel records, Port security and business systems, real estate transactions and development plans, legal correspondence, and other information that should remain confidential.

The Port requires each employee to protect this information by safeguarding it when in use, filing or digitally archiving it properly when not in use, and discussing it only with those who have a legitimate



and authorized basis for access. If you feel uncertain about the information you work with, discuss it with your supervisor immediately.

Additionally, all employees of the Port are to respect the confidential nature of information that may be shared with them by subordinates, peers, and supervisors. The Port cannot guarantee employees that information that they may share will be held in confidence, but this expectation is shared by all employees of the Port.

### Subpoena and Deposition Response Procedure

Due to the various aspects of the Port's operations and the nature in which it performs its responsibilities, litigation involving the Port or requiring Port staff to be a witness is rare. In most situations, the involvement of Port personnel is limited to providing and identifying Port records in a lawsuit not involving the Port. The following describes the procedure to be taken by Port personnel if and when they receive a subpoena to respond to a deposition:

1. Port personnel who receive a subpoena for a deposition or court appearance will notify Port management of the subpoena.
2. The employee will provide a copy of the subpoena to the Executive Director.
3. The Executive Director will contact the Port legal counsel for consultation and direction based upon initial investigation and factfinding.
4. Port legal counsel will then advise the Port on the appropriate course of action to be followed.

If appropriate, Port legal counsel will advise the individual subpoenaed on the nature of the proceedings, the requirements of the subpoena, the proper methods for verifying the need for the Port's personnel testimony and the proper methods for testifying and providing documents. If requested, in some unique cases, Port legal counsel may accompany the Port personnel to the deposition or trial.

## Employee Performance and Conduct

### Performance Reviews

The Port understands and values the contribution of all of its employees. To ensure a meaningful performance evaluation system upon which the Port can monitor the effectiveness of our agency and its operations, all employees will receive annual performance evaluations. The annual evaluation process seeks to ensure that each and every employee has the support necessary to maximize his or her potential and contribution to the effectiveness of the Port.

The objectives of the annual performance review process are to:

- Ensure the employee knows how they are performing against established performance standards.
- Determine how well the managers and supervisors are performing in supporting employees with work performance objectives.
- Ensure communication and dialogue.
- Provide a consistent, objective, and fair method for making compensation decisions.
- Identify areas where an employee may need more training.
- Provide a tool for career planning.
- Provide a record of employee performance and contributions.

Managers are responsible for providing employees with professional development opportunities and actions designed to improve and enhance employee performance to provide the best possible value to Port operations.

This assistance can include:

- Providing reasonable employee training, including computer software proficiencies.
- Assigning, directing, controlling, and reviewing employee work.
- Assisting employees in identifying and correcting performance deficiencies.
- Objectively evaluating employee performance during the evaluation period.

The performance evaluation process is intended to be participatory, involving your input as much as that of your manager. This helps to ensure that you, as a Port employee, are best enabled to contribute to the improvement of the Port.

All employees are encouraged to:

- Inquire about your performance from time to time.
- Accept new and additional responsibilities and show initiative.
- Review opportunities for advancement within the Port.
- Ask for assistance in developing a goal-oriented path for advancement.
- Explore all training opportunities available to assist you in improving your skills.

All new year-round employees will serve a minimum 6-month probationary period. The probationary period may be extended at the discretion of the Executive Director. New employees will be periodically evaluated by their immediate supervisor during the probationary period; typically these evaluations will occur at the 30, 60, 90, and 180 days of service mark.

The first regular performance evaluation is conducted at the completion of six months of service, the second at 12 months of service, then annually thereafter.

Performance reviews serve as one factor in decisions related to employment such as training, job assignments, professional development, promotions, and retention. To meet this goal, the Port utilizes a “Employee Performance Evaluation Form” and an “Employee Development Goals Form” to track and document goals, performance and achievements throughout the year. The development form and goal form, along with any employee comments and response materials, will be included in their personnel files. The Port will strictly guard the confidentiality of employees’ performance evaluations. At the end of your performance review process, you and your supervisor will submit the completed forms to the Executive Director for approval signatures.

At the end of the evaluation, there should be:

- Solid understanding of the past year’s performance, including any differences in performance factor rating and overall rating.
- Direction for the upcoming period.
- Understanding of the new compensation level, if applicable.
- Beginning of the development of next year’s goals.
- Signed annual review by the employee and supervisor.

## Standards of Conduct

To attain the highest standards of performance and conduct from each employee, the Port expects all employees to follow the basic standards of conduct. Upon accepting a position with the Port, each employee acknowledges and accepts their responsibility for conduct both on and off the job positively reflect on the Port of Cascade Locks. The standards of conduct listed below serve as a basis for selection, evaluation, and corrective action (including termination) of Port employees, but this is not meant to be an exhaustive, or all-inclusive list. Each position has a detailed job description and there may be other types of behavior or conduct that form the basis for performance evaluation or are cause for disciplinary action.

## Performance Standards

1. Employee consistently achieves and maintains a level of knowledge, skill, and ability required by the employee’s job classification and assignment.
2. Employee is able to carry out work tasks and projects with the level of training and supervision appropriate to the job classification and assignment.
3. Employee exercises appropriate judgement, independent thinking, decision-making, and initiative, including selection of work techniques, procedures, and priorities.
4. Employee is knowledgeable of and follows all Port policies and procedures at all times.
5. Employee expresses disagreements in an appropriate setting and in a manner that is constructive and not disruptive or harmful to Port operations.
6. Employee maintains the required levels of accuracy and quality in their work.

7. Employee develops and maintains satisfactory working relationships with others, including the public, as necessary to effectively carry out job responsibilities.
8. Employee acts within their proper authority.
9. Employee is punctual and maintains the level of presence and dependability that is required in the job assignment.
10. Employee maintains an acceptable attendance record and follows required procedures for requesting and reporting absences.

### Prohibited Conduct

All of the following are grounds for disciplinary action up to and including immediate termination:

1. Falsification of official records or documents, including employment applications and pre-employment documents, or any misrepresentation of qualifications for employment.
2. Unauthorized absence from duty, including failure to return from leave, or taking unauthorized or excessive breaks while on duty.
3. Insubordination or refusal to obey instructions that pertain to employee's work or Port requirements issued by a supervisor.
4. Harassing or bullying behavior such as use of force, intimidation, abusive language or mannerisms or other conduct that is inappropriate. Use of profanity or abusive language toward superiors, peers, subordinates or the general public.
5. Violation of Port rules, ordinances, and policies, including those set forth in this Handbook.
6. Criminal violations that are of such a nature that to continue employment of an employee in their position could constitute negligence on the Port's part.
7. Discrimination or harassment based on any prohibited basis in the exercise of the employee's job responsibilities.
8. Illegal possession, sale, or use of controlled substances or intoxicants while on duty and/or reporting to work under the influence of intoxicants or controlled substances.
9. Use of Port property or equipment for personal purposes in violation of Port policies regarding such use.
10. Misuse or abuse of Port or public funds, or theft, or misappropriation of the property of others.
11. Unauthorized disclosure of confidential or privileged information.
12. Actions or conduct that are violations of ethical standards and/or the conflict-of-interest rules.
13. Making false accusations that discredit, embarrass, or abuse supervisors, peers, subordinates, the governing body (Commission), or members of the public.

14. Unauthorized destruction of Port property and/or equipment.

15. Carrying firearms or any other dangerous weapon on Port of Cascade Locks premises at any time.

## Off-Duty Conduct

In general, the Port regards the off-duty activities of employees to be their own personal matter. However, there are certain types of off-duty conduct that are of concern because of the potential negative impact on the Port's reputation within the communities we serve. For that reason, employees who either engage in, or are associated with, criminal acts or other conduct the nature of which adversely affects the Port or their own ability to credibly carry out their employment responsibilities, may be subject to corrective action, including termination of employment.

## Dress Code

All Port employees contribute to the work atmosphere and public reputation of the Port of Cascade Locks in the way they present themselves. A professional appearance is essential to make a favorable impression with Port customers, partners, tenants, and constituents. Good grooming and appropriate dress reflect an employee's personal pride and competence and can inspire customer confidence. The Port is committed to creating a diverse, inclusive, and equitable workplace that values and respects all individuals, regardless of their natural hair texture and hairstyle. The Port recognizes that natural hair is an essential part of self-expression and cultural identity and discrimination based on these attributes is not acceptable in our organization. Port managers have the discretion to determine appropriateness in employee appearance at the work site. Employees who do not meet a professional standard may be sent home to change clothes. Employees who need to leave work to change clothes must utilize personal time or vacation time, or unpaid time off to do so, with the approval of their supervisor.

A basic rule of appropriate dress is that clothing is neat, clean, and well-suited to the work environment. It is important that office-based employees maintain a business casual level of attire for regular day-to-day activities, and business attire whenever required. Facilities Maintenance crew members are required to dress appropriately for safety in all weather conditions and work site situations. Clothing, jewelry, and hair styles should never create any kind of safety hazard (i.e; loose or dangling articles of clothing or jewelry, unbound long hair should be tied up whenever working with machinery). If you are ever unsure of what is appropriate attire, be sure to check with your immediate supervisor.

## Political Advocacy and Apparel Policy

Under ORS 260.432, a public employee may not engage in political activities while on the job during working hours. Additionally, no person, including managers, supervisors or elected public officials, may require or attempt to coerce public employees into engaging in any of these political activities. While ORS 260.432 does not restrict the right of a public employee to express personal political views, Port employees should remain aware that our coworkers have differing political views, and every employee has a duty to preserve workplace decorum. The Port values professionalism, mutual respect, and a

neutral work environment. To maintain these standards, the Port prohibits political advocacy and the display of political apparel or signage while on duty. The following are specifically prohibited while on duty:

**Political Advocacy:** No public employee will solicit any money, influence, service, or other thing of value to promote or oppose any political committee, candidate, initiative, referendum, recall petition, ballot measure, or public office holder during working hours. However, this policy does not restrict the right of a public employee to express personal political views.

**Apparel Restrictions:** While on the job during working hours, employees are not allowed to wear political hats, pins, buttons, t-shirts, or any other clothing items that promote or oppose political causes, candidates, or committees. A Port uniform or logo apparel may be required depending on your job position. If it is required, a uniform or logo apparel will be supplied to you by the Port.

## Attendance

Employees are expected to report to work as scheduled, on time and prepared to perform their duties. Employees are also expected to remain at work for their entire work schedule, except for unpaid break periods or when required to leave on authorized Port business.

Employees will be in attendance at their work in accordance with specific department guidelines and schedules as determined by the manager. Punctuality and regular attendance are essential to the effective operation of the Port.

Employees who will be unexpectedly absent from work for any reason or who will not be at work on time must inform their immediate supervisor via both phone call and text, or both email and a text message (2 methods) prior to the start of the employee's shift/workday. Not reporting to work and not contacting your supervisor is known as a "no call/no show" and is a serious matter. One or more instances of no call/no show may result in disciplinary action up to and including termination. A no call/no show lasting three days may be considered job abandonment and may result in termination of employment.

## The Work Week

The Port has adopted a "four tens" work schedule for regular full-time employees to increase efficiency and improve employee morale. The standard workday for is 10 hours and the normal work week is 40 hours, occurring in five consecutive days Monday through Sunday. Regular Part-Time and Seasonal/Temporary employees may have a different weekly schedule depending on coverage needs. Your work schedule will be determined by your manager.

**Exempt:** Exempt employees work a "professional workweek," which means they are not bound by a set schedule other than that set by their supervisor. However, this flexibility also means that if the needs of their job duties require that they arrive early or stay late, they are not compensated with overtime pay.

**Non-Exempt:** Non-exempt employees work set schedules as determined by their supervisor based on the business needs of the department. Non-exempt employees are paid overtime for hours worked in excess of 40 hours in the work week.

### Absence Without Notice

For the Port to operate effectively, your supervisor needs to be informed of your status when you are absent from work due to illness or another cause. Not reporting to work and not contacting your supervisor is known as a “no call/no show” and is a serious matter. One or more instances of no call/no show may result in disciplinary action up to and including termination. A no call/no show lasting three days may be considered job abandonment and may result in termination of employment. Likewise, employees that are absent with supervisor approval due to short-term illness or injury must contact your supervisor daily while off work. **Non-exempt personnel:** If you must leave work for any reason before the end of the day, you must receive supervisory approval.

If you are having difficulties meeting your schedule requirements, please contact your supervisor. Excessive tardiness and/or absenteeism may result in disciplinary action.

The Port may require a physician's release when an employee returns to work following any lengthy absence due to a medical condition.

### Sick Leave Abuse

If Port management suspects leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of sick leave adjacent to weekends, holidays, vacations, and paydays, the Port may require documentation from a healthcare provider. Employees found to have abused sick leave as described here may also be subject to corrective action, up to and including termination.

### Inclement Weather Attendance

Emergencies such as severe weather, fires, power failures, earthquakes, and other natural disasters can disrupt organizational operations. In extreme cases, these circumstances may require the closing of our office to the public. Closing the office, however, does not mean that Port operations cease.

As a public agency, the Port must be prepared to serve the public as scheduled, regardless of weather conditions. All employees should be prepared to utilize suitable and/or alternative transportation during inclement weather to be able to report to duty. Employees that are authorized by their supervisor to perform their work duties from home should strive to continue their work as usual and ensure that Port operations continue at the optimum possible level during the travel advisory.

For the safety of Port employees who are not able to perform their duties from home, paid time off may be used during times of severe travel advisories for inclement weather. However, specific essential personnel in the Facilities Department are required to report to duty, as described in the job descriptions. Staff will be compensated for the actual time worked in accordance with standard Port

payroll policies and procedures. Employees must notify their supervisor as soon as possible before the start of their work shift if they are unable to travel safely to work.

The Executive Director may require some non-essential employees to work during any office closure, work different shifts, or perform job duties outside the scope of the employee's normal job duties until the inclement weather situation has ended. Every employee will receive notification of any closures or changes to the regular work schedule via email, Teams notification, or SMS text message from the Executive Director or their immediate supervisor by 7:00 a.m. each morning of the travel advisory. Each employee should respond accordingly and follow the instructions given for your work shift.

If the Executive Director decides to close the office to the public prior to the start of the business day, the closure will be announced via an organization-wide email from the Executive Director. A closure message will also be recorded on the Port's general voice message line and posted to the Port Facebook page by the Administrative Assistant. It is the responsibility of each employee to check e-mail and text messages for an update if there is any doubt regarding office operations.

Exempt employees are paid for all approved absences related to emergency closures. Non-exempt employees will not be paid for time away from work due to office closure; however, with supervisory approval, available vacation time or a personal holiday may be used.

## Alcohol and Drugs

The Port is committed to protecting the safety, health and well-being of its employees, the public it serves and all people who come into contact with the Port and the services it provides. Drug and alcohol abuse poses a direct and significant threat to this goal, and to the goal of providing a productive and efficient work environment in which all employees have an opportunity to reach their full potential. Accordingly, the Port is committed to assuring a drug-free work environment for all its employees.

The Port therefore strictly prohibits the use, purchase, possession, sale, conveyance, distribution or manufacture of illegal (whether under federal and/or state law) drugs, intoxicants, controlled substances or drug paraphernalia associated with illegal drug use while on the job, while on Port property, while operating Port vehicles or while otherwise representing the Port. The Port further prohibits employees from being under the influence of alcohol (defined as having an alcohol concentration level of 0.8 or greater) or controlled substances (any detectable trace in the body system) while on duty. This policy applies to all Port employees.

Prescription medications or nonprescription medications are not prohibited when taken in accordance with a lawful prescription, as applicable, and consistent with standard dosage recommendations. Prescription medication means a drug or medication lawfully prescribed under both federal and state law by a physician or other health care provider licensed to prescribe medication for an individual and taken in accordance with the prescription; but specifically excludes, without limitation, medical marijuana, which remains a controlled substance prohibited by federal law. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties



safely and effectively must notify their supervisor and should provide written notice from their physician or health care provider with respect to the effects of such medication. The Port will assist in arranging a ride home for the employee if the employee appears impaired by the use of prescription and/or over-the-counter medications and such impairment impacts the employee's ability to safely and/or effectively perform his or her duties.

Port employees who are assigned primary on-call duty are expected to immediately respond to a Port on-call request and perform Port business. Assigned primary on-call personnel may not report for duty and conduct Port business when their performance may be impaired due to alcohol or drug use. Accordingly, assigned primary on-call personnel must refrain from using alcohol or drugs while on-call.

Employees may be subject to a drug and alcohol urinalysis test when there is reasonable suspicion to believe an employee is under the influence of, or impaired by the use of, alcohol or drugs. If an employee appears to be under any influence of drugs or alcohol, the Port may require the employee to submit to appropriate tests, including urinalysis or breath tests, to confirm the existence of such alcohol or prohibited drug substance in his or her system. Failure to promptly permit such tests upon management's request will be grounds for disciplinary action, up to and including termination.

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the medical review officer responsible for receiving and interpreting the drug test. These employees will be responsible for the cost of any re-testing.

All Port employees will be subject to reasonable suspicion, post-accident, return to duty and follow-up drug testing, as follows:

Reasonable Suspicion: Where the Port has reason to suspect that an employee has violated or is presently violating or is otherwise under the influence of alcohol or drugs, such employee may be required to immediately submit to an alcohol or drug analysis test. Failure to comply with reasonable suspicion testing requirements will be grounds for disciplinary action, up to and including termination.

Post-Accident testing: Following an accident involving a Port vehicle or Port equipment, the driver/operator of such vehicle or equipment is required to submit to an alcohol and drug test when (1) the driver receives a citation under state or local law for a moving traffic violation; (2) an injury or fatality occurs as a result of the accident; (3) the accident results in damage to one or more vehicles or equipment which requires the removal of the vehicle/equipment by towing or otherwise is estimated to exceed \$2,000; or (4) management deems it appropriate under the particular circumstances. Testing will occur as soon as possible, after the accident. An employee required to take a post-accident alcohol test may not use alcohol for eight (8) hours following the accident, or drugs for thirty-two (32) hours following the accident, or until a post-accident test is given, whichever comes first. An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or results of testing. Failure to comply with post-accident testing requirements will be grounds for disciplinary action, up to and including termination.

Return to duty testing: Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the Port’s disciplinary policy are allowed to return to work, must test negative prior to being released for duty.

Follow-up testing: An employee who is referred for assistance that is related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 12 months as directed by a substance abuse professional and the Port. The number and frequency of follow-up testing will be determined by the substance abuse professional and the Port but will not be more than six tests in the first 12 months following the employee’s return to duty. Failure to promptly permit such tests upon management’s request will be grounds for disciplinary action, up to and including immediate termination.

Employees violating this policy will be subject to disciplinary action, up to and including termination. A refusal to take a drug and/or alcohol test required by the Port will be deemed the equivalent of a positive result and an employee refusing to take such test will be subject to disciplinary action, up to and including termination.

### Smoking

For reasons of safety, public relations, and other concerns, smoking is prohibited in all Port buildings. Smoking is also prohibited in all Port vehicles. Smoking is allowed in designated areas that are clearly signposted.

## Departure from Port Employment

### At-Will Employment

As an employee of the Port, you are engaged in an “at-will” employment relationship. This means that either you or the Port may terminate employment at any time with or without reason or notice. All grievance and dispute resolution policies are subordinate to the employment at-will policy.

### Resignation

Resignation is a voluntary act by the employee to terminate employment with the Port. If you decide to leave the Port, it is expected that you will give as much notice as possible – preferably a minimum of two weeks prior to your date of departure so that an orderly transition can be made. This process includes turning in any Port property, completing required forms, and having an exit interview. The exit interview with the Executive Director is to document the reasons you are leaving and solicit constructive feedback to improve the Port.

Employees must return all Port of Cascade Locks property including but not limited to phones, computers, credit cards, keys, manuals, vehicles, tools and equipment to their direct supervisor or the Human Resources Manager on or before their last day of work.

Employees who miss three or more consecutive workdays without contacting their supervisor are typically considered to have resigned their employment voluntarily.

### Layoff

A layoff is the termination of an employee due to the elimination of a position. A position may be eliminated as part of a reorganization, single or multiple position elimination or the contracting out of a program or service, lack of work or funding, or other reasons. Layoff is not an alternative to a disciplinary termination or demotion of an employee.

### Retirement

An employee is considered to have voluntarily terminated their employment when they are eligible for and receive a monthly benefit from a qualified retirement plan offered by the Port.

### Disciplinary Termination

Disciplinary termination (or discharge) is the termination of an employee for cause. Only the Executive Director may discharge an employee.

When disciplinary termination is recommended by a department head, manager, or supervisor, the recommendation will be provided in writing to the Human Resources Manager with attachments of all supporting documentation. The final decision to discharge is made by the Executive Director.

SECTION 3  
COMPENSATION

## Compensation Plan

### Pay Equity

The Port strives to ensure all employees receive an equitable total compensation package based on a variety of factors relating to their position, job performance, education, 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 one or more of the following factors: seniority, merit, quantity or quality of work, workplace location, regular and necessary travel, education, training, experience, or any combination of those factors. Employees who believe they are not being compensated fairly are encouraged to discuss the matter with the Deputy Executive Director to obtain clarification.

### Compensation Goal

The goal of the Port Compensation Plan is to ensure that, to the extent possible, the total compensation package, salaries plus benefits provided to Port employees:

- Recognizes knowledge, skills and responsibilities required.
- Considers physical demands and work environment.
- Is competitive in the appropriate job market(s).
- Is equitable in the governmental industry.
- Ensures equity within the organization.

Established wage or salary ranges for each job description are reviewed periodically, compared to market rates for similar jobs with similar employers in Oregon, and may be adjusted as the Port deems appropriate.

### Overtime Pay

You may be required to work overtime. Prior approval must be obtained from your supervisor before working overtime hours. Managers and supervisors are responsible for ensuring that no unauthorized overtime hours are worked. The Port maintains compliance with the provisions for overtime for non-exempt employees, as outlined in the Fair Labor Standards Act and Oregon state wage and hour laws.

Employees will be compensated at one-and-one-half times (x1.5) their regular rate of pay for hours worked more than forty (40) in a workweek. "Hours worked" does not include time off due to Port holidays, personal holidays, vacation, and sick leave.

### Holiday Pay

Non-exempt employees that work on Port approved holidays and perform off-hours mobilization for emergency response will be compensated at double your regular rate (x2.0).

### Lunch and Rest Periods

All non-exempt employees are entitled to at least a 30-minute unpaid lunch period during their normal workday schedule not later than six hours into their shift. Your supervisor will schedule the assigned

time and length of the lunch period. All non-exempt employees are entitled and required to take two 10-minute breaks, one in the first 5-hour block of your shift and one in the second, as work coverage allows.

Exempt employees should schedule their lunch breaks to accommodate Port business needs.

Toll Collectors may be required to remain at the toll house during their breaks, depending on traffic conditions and coverage. Whenever this occurs, the break is a paid break.

### Lactation

The Port supports the practice and need for employees to express breast milk on its premises upon their return to work from maternity leave.

Until their babies are 18 months old, employees may take reasonable rest periods to express breast milk. Nursing breaks may be taken concurrently with regular meal and rest breaks, although additional reasonable break time will be made available, as needed. Management and employees will work together to find mutually agreeable hours of work and breaks which support the continuation of expressing breast milk.

If an employee perceives or observes adverse treatment with respect to the expression of breast milk, a supervisor or manager should be informed immediately.

The Port will provide a private space with an electrical outlet within the workspace to express breast milk. This space may vary depending on the available empty rooms. Make a plan with your supervisor for this accommodation. Hand washing facilities and a refrigerator will also be available at all sites and appropriate signage for privacy will be supplied.

Employees will be responsible for the storage of the expressed milk. The milk, if stored in the refrigerator provided, must be clearly 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.

### Exceptions to Standard Workday/Workweek

**Non-Exempt Employees:** On a case-by-case agreement between the supervisor and the employee, a non-exempt employee may, within the same 40-hour workweek, work more than 10 hours one day and less than 10 hours on a different day(s), netting a zero gain or loss of hours, and no overtime. For example, an employee (with prior supervisor approval) could work 10 hours on Monday, 9 hours on Tuesday, 11 hours on Wednesday, and 10 hours on Thursday without going over or under 40 hours for that workweek. Hours "traded" must be within the same 40-hour workweek to meet federal law. If the hours cannot be "traded" within the same 40-hour workweek, the employee will either have overtime or will have to take vacation or sick leave for the missing hours based upon the reason for having less than 40 hours of paid time in that workweek.

These one-time agreements are not a mechanism for creating ongoing flex scheduling. The needs of the Port and the department determine if and when flexible scheduling is possible and/or available and under what specific unique circumstances it can be authorized.

**Exempt Employees:** Exempt employees work a “professional workweek,” which means they are not bound by a regular standard workday. If the needs of the position require that they arrive early or stay late, or work on weekends, however, they are not compensated with overtime pay. Exempt employees are paid for the work they do, not the hours that they work.

Exempt employees are required to keep exception time reporting whereby time off for sick leave and vacation should be approved beforehand unless unforeseeable situations arise. In the interest and furtherance of public accountability principles, and to ensure that public funds are appropriately allocated and used, the Port will make deductions from an exempt employee’s paid leave banks to offset time missed, as set forth in this policy.

Exempt employees will be required to use paid time for vacation and sick leave absences of 4 hours or more in an 10-hour day; if paid time is not available, an employee’s request for additional leave will be reviewed on a case-by-case basis. Leave bank deductions will not be required for absences of less than 4 hours in a day for up to 12 such leaves of absences per year and not more than 2 such occurrences per month.

\*Port Administration department employees (those working in the Port office building) are restricted to a Monday – Thursday schedule and may not trade work on a Friday for other days.

### Telework or Telecommute

Both telework and telecommute are a flexibility that may be available to some positions within the Port. These are two different arrangements. Telework is the planned practice of regularly working from a non-organization address. This is most typically the employee’s residence but may also involve work out of doors at various work sites. Telecommute is the planned practice of occasional or intermittent work from a non-organization address. This is most typically the employee’s residence.

All telework and telecommute arrangements require the prior approval of your supervisor or manager and the Executive Director and may be changed at the discretion of your manager or supervisor. Telework and telecommute may be permissible for some jobs and not all jobs.

Employees are responsible for ensuring a safe work environment when telecommuting or teleworking. Employees are also responsible to meet the expectation of their job regardless of where the job is done. Supervisors are responsible for monitoring compliance with these types of agreements, relevant policies, performance standards, expectations for work product and productivity, and time accountability.

Any employee who is teleworking or telecommuting must be available during established work hours and provide timely response to email, phone calls, Teams messages, and so on. Absences, including unavailability during work hours, must be pre-approved. Employees must account for all time

worked. Supervisors may consider an employee's request to alter regular work hours in the same way they would evaluate these requests for a person working at an organization address.

An employees' salary, benefits and insurance coverage does not change as a result of teleworking or telecommuting.

Employees are responsible for the utilization of the Port's networks while working remotely in a safe and secure manner as directed by your supervisor.

As mentioned above, these are planned arrangements. Employees and supervisors must work together to determine if an arrangement can be made and the details of the arrangement. All these arrangements are subject to the approval of the Executive Director and may be denied regardless of the supervisor's approval.

### Information Technology

Teleworking or telecommuting employees are expected to be able to set up a remote office and use both the Port's and their own equipment without direct physical help from the Port. While any equipment supplied by the organization will be maintained by or at the direction of the Port, employees are responsible for the safe and secure transportation of equipment to and from the office.

Employees are expected to have sufficient telephone arrangements to perform their work and to participate in telephone conferences during agreed-upon work hours.

Employees are expected to have sufficient internet access if work assignments require use of Web resources in the performance of their duties while working at a remote worksite.

The Executive Director will determine, with information supplied by the employee and the supervisor, what equipment will be supplied for each telecommuting situation. The employee must sign an inventory of organization property and agree in writing to take appropriate action to protect the inventoried items from damage or theft.

All equipment supplied by the organization will be maintained by or at the direction of the Port. Equipment supplied by the employee will be maintained by the employee. The organization accepts no responsibility for damage or repairs to employee-owned equipment.

All equipment and software supplied by the organization are only for organization business and must comply with the organization's security and maintenance policies and practices. Portable equipment must, at all times, have Port-authorized security measures installed and running.

If the teleworking employee provides equipment, the employee provided equipment must comply with the Port's security and maintenance policies and practices, and any additional safeguards required by the Port.

Employees will notify the organization immediately in the event of a breakdown or other issue with supplied equipment, software, or other materials. Employees will follow the organization's direction regarding any necessary repair, update, replacement, etc.



Upon separation of employment, or discontinuation of a planned arrangement, whichever comes first, all organization property issued to the teleworking employee must be returned.

*All Port records and information stored on any employee's personal electronic equipment is subject to public records requests and discovery, and to review by the organization at any time.*

## Security

Employees are expected to ensure the protection of organization and district information accessible from their home office.

Steps include making sure that:

- All devices have anti-virus software, centrally managed through Port's contract with Radcomp technologies.
- All Wi-Fi, cellular or similar access points are protected with strong passwords or passphrases.
- All Wi-Fi, cellular or similar access point passwords or passphrases are changed on a regular and scheduled basis.
- Login and password information is secure and protected, even from family members.
- Basic network practices are being applied, such as a firewall with appropriate security standards.
- Web-based systems are secure ["https" URL, not just "http"].
- Two factor authentication is enabled and being used, if available.
- All data is saved to the Port's authorized shared network drives or cloud locations (currently this is OneDrive, SharePoint. Similarly, no data is saved or stored on portable machines such as on the C-Drive or Desktop.
- VPN access is only via organization issued devices. No personal devices are connected via VPN.

## Physical Security

Employees are expected to ensure physical office security by taking steps like keeping proprietary material in locked file cabinets and desks, securing doors, windows, hiding devices when not in use, and any other measures appropriate for the job and the environment.

Employees will follow all organization policies related to information and data security. Complying with these policies mitigates risk and ensures an appropriate level of security for confidential information, paper and electronic, in transit or at the alternate worksite.

When accessing the organization's network from a personal computer, employees are responsible for preventing access to any computer resources or data by non-authorized users. In addition, employees are expected to ensure the remote host is not connected to any other network at the same time, except for personal networks that are under their complete control or under the complete control of the employee.

Performance of illegal activities through the organization network or on organization time by any user is prohibited. The employee bears responsibility for and consequences of misuse of their access.

Radcomp, or another IT contractor for the Port, will confirm that the user's device does not contain any traces of protected, sensitive, organization, or proprietary information and delete any protected, sensitive, organization and/or proprietary data, licensing, and information remaining on the device.

#### Technology Support

Radcomp, or another IT contractor for the Port, will only provide device support that relates to organization devices and connection.

## Pay Practices

### Paydays

You will be paid twice monthly. Paydays are generally on the 5th and 20th of each 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. Paychecks are delivered by direct deposit to employee personal bank accounts. Paycheck “stubs” are delivered to employees on payday. Your paycheck stub includes a statement showing gross earnings, deductions, and net salary.

### Time Recording

Your timecard (currently recorded electronically in our QuickBooks system) is a legal record of the hours you work, and any leave used. Your paycheck is based on the time recorded on your timecard. Federal and state laws require the Port to keep accurate records of time worked for calculation of employee pay and benefits. Each employee is responsible for accurately maintaining a timecard for each pay period, and for submitting their completed timesheet for manager approval by the required date for payroll processing.

Timesheets will contain all information required by your supervisor and the Finance Department and must be signed by the employee certifying the accuracy of all time reported and approved by your supervisor prior to submittal for payroll. The daily time record must reflect the hours worked, vacation and sick leave used, overtime hours worked, compensatory time used when applicable, and any other information deemed necessary by the payroll processor. Your time sheet should include the time of the beginning and end of each work period, including before and after the meal break.

If an error on your timesheet needs to be corrected or time clarified, you should notify your supervisor immediately. You should never allow someone else to make entries on your time record. Willfully falsifying a time record may be grounds for corrective action, up to and including termination.

### Time Records for Exempt Employees

Employees classified as exempt also fill out timecards, but no deduction of pay will be made for hours worked fewer than 40 hours per week, unless authorized by law. However, because the Port does have paid time off, vacation, sick pay benefits programs, if you have earned time in these bank(s), you must use this time first to cover any time off that is less than your normal work week.

### Pay Period and Paydays

The Port payroll period is bi-weekly pay and begins on a Sunday and runs through the second Saturday in a 14-day period. Payday is the Wednesday following the end of a pay period. Time sheets must be submitted by 8:00 a.m. on the Monday morning before the pay date, unless notified by the Finance department of a change in submittal date due to holidays. There are 26 pay periods in a year.

## Payroll Deductions and Documents

The Port makes certain pay deductions from each employee's earnings in accordance with state and federal law. Deductions for state and federal income taxes, social security, and Medicare will be applied to each paycheck. Additional deductions may be authorized by an employee in writing to cover costs of participation in Port provided programs, such as insurance and retirement benefits. If you have any questions regarding your deductions, please contact the Accounting Administrator.

The Employee Withholding Allowance Certificate (W-4) is provided at the time of hire and must be completed and signed by the employee before the start of the first workday. Changes can be made during the year by completing a new W-4 form from the Accounting Administrator's office. A copy will be placed into the employee's personnel file. At the end of each calendar year, you will be supplied with your Wage and Tax Statement (W-2) form. Questions can be answered by the Deputy Executive Director or the Accounting Administrator.

## Dispute Resolution Process for Paycheck Errors

If you have any questions regarding your pay or feel a manager or supervisor has made a change to your pay that you do not believe is accurate, please contact Accounts Payable.

## Paycheck Advances

Pay advances are not provided by the organization. Employees are encouraged to find other appropriate resources for any financial difficulties. The Port's insurance package, provided by the Special Districts Association of Oregon, includes an Employee Assistance Program ("EAP") that can provide you with financial counseling and other counseling services at no cost. For more information on the EAP, contact the Deputy Executive Director or review the information included in the SDIS Employee Benefits Program brochure at [2021+SDIS+Benefits+Brochure+Guide+FINAL+VERSION.pdf \(sdao.com\)](https://www.sdao.com/2021+SDIS+Benefits+Brochure+Guide+FINAL+VERSION.pdf).

## Employee Withholding Allowance Certificates (Form W-4)

You are required to submit a completed Employee Withholding Exemption Certificate (W-4) to the Port at the time 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 by the start of the first payroll period ending on or after the 30th day from the submission date. We encourage employees to seek independent tax advice if they have questions about withholding amounts.

## Final Paycheck

While we request that you give us at least 10 working days' advance notice prior to departure when resigning or retiring from the organization, if you provide us with at least 48 hours' notice (excluding holidays and weekends) you will receive your final paycheck on the last day worked. If less notice is given, the final paycheck will be provided within five business days (excluding weekends and holidays) or on our next regularly scheduled payday, whichever occurs first. Final paychecks will include all wages earned through the last workday plus payment for any accrued and vested benefits that are due and payable at separation.

## Employee-Incurred Expenses and Reimbursement

The Port will pay all actual and reasonable business-related expenses you incur while performing your job responsibilities. All such expenses must be pre-approved by the Executive Director before payment is made.

### Expense Reimbursement Procedure and Reports

Requests for expense and mileage reimbursement must be submitted on a monthly basis to the Accounting Administrator for processing. Supporting documentation, including a completed Port Expense Report form with a full description of the expense, purpose, and budget authority line item, and attached to an itemized receipt showing payment in full must be provided to each request.

Expense reimbursements will not be paid unless and/or until all itemized receipts are provided.

### Mileage Reimbursement

While in the course and scope of duties on behalf of Port employees, with their supervisor's approval, may use their vehicle for business purposes. While driving on behalf of the Port and in the course and scope of duties assigned, liability would accrue to the Port for negligent actions. As such, employees are encouraged to follow all rules of the road and drive courteously. Coverage provided by the Port for damages to the employee's own vehicle is secondary to any other collectible coverage. Employees are required to have comprehensive and collision coverage on vehicles used for the Port business.

When you use your own vehicle for Port business, you will be reimbursed for organization-related business travel at the current IRS determined rate per mile.

Mileage reimbursement requests must be submitted using the Port's Expense Reimbursement Form that be signed by you and dated, initialed by your supervisor, and submitted to the Accounting Administrator for processing according to policy. For longer trips, you may be required to submit a route map showing the roundtrip route and mileage for your trip. If you have questions about expense reports and mileage allowances, please ask your supervisor.

### Credit Card Payment

If a Port credit card is provided to you, the employee, all receipts must be provided as they occur to the Accounting Administrator for the credit card reconciliation process. Itemized receipts for all purchases must be provided with a note indicating which card you used, the purpose of the expense, and the budget authority line item for the purchase.

Employees may expense and/or use a company provided credit card, for business related activities or incidental supplies following IRS guidelines.

### Overnight Travel and Meal Expense Reimbursement

If an employee is traveling overnight on a work-related activity, the employee may expense lodging, food, non-alcoholic beverages, and other incidental expenses that are necessary and business related.

### Meal Reimbursement Limits

The Port will not reimburse more than the following amounts for any meal unless approved in advance by the Executive Director.

- Breakfast - \$25.00
- Lunch - \$25.00
- Dinner - \$50.00

### Exceeding meal reimbursement limits

The Port recognizes that there may be certain group meal functions at locations where a conference/training is held where exceeding the meal reimbursement limits may be acceptable. Such situations should be known in advance and prior approval obtained from the Executive Director.

### Alcoholic Beverages

The Port will not pay for alcoholic beverages and such costs should not be submitted for reimbursement.

### Transportation Expense Reimbursement

Transportation costs may only be expensed upon prior approval. Transportation costs include such items as airfare, airport parking, hotel shuttles, automobile rental and fuel for such rental.

### Spouse/Guest Expense Reimbursement

The Port will not pay for meals or entertainment of spouses/guest/significant others. While spouses and guests are often welcome to accompany Port staff and/or Commissioners on trips to conferences or other Port business-related events, travel expenses, meals, and entertainment will not be paid for by the Port.

The Port expects its employees to use good judgment and reserves the right to deny an expense if, in the management's belief, it is unreasonable.

SECTION 4  
PORT BENEFITS AND SERVICES

## Insurances

### Medical, Vision & Dental Insurance Overview

#### Health & Vision Insurance Benefit

The Port currently provides health and vision insurance coverage for all employees and their dependents if they are eligible to participate in the plan. 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. Any need for further information should be referred to the Deputy Executive Director.

#### Eligibility

This benefit is provided for all regular [full time/full- and part-time] employees working more than 30 hours per week. If eligible, you may begin to participate in the plan after you have completed 60 days of continuous employment. Insurance plan coverage begins on the first day of the month following completion of 60 days of employment. Part-time employees working less than 30 hours in a standard work week, temporary, and seasonal employees are generally not eligible to participate in the health insurance plan.

#### Plan Enrollment

Once you are eligible, you may complete enrollment forms available through the Accounting Administrator. If you don't want to enroll at the time of eligibility and later decide to request enrollment, you will only be allowed to enroll if you can demonstrate that a qualifying event has occurred which qualifies you for a special enrollment period.

The cost of the monthly premium for enrolled employees and their dependents is shared between the Port and the employee depending on employment status. See the chart below for details:

	100% Employee	75% Employee	50% Employee
Employee	Port pays 100% of premium	Port pays 75% of premium	Port pays 50% of premium
Dependent(s)	Port pays 50% of premium for each dependent	Port pays 37.5% of premium for each dependent	Port pays 25% of premium for each dependent

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.



### Premium Cost

Specific types of coverage and benefit payment schedules are described in the organization's health care plan booklet that is available to all eligible employees. At the time of eligibility and during open enrollment each year, you will be informed of how much the organization will contribute toward your monthly premiums if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are subject to change, usually based on increased costs to provide medical services and the amount of services our employees require.

Any premium co-payment and dependent coverage you are required to pay is funded through a monthly payroll deduction. The Port determines the payroll deduction schedule.

### Termination of Coverage

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. Eligibility can be lost due to a prolonged absence from work or if certain "qualifying events" occur that would otherwise cause your or a dependent's group health coverage to terminate. Examples of qualifying events are termination of employment, a reduction in hours, divorce or legal separation, entitlement to benefits under Medicare, a dependent child reaching the age of 26, or a leave of absence. You must notify us or the plan when a dependent child loses eligibility or in the event of divorce or legal separation.

You, your spouse, and dependents may continue group health insurance for a certain period of time at your own expense under COBRA. However, continuation does not occur automatically. You and any dependents have 60 days to enroll in the plan, which starts on the later of:

- (a) the date the election notice is received; or
- (b) the date you and any dependent would otherwise lose coverage;

You have 45 days to pay the initial premium. Coverage will be retroactive to the date of the qualifying event. You and any covered dependent will receive information about the provisions of the law when you first enroll in benefits and again if a qualifying event occurs.

### Portability/Conversion of Health Plan

If you've been continuously covered under the Port's 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.

### Workers' Compensation

The Port carries insurance to cover the cost of work-incurred injury or illness. Benefits help pay for your medical treatment and part of any income you may lose while recovering. Specific

benefits are prescribed by law depending on the circumstances of each case. To be assured of maximum coverage, work-related accidents must be reported immediately to your supervisor and to the Deputy Executive Director.

## Retirement

### Public Employees Retirement System (PERS)

The Oregon Public Employees Retirement System (“PERS”) covers all employees who are in a PERS qualified position and work at least 600 hours and more than six months in a calendar year. A mandatory PERS payroll deduction of 6% is required of the employee once the employee becomes a member of PERS. The Port also funds the PERS defined benefit of the pension plan which changes every biannum. For more information regarding the Oregon PERS plan, please see the Deputy Director, the Accounting Administrator, or visit the Oregon PERS website at: <https://www.oregon.gov/pers/Pages/index.aspx>.

### Deferred Compensation

Port employees have the option of investing pre-tax dollars in a 457 plan, as prescribed by law, with the Oregon Savings Growth Plan operated by the State of Oregon Retirement Systems Deferred Compensation Program. Contact the Accounting Administrator for information and forms.

## Vacation and Holidays

### Vacation Leave

A paid vacation benefit is provided to eligible employees to allow time away from work for relaxation and recreational purposes.

100%, 75%, and 50% employees accrue vacation at the following rates:

Percentage/Years	100% Employee	75% Employee	50% Employee
<b>1 Year</b>	6.67 hours per month = 10 days/80 hours	5.0 hours per month = 7.5 days/60 hours	3.34 hours per month = 5 days/40 hours
<b>2-5 Years</b>	10.00 hours per month = 15 days/120 hours	7.5 hours per month = 11.25 days/90 hours	5.00 hours per month = 7.5 days/60 hours
<b>6-8 Years</b>	13.33 hours per month = 20 days/160 hours	10.00 hours per month = 15 days/120 hours	6.67 hours per month = 10 days/80 hours
<b>8+ Years</b>	16.67 hours per month = 25 days/200 hours	12.5 per month = 18.75 days/150 hours	8.34 per month = 12.5 days/100 hours

	<i>Up to a maximum of 200 total accrued hours</i>
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Continuous service is calculated from the first of the month nearest your date of hire. No accrual occurs while on unpaid leave.

Vacation leave must be scheduled and approved by your supervisor in advance. Extended vacation periods should be requested of your supervisor well in advance to enable department-wide shift scheduling accommodation for your time off. Vacation time may be used in hourly increments of no less than one (1) hour; however, all employees are strongly encouraged to take at least one vacation of five (5) consecutive days each year. Vacations up to two consecutive weeks may be taken at any one time but require supervisor approval. Executive Director approval will be required for vacations over two consecutive weeks.

Employees may accumulate a maximum of two hundred (200) hours of vacation time. Employees with vacation balance above 120 hours at the end of a calendar year have the option to be paid out for up to 40 hours after they have used 80 hours of vacation time. Employees are responsible for monitoring their accruals and scheduling time off as necessary to preserve their accrued vacation leave time.

Any accrued, unused vacation time (up to 200 hours) will be paid in full upon separation; provided that employees voluntarily resigning from their employment with the Port provide the Port at least two weeks written notice of their resignation. Vacation pay is computed at the rate being earned upon separation.

**Holidays**

Port employees are eligible for nine (9) paid Port holidays in each calendar year per the following schedule:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (Third Monday in January)
- Memorial Day (Last Monday in May)
- Juneteenth (June 19)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veterans Day (November 11)
- Thanksgiving Day (Fourth Thursday in November)
- Christmas Day (December 25)

When a Port holiday falls on Sunday, the following Monday will be observed as the holiday. If a holiday falls on Saturday, the preceding Friday will be observed as the holiday. A non-exempt employee working on a holiday will be paid double their regular rate of pay depending on their status. See the chart below for the number of holiday hours for your status.

	100% Employee	75% Employee	50% Employee
<b>Holiday Pay Hours</b>	8 hours	6 hours	4 hours

## Requesting Vacation

All vacation requests must be submitted using the Port Leave Request and must be approved in advance by your immediate supervisor. Upon approval, your supervisor should input the dates of your leave onto the Admin Calendar for coordination and scheduling purposes.

## Leaves of Absence

### Sick Leave

Paid sick leave is provided to employees to ensure stable income during illness or injury that causes the employee to be incapable of performing their work. This may include a contagious illness whereby the employee's attendance at work would create a grave and direct threat to the health of fellow employees or the public, or as otherwise provided by law. This program is intended to meet the requirements of the Oregon Bureau of Labor and Industry (BOLI) Sick Time law and its use is subject to certain conditions and restrictions.

Use of paid sick leave is contingent upon following required reporting procedures and compliance with the purpose of sick leave. Employees who fail to notify their supervisors according to procedures may not be paid for the hours of their absence from work.

Earned vacation leave or accrued compensatory time may be used when accrued sick leave is not available or when the employee is nearing the maximum amount allowed in their sick time bank for an absence necessitated by illness or injury.

All employees accrue sick leave at the rate of 3.35 hours per pay period with any number of hours worked (typically 6.7 hours per month or 80 per year). Sick leave may be accumulated up to a maximum of 120 total accrued hours and must be used for its intended purpose. No accrual will occur during unpaid leave. Unused accrued sick leave can be carried over to the following year. The Port does not currently allow employees to donate sick time to other employees.

Sick leave must be used in a minimum of a 4-hour period.

### Family Medical Leave

This policy intends to comply with applicable law and enables employees to take up to 12 weeks of protected leave in a 12-month period for their own serious condition; for the birth or adoption of a child; for the placement of a foster child; for the care of a child with a non-serious health condition; for the care of a spouse, parent, child, grandparent, grandchild, parent-in-law, same-sex domestic partner, or someone with whom the employee has an "in loco parentis" relationship who has a serious health condition; and for an exigency leave related to a spouse, child or parent of a covered service member who is on active duty or called to active duty. In addition, leave is provided to employees to enable them to take up to

26 weeks of protected leave in a 12-month period for the care of a spouse, child, parent or next of kin of a covered service member or veteran who has a serious injury or illness. An employee must be eligible under the FMLA to receive the defined benefits.

Usually, leave under the federal Family and Medical Leave Act (FMLA) and Oregon Family Leave Act (OFLA), run concurrently. There are some situations where this may not be the case. The FMLA/OFLA leave year for purposes of calculating leave, is a rolling (backward) twelve-month year. If you or your family member's circumstances qualify for FMLA/OFLA protection, hours missed cannot be cause for discipline or retaliation.

### Eligibility

OFLA eligible employees are those who have been employed by the Port for at least 180 calendar days immediately preceding the day on which the leave begins and have worked an average of 25 hours per week during the 180-day period. If the leave is to care for a newborn child or newly placed adoptive or foster child, the 25 hour per week requirement does not apply. For leave related to a spouse being called to active duty, the employee must have worked an average of 20 or more hours per week for the Port.

FMLA eligible employees are those that have been employed by the Port for at least 12 months (which need not be consecutive) and worked at least 1,250 hours during the 12-month period immediately preceding the leave.

### Purposes for Family Medical Leave

Employees eligible for family medical leave are entitled to leave in the following circumstances:

- Employee's own serious health condition: When the employee is unable to perform the essential functions of the job because of a serious health condition, including pregnancy-related conditions. In some situations, additional leave may be available for pregnancy-related disability;
- Serious health condition of employee's family member: spouse; parent; parent-in-law; biological, adopted or foster child (of any age); same sex domestic partner; or child or parent of a same-sex domestic partner who has a serious health condition; grandparent; grandchild;
- In the event of the birth or adoption of a child under the age of 18 (including the legal placement of a foster child under the age of 18) within twelve (12) months of the event;
- Non-serious health condition of a child requiring home care ("sick child leave");
- To care for a spouse, parent, child or next of kin who is a covered service member or veteran who has a serious injury or illness incurred or aggravated while on active duty (leave must begin within 5 years of the veteran leaving military service);
- For exigency leave related to a spouse, child or parent of a covered service member who is on active duty or called to active duty.

Parental leave is available to both male and female employees. Parental leave must be used within 12 months of the birth or a newborn or placement of an adopted or foster child.

A serious health condition is an illness, injury, impairment or physical or mental condition that involves:

- Conditions requiring constant or continuing care;
- Inpatient care;
- Critical illness or injuries diagnosed as terminal or that pose an imminent danger of death;
- Permanent or long-term incapacity due to a condition for which treatment may not be effective, such as Alzheimer's disease, a severe stroke, or terminal stages of a disease;
- Period of incapacity, which is incapacity for more than three consecutive calendar days involving 1) two or more treatments by a health care provider, or 2) one treatment followed by regimen of continuing treatment;
- Absences for pregnancy related disability;
- Absences for prenatal care;
- Absences for chronic conditions;
- Multiple treatments for conditions that if not treated would likely result in incapacity of more than three days.

Serious health conditions are usually not common colds, flu, earaches, upset stomach, routine headaches, sore throat, or routine medical or dental visits. Periods of employee disability resulting from occupational injury or illness will qualify as family medical leave under this policy if the injury or illness is a serious health condition.

An FMLA qualifying exigency is defined by U.S. Department of Labor regulations. The number of weeks available under FMLA to care for a service member is 26 weeks. The 26 weeks must be used in a single 12-month period. If 26 weeks are used for the care of a service member, additional FMLA leave is not available.

#### [Amount of Leave Available](#)

Generally, an employee may take a total of 12 weeks of leave per year for any combination of qualifying purposes. For instance, an employee could use 4 weeks of leave for her own serious health condition, 2 weeks for sick child leave, and 6 weeks for the serious health condition of her father.

More than 12 weeks is available under OFLA in two circumstances:

- a. A female employee who takes leave for a pregnancy related disability may take up to an additional 12 weeks for any other OFLA qualifying purpose; and
- b. Any employee who uses a full 12 weeks of parental leave may use up to 12 additional weeks in the same leave year for sick child leave.

Because OFLA has more qualifying circumstances than FMLA, where an eligible employee takes up to 12 weeks leave of OFLA leave for an OFLA purpose not covered by FMLA, the employee may still have up to 12 weeks of FMLA leave available. Otherwise, OFLA requires that family leave be taken concurrently with any leave taken under FMLA.

Except for holidays, all other available paid leave will run concurrently and must be used during family medical leave. Workers' Compensation leave will also run concurrently with family medical leave unless the employee is unable to work because of a compensable disabling injury. However, OFLA leave will automatically begin when the employee refuses a bona fide offer of light duty or modified work.

The per year (12 month) calculation period during which leave is available is measured backward from the date the employee first uses any family medical leave. The leave may be taken in full, intermittent, or reduced time increments. Prior written approval from the employee's Department Head is required for leave taken in intermittent or reduced time increments. Requests for this option are reviewed on a case-by-case basis and granted in the Department Head's discretion. Details of the proposed schedule should be verified by the certifying medical professional. Employees should discuss the need for intermittent leave with the employer. The employer may require updated medical certifications during intermittent leave periods.

#### Leave Notice

If an employee does not request FMLA/OFLA, the Port will designate the leave as FMLA/OFLA after three (3) consecutive workdays missed, due to a qualifying condition. If you miss more than three (3) consecutive days work, you may be required to provide a release from your doctor before returning to work.

In situations where the need for medical leave is foreseeable, employees are expected to give 30 days written notice. You must also complete and deliver the Notice for Family Medical Leave form and the Health Care Provider Certification as soon as possible, but no later than 15 days from the requested leave date. If you are unable to bring this information to the Accounting Administrator, they may complete and submit the necessary paperwork on your behalf, with your permission.

If you are taking family and medical leave to care for a family member with a serious health condition or adoption or placement of a foster child, proof of the relationship may be required.

The employee must make a reasonable effort to schedule treatment for serious health conditions in a manner that does not unduly disrupt the Port's daily operations.

The Port is not required to grant a leave request for sick child leave during the period of time in which another family member is willing and able to care for the sick child. The Port is also not required to grant a leave request to care for a family member with a serious health condition unless:

- a. The family member with the serious health condition is unable to transport their self to a health care provider;
- b. The family member with the serious health condition is unable to care for their own basic medical, hygienic, or nutritional needs or safety;
- c. When the employee is needed to make arrangements for changes in care, such as transfer to a nursing home;
- d. When the employee is providing psychological comfort and reassurance that would be beneficial to the family member with a serious health condition who is receiving inpatient or home care;

Following receipt of the employee's notice and prior to the commencement of leave, unless it is unanticipated or an emergency, the Deputy Executive Director or the Accounting Administrator will provide the employee with notice regarding the designation of OFLA and FMLA qualifying leave, the use of paid leave during family medical leave, and of the employee's rights and responsibilities.

The Port may require the employee to provide periodic reports during leave regarding the employee's status and intent to return to work.

#### [Reporting: Medical Certification and Release](#)

Employees may be required to provide a medical certification from a health care provider in support of a family medical leave request. The certification must be provided prior to the leave if the leave is anticipated or not an emergency, and within 15 days of the request for certification if the leave was not anticipated or is an emergency. In some cases, the Port may require a second opinion, at the Port's expense. Medical certification is not required for parental leave, although an employee may be required to provide documentation of birth, adoption, or foster placement.

If the employee's medical leave is for their own condition, the Port may require a fitness for duty certification, at the Port's expense, prior to returning to work at their former position.

During family medical leave of one month or longer, the employee should call to report their status to their supervisor or the Human Resources Manager at least every 14 days. During shorter family medical leave, the employee should call to report their status on a weekly basis. Employees are expected to immediately report to their supervisor or the Human Resources Manager any change in their need for leave or their intention to return to work.



### Benefits During Family Medical Leave

During the time that family medical leave runs concurrently with other paid leave, all accruals, such as vacation, will continue. During the time that family medical leave runs concurrently with any unpaid leave, accruals will terminate. With respect to group health insurance benefits (medical and dental), the Port will continue to pay its share of the employee's insurance premiums while the employee is on family medical leave. During the paid portion of family medical leave, the employee's portion will be deducted from the employee's paycheck; during the unpaid portion of family medical leave, the employee must pay their portion by the first of each calendar month.

The Port is not required to maintain group health insurance coverage during unpaid OFLA leave. However, coverage is available through COBRA. The employee should contact the Deputy Executive Director or the Accounting Administrator regarding the employee's rights and responsibilities to continue coverage.

If an employee returns directly from family medical leave, group health insurance benefits will be reinstated immediately but other benefits will be reinstated at the first of the following month. If the leave exceeds the limit, the employee will be required to meet the eligibility guidelines before coverage is reinstated and pre-existing condition limitations may apply on some of the plans.

### Workers' Comp and OFLA

OFLA automatically begins if an employee, who is on workers compensation time loss, refuses an offer of light-duty employment.

### Federal Military Family Leave

*Qualifying Exigency Leave for Families of National Guard and Reserves:* The National Defense Authorization Act for 2008 (NDAA) amends FMLA to allow military family members (spouse, son, daughter, or parent) of people who are on, or about to go on active duty, leave entitlement to manage their affairs ("qualifying exigency").

For purposes of qualifying exigency leave, family members of covered military members called to active duty may take leave for one or more of the following qualifying exigencies: (1) to address any issues which arise from the military member learning of a call or order to duty seven or less calendar days prior to deployment; (2) to attend military events or sponsored family support programs; (3) to arrange for alternative childcare or school attendance, attend childcare or school meetings, or provide childcare on an urgent immediate need basis when necessitated by the call to duty; (4) to make or update financial and legal arrangements to address the military member's absence, or to serve as the military member's Representative in obtaining, arranging or appealing military service benefits; (5) to attend counseling (not provided by a health care provider) for oneself, the military member, or child of the military member; (6) to spend time (up to 5 days of leave for each instance) with a military member on temporary rest and recuperation leave; (7) to attend post-deployment activities, and (8) any other events which employer and employee agree arise out of the military member's call to duty, qualify as an exigency, and agree as to the timing and duration of leave.

*Military Caregiver Leave:* The NDAA FMLA amendments also allow up to 26 weeks of unpaid FMLA caregiver leave for a service member who incurs a serious illness or injury in the course of active duty. This leave is called “Service member Family Leave” (SMFL). A caregiver may be the spouse, son, daughter, parent or next of kin (defined as nearest blood relative). For this leave only, a “serious injury or illness” is defined as any injury or illness incurred in the line of duty that “may render the service member medically unfit to perform the duties of the member’s office, grade, rank, or rating.” This means that the SMFL serious health condition may not meet the definition of other FMLA serious health condition.

#### Oregon Military Family Leave (OMFLA)

Employees who work an average of 20 hours per week, regardless of how long the employee has worked for the Port, may be eligible for this leave. The OMFLA provides spouses of armed service members with 14 days of unpaid leave each time an employee’s spouse is deployed for military service. In order to take this leave, the employee must give notice to the employer within five days of receiving official notice of the spouse’s deployment. The 14 days count against the employee’s 12-week OFLA allotment for the year; this means the days are included in, not in addition to, the 12 weeks of family leave available under Oregon’s Family Leave Act (OFLA). Benefits and Compensation may be continued during OMFLA leave. Upon completion of OMFLA, an employee is eligible to be restored to employment in the position held at the beginning of the leave. No retaliation or discrimination may occur because an employee has requested OMFLA leave.

#### Family Medical Leave Reinstatement

Reinstatement following family medical leave is to the employee’s former position, unless the position has been eliminated, in which case the employee may be entitled to reinstatement to an available equivalent job. An employee who gives notice of intent not to return to work will not have reinstatement rights. An employee who fails to return to work at the conclusion of approved family medical leave may be deemed to have voluntarily terminated employment, particularly if the employee’s continued absence does not qualify as OFLA leave.

#### Bereavement Leave

In the event of a death in your immediate family, you may take up to five working days, with pay, to handle family affairs and attend the funeral. "Immediate family" is defined as: spouse, domestic partner, children, parents, grandparents, grandchildren, brothers, and sisters of all statuses (in-law, step, foster or adopted), or the death of any person residing with or legally dependent upon the employee. In addition to this paid time, Oregon employers are required to provide seven (7) additional unpaid, protected leave days so that employees can travel or take care of family matters. This is a protected leave for the employee. Within the discretion of the Port, bereavement leave may be combined with sick leave, vacation leave or an unpaid leave of absence.

Funeral leave for non-immediate family not listed above may be granted through the use of sick leave for one day. Any additional days granted must be taken as vacation.

## Paid Leave Oregon – Insurance

The Port provides a Paid Leave Oregon Insurance plan through Oregon Employment Department. This insurance is required by Oregon state law and provides paid time off to eligible employees. This is a protected leave. All health-related information gathered by the insurer and organization during this process will be maintained as confidential. Employees will not be discriminated against or retaliated against for using or trying to use this insurance benefit. We encourage each employee to use the combination of time off and benefits that meets their personal needs.

## Crime Victims' Leave

If you or a member of your immediate family suffers financial, social, psychological, or physical harm as a result of a personal felony or an employee is a victim of harassment, under the public offenses statutes, you may be entitled to take protected leave from work to attend criminal proceedings.

Domestic Violence Leaven employee who is a victim of domestic violence, harassment under the public offenses statutes, sexual assault, or stalking or whose minor child or dependent is a victim may be entitled to take unpaid protected leave from work.

## Leave to Donate Bone Marrow

Employees working 20 or more hours per week are eligible for this leave.

## Jury or Witness Duty

The Port allows all employees who are called to serve as a witness or jury duty to take the time required to serve. Employees who are summoned for jury duty or who are subpoenaed to appear in court or in deposition should present a copy of the summons or subpoena to your supervisor. Employees who are dismissed from jury duty or are not required to remain in court must report to work during their regular work hours. The Port may pay employees their normal wages during this leave.

## Uniform Services Leave and Re-Employment

The Port upon request will grant leave to members of the reserve components of the Armed Forces of the United States or the State of Oregon, or to an employee who leaves his or her employment with the Port, whether voluntarily or involuntarily, to perform military duty. Such employees will be accorded all rights to which they are entitled under Oregon and federal law and in compliance with the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA), as may be amended periodically. Any employee requesting leave for military duty will be advised of his/her employment rights and benefits.

Any employee who has been employed by the Port for at least six months is entitled to one paid leave absence for annual active duty for training per military training year, not to exceed fifteen (15) days.

Except as provided for above, the Port will not provide wages or other monetary compensation during an employee's military leave of absence. At the employee's discretion,

employee may use accrued vacation, personal holidays, or compensatory time during the absence. The employee may elect to continue health care coverage during the absence and may be subject to paying the cost of such coverage.

### Pregnancy Disability Leave

Female employees not eligible for Family Medical Leave, or who otherwise have exhausted their FMLA, are entitled to an unpaid pregnancy disability leave of absence for the period of actual disability due to pregnancy, childbirth, or related medical conditions; employees seeking leave under this policy should provide written notice of the intended leave dates at least 30 days in advance of the leave or as soon as possible in the case of an emergency.

An employee returning from such leave is entitled to the same job with the same pay, unless the Port's circumstances have so changed as to make it impossible or unreasonable to do so.

### Personal Leave

Under limited circumstances, the Port may grant personal leave of absence of up to 30 days for emergency situations when the employee does not have any other available leave (such as sick leave, vacation, paid personal leave, etc.). Generally, this leave is only for extraordinary circumstances, and approval is at the sole discretion of the Executive Director. During this approved unpaid leave, the employee remains eligible for Port paid insurance benefits, but not other benefits will accrue.

### Changes in Leave Status

A Port employee that accrues both vacation and sick leave may move from one leave status to another depending upon the circumstances taking place during the leave. For example, an employee on vacation leave will be able to go to holiday leave status for a Port defined holiday and back to vacation leave status. An employee may move from vacation status to sick leave status based upon the circumstances of the events and the approval of their manager. If an employee only accrues sick leave then sick leave taken during a holiday may be offset by the holiday leave.

## Other Services

### Employee Assistance Program (EAP)

The Port provides access for all employees to a comprehensive Employee Assistance Program through our insurer, Special Districts Association of Oregon. Details on how to access the EAP program benefits are available upon request to the Deputy Executive Director. Currently, the Port's EAP includes the following programs:

- Counseling with an EAP Professional (Three counseling sessions at no cost)
- Assistance in location of resources like childcare, eldercare, caregiving
- Legal Consultation and Mediation
- Identity Theft

- Home Ownership and Housing Support
- Coaching
- Pet Parenting Resources
- Wellbeing Tools
- Member Site and Tools

### Uniforms and Logo Gear

The Port may provide uniforms, hats, and name tags to all personnel, not just as a benefit to the employees, but also to identify Port staff to the public. As a representative of the Port, you have a responsibility to represent the Port in a positive and professional manner. Maintenance personnel will also be issued and will utilize Port branded safety equipment, vehicles, tools, and equipment while working in the field.

### Maintenance Department Boots and Rain Gear

Safety of our employees is a key objective of the Port. All employees who work in an environment where injury to the foot could occur must wear appropriate work boots.

Once a year (every 12 calendar months or as needed, but no more than once a year), all Maintenance personnel are authorized to purchase one (1) pair of steel toed or work boots from the vendor of their choosing. The Port has established a maximum dollar amount of \$200.00. This amount includes the basic boot and any upgrade to the boot. Prior to ordering the boots, the employee must pay any cost more than the authorized amount. If possible, costs within the limit may be billed directly to the Port.

Once every four years, all Maintenance personnel are authorized to purchase one (1) pair of steel-toed or reinforced rubber boots. The Port has established a maximum dollar amount of \$100.00. Prior to ordering the boots, the employee must pay any cost in excess of the authorized amount. Costs within the limit will be billed directly to the Port.

The employee is responsible for providing reasonable care and maintenance for their boots as with all personal protective equipment. If you have questions, please contact your supervisor.

Appropriate rain gear, as well as boot tracks for ice, will be provided to field personnel.

### Use of Port Facilities for Social Functions

Port employees are encouraged to share in the benefit of the Port's event facilities. Full Time Regular employee may be allowed to host up to one personal event per year with no fee. Arrangements must be made with the Events Manager and are subject to availability and

Executive Director approval. Employees are responsible for set up and clean up, including garbage removal, and are liable for any damage that may occur to the facility.