



# Employee Handbook

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# TABLE OF CONTENTS

<b>1.</b>	<b>INTRODUCTION .....</b>	<b>7</b>
1.1.	WELCOME TO THE PORT OF HOOD RIVER .....	7
1.2.	MISSION, VISION, & VALUES.....	8
1.3.	ABOUT THIS HANDBOOK.....	8
<b>2.</b>	<b>EMPLOYMENT POLICIES .....</b>	<b>9</b>
2.1.	EMPLOYMENT RELATIONSHIP .....	9
2.1.1.	At-Will Employment .....	9
2.1.2.	Equal Employment Opportunity (EEO) Policies .....	9
2.1.3.	Equal Employment Opportunity.....	9
2.1.4.	Employment Eligibility Verification.....	9
2.1.5.	Outside Employment .....	10
2.1.6.	Criminal Arrests and Convictions .....	10
2.1.7.	Americans with Disabilities Act .....	10
2.1.8.	Requesting an Accommodation.....	11
2.1.9.	Pregnancy Accommodation Policy.....	11
2.1.10.	No Discrimination, No Retaliation .....	12
2.1.11.	No-Harassment Policy.....	12
2.1.12.	Sexual Harassment.....	12
2.1.13.	Other Forms of Prohibited Harassment.....	13
2.1.14.	Workplace Violence.....	13
2.1.15.	No-Bullying Policy.....	13
2.1.16.	Reporting Incidents of Harassment/ Bullying.....	14
2.1.17.	Other Employee Rights .....	16
2.1.18.	Reporting Improper or Unlawful Conduct - No Retaliation .....	16
2.1.19.	Policy Against Retaliation.....	17
2.1.20.	Political Activity .....	17
2.2.	DISPUTE RESOLUTION PROCEDURE.....	17
2.3.	RECRUITMENT PROCESS .....	18
2.3.1.	Position Review .....	18
2.3.2.	Job Postings.....	18
2.3.3.	Veterans' Preference .....	19
2.3.4.	Application Process .....	19
2.3.5.	Internal Job Postings .....	19
2.3.6.	External Job Postings.....	19
2.3.7.	Interview and Evaluation Process .....	19
2.3.8.	Conditional Job Offer .....	19
2.3.9.	Final Job Offer.....	19
2.3.10.	Employment of Relatives .....	20
2.3.11.	Employment Motor Vehicle Record Checks .....	20
2.3.12.	Introductory Period.....	20
2.3.13.	Promotions and Transfer Training Period .....	21
2.3.14.	Re-employment .....	21
2.3.15.	Credit for Prior Seniority.....	21
2.3.16.	Employment Classifications .....	22
2.4.	EMPLOYMENT RECORD KEEPING .....	23
2.4.1.	Access to Personnel Files.....	23
2.4.2.	Updating Personnel Records .....	23
<b>3.</b>	<b>EMPLOYEE RELATIONS &amp; ETHICS .....</b>	<b>24</b>
3.1.	ETHICS .....	24
3.1.1.	Public Officials .....	24
3.1.2.	Gifts.....	24
3.1.3.	Use of Official Position or Office .....	24
3.1.4.	Honoraria .....	25
3.1.5.	Financial Interest in Public Contracts.....	25
3.1.6.	Employee Recognition and Meals .....	25
3.2.	CONFIDENTIALITY.....	25
3.2.1.	Organization and Customers .....	25
3.2.2.	Employee Records.....	26
3.2.3.	Recording in the Workplace.....	26
3.3.	WORKPLACE RULES.....	27
3.3.1.	Workplace Professionalism.....	27
3.3.2.	Attendance, Punctuality and Reporting Absences .....	27
3.3.3.	Off-Duty Conduct .....	28
3.3.4.	Open Door Policy.....	28
3.3.5.	Interpersonal Communications.....	28
3.3.6.	Workspace Bulletin Boards & Announcements.....	28
3.3.7.	Subpoena and Deposition Response Procedure.....	28
3.3.8.	Charitable Activities and Solicitation .....	28

3.3.9.	Children in the Workplace .....	28
3.3.10.	Pets in the Workplace .....	29
3.3.11.	Whistleblower Protection.....	29
3.3.12.	Use of Port Vehicles and GPS Tracking .....	30
3.4.	PROFESSIONAL APPEARANCE AND DRESS CODE POLICY .....	30
3.4.1.	Commitment to Respect and Individuality .....	30
3.4.2.	Professional Appearance Standards .....	30
3.4.3.	Business Casual Dress Code.....	30
3.4.4.	Department-Specific Guidelines: Uniforms and Port Logo Clothing.....	31
3.5.	COMMUNICATIONS AND SOFTWARE SYSTEMS POLICY.....	31
3.5.1.	Electronic Communications Systems .....	31
3.5.2.	Email System.....	31
3.5.3.	Software and Hardware Use .....	32
3.5.4.	Unauthorized Access .....	32
3.5.5.	Laptop Security .....	32
3.5.6.	Mobile Devices .....	32
3.5.7.	Internet Use.....	32
3.5.8.	Social Media Policy .....	33
3.5.9.	Voice Mail System.....	34
3.5.10.	Telephone Usage, Cell Phones and Mobile Devices in General .....	34
3.5.11.	Employee Use of Port - Provided or Paid for Mobile Devices .....	34
3.5.13.	Use of Generative Artificial Intelligence (AI) Systems .....	35
3.5.14.	Public Records .....	35
3.6.	PERFORMANCE MANAGEMENT AND REVIEW POLICY .....	36
3.6.1.	Performance Improvement Plans (PIPs) .....	37
3.6.2.	Conflict Resolution .....	37
3.7.	CORRECTIVE ACTION.....	38
<b>4.</b>	<b>COMPENSATION.....</b>	<b>40</b>
4.1.	PAY EQUITY .....	40
4.2.	PAY PRACTICES.....	40
4.2.1	Pay Orientation .....	40
4.2.2.	Paydays.....	40
4.2.3.	Pay Statements.....	40
4.2.4.	Payroll Deductions.....	41
4.2.5.	Pay Advances .....	41
4.2.6.	Delivery and Method of Payment .....	41
4.2.7.	Employee Withholding Certificates (Form W-4) .....	41
4.2.8.	Time Records for Non-Exempt Employees.....	41
4.2.9.	Time Records for Exempt Employees .....	41
4.2.10.	Overpayments.....	41
4.2.11.	Pay Discrepancies and Dispute Resolution .....	42
4.2.12.	Final Paycheck .....	42
4.2.13.	Merit-Based Step System .....	42
4.2.14.	Out-of-Class Pay .....	42
4.3.	HOURS OF WORK AND WORK SCHEDULES .....	43
4.3.1.	Four-Tens Workweek Model.....	43
4.3.2.	Time Records .....	43
4.3.3.	Overtime and Compensatory Time .....	43
4.3.4.	Holiday Pay and Truck Roll .....	44
4.3.5.	On-Call Compensation .....	44
4.3.6.	Meal and Rest Periods.....	44
4.3.7.	Rest Breaks for Expression of Breast Milk .....	44
4.3.8.	Social and Recreational Activities.....	45
4.3.9.	Inclement Weather Attendance: Office Closure for Normal Business .....	45
4.3.10.	Inclement Weather Attendance: Office Open for Normal Business .....	45
4.3.11.	Inclement Weather Attendance: Office Closed Early .....	46
4.4.	TELEWORK OR TELECOMMUTE.....	46
4.5.	EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT .....	48
4.5.1.	Expense Reimbursement Procedure and Reports .....	48
4.5.2.	Mileage Reimbursement .....	48
4.5.3.	Credit Card Use and Reconciliation .....	48
4.5.4.	Overnight Travel and Meal Expense Reimbursement.....	48
4.5.5.	Exceeding Per Diem Limits .....	48
4.5.6.	Alcoholic Beverages.....	49
4.5.7.	Transportation Expense Reimbursement.....	49
4.5.8.	Spouse/Guest Expense Reimbursement .....	49
<b>5.</b>	<b>BENEFITS.....</b>	<b>50</b>
5.1.	ADDITIONAL COMPENSATION: BENEFITS .....	50
5.1.1.	Benefit Pro-Ration and Employee Cost Sharing .....	50

5.1.2.	Benefit Design and Modification .....	50
5.1.3.	Benefit Plan Documents.....	50
5.1.4.	Benefit Changes and Continuation .....	50
5.2.	HEALTH INSURANCE BENEFIT .....	50
5.2.1.	Comprehensive Insurance Benefits Overview.....	50
5.3.	OTHER INSURANCE BENEFITS .....	51
5.3.1.	State Unemployment Insurance .....	51
5.3.2.	Workers' Compensation.....	52
5.3.3.	Return to Work.....	52
5.3.4.	Early Return to Work .....	52
5.3.5.	Overlap with Other Laws .....	52
5.4.	PAID TIME OFF (PTO) POLICY .....	52
5.5.	PAID HOLIDAY BENEFIT .....	54
5.6.	OTHER BENEFITS .....	55
5.6.1.	Employee Assistance Program .....	55
5.6.2.	Retirement Plan .....	55
5.6.3.	Oregon Savings Growth Plan.....	55
5.6.4.	Uniforms, Boots, and Rain Gear.....	56
5.6.5.	Education and Training Assistance Program .....	56
5.6.6.	Value-Based Compensation Program .....	57
5.6.7.	Personal Enrichment Reimbursement Program .....	57
<b>6.</b>	<b>LEAVES OF ABSENCE.....</b>	<b>59</b>
6.1.	BEREAVEMENT LEAVE .....	59
6.2.	CIVIC DUTY LEAVE .....	60
6.2.1.	Jury or Witness Duty Leave .....	60
6.2.2.	Voting Leave .....	60
6.3.	CRIME VICTIM'S LEAVE & DOMESTIC VIOLENCE LEAVE .....	61
6.3.1.	Crime Victim Leave Policy .....	61
6.3.2.	Domestic Violence Leave and Accommodation Policy.....	61
6.4.	FAMILY AND MEDICAL LEAVE ACT (FMLA).....	62
6.5.	OREGON FAMILY LEAVE ACT (OFLA) .....	62
6.6.	LEAVE TO DONATE BONE MARROW .....	64
6.7.	PERSONAL LEAVE OF ABSENCE.....	65
6.8.	MILITARY LEAVE .....	65
6.9.	PAID LEAVE OREGON .....	66
<b>7.</b>	<b>HEALTH AND SAFETY.....</b>	<b>69</b>
7.1.1.	Safety Rules and Regulations Development .....	69
7.1.2.	Employee Responsibilities .....	69
7.1.3.	Reporting Injuries and Illnesses .....	69
7.1.4.	Safety Rules and Regulations Communication .....	69
7.1.5.	Smoking and Tobacco Use in the Workplace .....	69
7.2.	SUBSTANCE ABUSE AND ALCOHOL.....	69
7.2.1.	Prohibited Conduct.....	69
7.2.2.	Prescription and Over-the-Counter Drugs .....	70
7.2.3.	Testing for Substance Use .....	70
7.2.4.	Drug Testing Procedure .....	71
7.2.5.	Refusal to Test or Cooperate.....	71
7.2.6.	Search of Property .....	71
7.2.7.	Last-Chance Agreement .....	71
7.2.8.	Consequences of Positive Test Results or Policy Violations .....	72
7.2.9.	Confidentiality.....	72
7.2.10.	Employee Assistance.....	72
7.3.	WORKPLACE SAFETY.....	72
7.3.1.	Commitment to Safety.....	72
7.3.2.	Prohibition of Weapons.....	72
7.3.3.	Reporting Safety Risks.....	72
7.3.4.	Conducting Investigations.....	72
7.3.5.	Familiarization with Security Systems .....	72
7.3.6.	Corrective Action.....	73
7.3.7.	Search of Property: Port and Private .....	73
7.4.	EMERGENCY RESPONSE.....	73
7.4.1.	Emergency Situations .....	73
7.4.2.	Employee Compensation During Emergencies .....	73
7.4.3.	Reporting Threats .....	73
7.4.4.	Fires and Emergencies .....	74
7.4.5.	Workplace Injuries and Accident Reporting.....	74
7.4.6.	Safety and Health Program .....	74
<b>8.</b>	<b>EMPLOYMENT SEPARATION.....</b>	<b>75</b>
8.1.1.	Types of Separation.....	75

8.1.2.	At-Will Employment .....	75
8.1.3.	Resignation .....	75
8.1.4.	Job Abandonment.....	75
8.1.5.	Job Elimination and Reduction in Work Hours .....	75
8.1.6.	Termination .....	75
8.1.7.	Exit Interview .....	76
8.1.8.	Return of Port Property.....	76
<b>Handbook Receipt Acknowledgment Form .....</b>		<b>77</b>

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# 1. INTRODUCTION

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## 1.1. WELCOME TO THE PORT OF HOOD RIVER

I would like to take this opportunity to welcome you to the Port of Hood River. We trust that your employment with our agency will be a mutually rewarding experience.

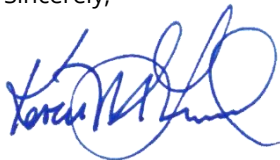
The Employee Handbook outlines the Port's personnel policies. The handbook should prove to be very helpful in explaining the Port's approach to these matters and is intended to establish clear expectations and consistent practice. Recognizing that employees are the foundation of any successful organization, our publicly elected Board of Commissioners has consistently supported developing 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 topics with your direct supervisor.

The Port is committed to providing challenging and interesting work, encouraging professional development and growth in our staff, holding ourselves to high professional and ethical standards and celebrating our many successes. We value our staff tremendously, and we cannot separate the success of our employees as professionals with the success of the Port as an organization.

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

Sincerely,



Kevin M. Greenwood  
Executive Director



## 1.2. MISSION, VISION, & VALUES

### **Mission**

The Port of Hood River works to promote and maintain a healthy economy and strong quality of life in the Port District and throughout the Columbia Gorge.

### **Vision**

The Port of Hood River fosters commerce and recreation while providing outstanding environmental and fiscal stewardship.

### **Values**

- **INTEGRITY:** Maintain a high level of professional standards.
- **RESPONSIVENESS:** Act in a timely way to all reasonable requests.
- **TRANSPARENCY:** Ensure business is conducted openly, with public oversight.
- **COLLABORATION:** Actively participate with stakeholders.
- **STEWARDSHIP:** Seek high standards of maintenance of the Port's assets and always consider the long-term public good.
- **INNOVATION:** Consider new approaches and best practices.
- **QUALITY:** Strive for excellence in all Port activities.
- **DIVERSITY:** Be proactive, not reactive, in encouraging diversity, equity, and inclusion at all levels of Port activity: Commission, staff, volunteer boards, and public engagement.

## 1.3. ABOUT THIS HANDBOOK

This handbook serves as a comprehensive guide to the policies, procedures, and practices governing employment at the Port. Employees are expected to familiarize themselves with its contents, keep a copy for reference, and review it regularly.

The handbook offers general information and guidelines but may not address every possible situation or exception. Should questions or the need for clarification arise, employees are encouraged to contact their supervisor or the Human Resources delegate. The Port reserves the right to interpret and clarify the intent or application of its policies as necessary to ensure consistency, compliance, and effective operations.

This handbook does not create contractual rights, express or implied, regarding continued employment. Employment at the Port is at-will, meaning either the Port or the employee may end the employment relationship at any time, with or without cause or notice.

This edition supersedes all previous versions and replaces any prior oral or written agreements or understandings related to Port policies, rules, procedures, and benefits.

### **Changes in Policy**

The policies outlined in this handbook take effect upon approval by the Board of Commissioners and supersede all previous policies and practices. Any formal modifications or substantive changes require approval by resolution of the Port Commission.

To meet the evolving needs of its employees and operations, the Port may add, delete, or revise policies as necessary. While the Port strives to provide advance notice of changes whenever possible, the absence of notice does not invalidate implementation.

The Port retains discretion in all matters covered by this handbook, including working conditions, disciplinary procedures, policy development, and compensation, except where constrained by law. In all disputes or investigations, the Port's good-faith determination and interpretation of these policies are final.

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## 2. EMPLOYMENT POLICIES

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### 2.1. EMPLOYMENT RELATIONSHIP

#### 2.1.1. At-Will Employment

The relationship between the employee and the Port is based on an “at-will” employment arrangement. This means that employment at the Port is not for any definite period and may be terminated at any time by either party, with or without reason or advance notice. The timing or manner of wage or salary payments does not alter this at-will status. Only the Executive Director has the authority to enter into any agreement contrary to this at-will relationship. Any changes to this status must be made in writing and signed by both the Executive Director and the employee. The Port is not bound by any oral promises regarding the duration or terms of employment.

#### 2.1.2. Equal Employment Opportunity (EEO) Policies

The following EEO Policies apply to all employees. Members of management, elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. An employee’s failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with the Human Resources delegate at any time if they have questions relating to the issues of harassment, discrimination, or bullying, or what it means to work in a respectful workplace.

#### 2.1.3. Equal Employment Opportunity

The Port is committed to being an equal-opportunity employer. Employment decisions are made based on an individual’s abilities and performance, without regard to race, age, religion, color, sex, pregnancy (including childbirth and related medical conditions), national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, genetic information, domestic violence victim status, or any other classification protected by federal, Oregon, or local law. The Port adheres to all employment requirements mandated by local, state, and federal regulations.

For purposes of this and all other Port policies, “race” is defined to include physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles). Further, “protective hairstyles” is defined as “hairstyle, hair color or manner of wearing hair, including braids (regardless of whether the braids are created with extensions or styled with adornments, locs and twists).”

To ensure equal employment opportunities in all aspects of employment and the work environment, the Port employs affirmative measures which refer to the Port’s steps to ensure that equal employment opportunities are upheld and that nondiscrimination policies are enforced in every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff and recall, termination, training, and dispute resolution.

In line with this commitment, all advertising and recruiting materials will include the statement: “Equal Opportunity Employer.” The Port hires those legally entitled to work in the United States without regard to citizenship status, ethnic background, or national origin, in compliance with relevant immigration statutes and regulations. Verification documentation is required for all new hires.

All employees are responsible for upholding this policy.

#### 2.1.4. Employment Eligibility Verification

In compliance with the Immigration Reform and Control Act of 1986 (IRCA), the Port hires only individuals eligible to work in the United States. Verification documentation is mandatory for all new hires, and employees must promptly notify the Port of any changes in their eligibility status. The Port may use the federal E-Verify program, where permissible by law, to verify social security numbers, or other methods for social security number

verification. All verification documents must be current and unexpired, as expired documents are not valid for I-9 purposes.

### 2.1.5. Outside Employment

Generally, employees may obtain employment with an employer other than the Port or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of Port time (including the employee's work time), Port facilities, equipment and supplies, or the prestige or influence of the employee's position with the Port. In other words, the employee may not engage in private business interests or other employment activities on the Port's time or using the Port's property;
- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works (or by a State agency); or
- Receipt of money or anything of value for performance of duties that the employee is required to perform for the Port.

The Port requires employees to report outside employment to their supervisor before the outside employment begins. Thereafter, an employee must provide an update to their supervisor on an annual basis, or sooner if any changes in outside employment occur. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

### 2.1.6. Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

- All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on Port property, or in a Port vehicle (see "Substance Abuse and Alcohol" section for more details);
- All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
- If an employee is arrested, cited, or convicted of a violation of any law that will prevent them from performing the essential functions of their position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may be subject to disciplinary action, including termination.

### 2.1.7. Americans with Disabilities Act

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

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

- They currently have a physical or mental condition that significantly restricts their ability to normally conduct a major life function (e.g., walking, seeing, hearing, breathing, bodily functions, etc.)
- They have a history of such an impairment; or,
- They are regarded as having such an impairment.
- The ADA also prohibits discrimination based on an individual's relationship with someone (e.g., parent, sibling, child, spouse, friend, etc.) with a disability.

The Port will make reasonable efforts to accommodate a qualified applicant or employee with a known disability unless such accommodation creates an undue hardship on the operations of the Port.

### 2.1.8. Requesting an Accommodation

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases the Port), and that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations or training materials provided by the Port, providing readers and interpreters, or making the workplace readily accessible to and usable by people with disabilities.

Employees should fill out the Employee Accommodation Request Form<sup>1</sup> as soon as it becomes apparent that reasonable accommodation may be necessary to perform the essential duties of their position. All accommodation requests must be submitted to a supervisor or the Human Resources delegate and should specify which essential functions of the employee's job cannot be performed without reasonable accommodation. In most cases, employees will need to provide medical verification of their need for accommodation. Both the Port and the employee should regularly monitor the accommodation and make adjustments as needed.

### 2.1.9. Pregnancy Accommodation Policy

The Port is committed to providing reasonable accommodations for employees experiencing limitations due to pregnancy, childbirth, or related medical conditions, as long as such accommodations do not impose an undue hardship on the organization. This policy complies with the federal Pregnant Workers Fairness Act (PWFA) and any applicable state laws and regulations regarding pregnancy-related conditions.

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact the Human Resources delegate to discuss their options for continuing to work and, if necessary, leave of absence options. The Port will provide one or more reasonable accommodations for employees with known limitations unless such accommodations impose an undue hardship on the Port's operations.

Although this policy refers to "employees," the Port will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

#### **Requesting a Pregnancy-Related Accommodation**

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with the Human Resources delegate and should specify which essential functions of the employee's job cannot be performed without reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the Port and the employee in finding an effective accommodation, or to verify the employee's need for an accommodation. Both the Port and employee must monitor the employee's accommodation situation and adjust as needed.

#### **Leave of Absence Options for Pregnant Employees**

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under Paid Leave Oregon, Oregon's sick leave law, and the Oregon Family Leave Act. See policies in this handbook or speak with the Human Resources delegate.

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<sup>1</sup> Location - R:\Archives\Human Resources\Forms & Templates\Employee Accommodation Request Form

### 2.1.10. No Discrimination, No Retaliation

The Port prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the Port; or (3) needed accommodation.

Employees who ask about, request or use accommodations under this policy and applicable law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation.

### 2.1.11. No-Harassment Policy

The Port prohibits harassment and sexual assault in the workplace or harassment and sexual assault outside of the workplace that violates its employees, volunteers, and interns' right to work in a harassment-free workplace. Specifically, the Port prohibits harassment or conduct related to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, domestic violence victim status, or any other legally protected characteristic or status recognized under Oregon, federal, or local law.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or with the Human Resources delegate, at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during Port — related or — sponsored trips (such as conferences or work-related travel), and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any Port employees. Such harassment is prohibited whether committed by Port employees or by non-employees (including elected officials, members of the community, volunteers, interns and vendors).

Behavior such as telling ethnic jokes; using religious slurs or offensive slang, or other derogatory terms regarding a person's race, sexual orientation, age, sex, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct. Harassing individuals by making derogatory comments regarding protected status or characteristics is strictly prohibited, as well as using any other words or conduct that might create a hostile or offensive work environment.

### 2.1.12. Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of employment.
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; or,
- The conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex. Cell phone use, including text messages and other similar electronic communications, can also be considered harassing behavior. This is not a complete list.

Sexual Assault is defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled using physical force, manipulation, threat, or intimidation.

### 2.1.13. Other Forms of Prohibited Harassment

The Port also prohibits harassment against an individual based on the individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

The Port also prohibits harassment such as verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings), epithets, or slurs.
- Negative stereotyping.
- Displaying racist symbols anywhere on Port property.
- "Teasing" or mimicking the characteristics of someone with a physical or mental impairment or disability.
- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them.
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that speaks badly of or shows hatred toward an individual or group because of one or more protected statuses.
- Negative comments or teasing a person about their natural hair, hair texture, hair type or hair style (see definition of "race" in earlier section). Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.

This is not a complete list. All employees are expected to exercise common sense and always demonstrate professional conduct in the workplace.

### 2.1.14. Workplace Violence

Threats and acts of violence made by an employee against another employee, volunteer, elected official, or member of the public with respect to that person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by the Port.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the Port, or that threaten the safety, security or financial interests of the Port. Employees are also strongly encouraged to report threats or acts of violence by non-employees, such as vendors or citizens, against any employee, volunteer or elected official. Employees should make such reports directly to their supervisor.

The Port also may conduct an investigation of a current employee where the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of coworkers or others.

### 2.1.15. No-Bullying Policy

The Port strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. The Port, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

- **Verbal Bullying: Slandering**, ridiculing, or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- **Physical Bullying:** Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
- **Gesture Bullying:** Non-verbal threatening gestures, glances that can convey threatening messages.
- **Exclusion Bullying:** Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with coworkers 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 messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for coworkers, managers or supervisors or elected officials.

This is not a complete list.

Employees who have experienced bullying in violation of this policy, who have witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of their supervisor, Human Resources delegate or a member of management as soon as possible. If conduct in violation of this policy is found to have occurred, the Port will take prompt, appropriate action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

#### 2.1.16. Reporting Incidents of Harassment/ Bullying

Employees, volunteers, or interns who have experienced a sexual assault, any harassment, bullying or discrimination in violation of this policy, who have witnessed such behavior, or who have information about such behavior occurring, are expected to promptly report the matter. Employees should first notify their immediate supervisor unless the supervisor is involved in or closely connected to the concern. In that case, the employee should report directly to the Human Resources delegate or the Executive Director.

Supervisors and managers who receive a complaint or otherwise become aware of potential harassment, bullying or discrimination, whether through a direct report, third-party observation, or informal or private conversation, are required to immediately report the information to the Human Resources delegate or Executive Director. Supervisors and managers may not be able to promise confidentiality, ignore, or delay reporting concerns, even if the employee requests that the matter remain private.

Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses' harassment or bullying is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop.

All complaints and reports will be promptly and impartially investigated. While the investigation will be conducted promptly, no specific timeframe can be guaranteed due to the unique nature and varying schedules of each situation. Every effort will be made to complete the investigation within a reasonable time. In all cases, the employee will be notified of the outcome of the investigation, and follow-up checks will be conducted quarterly to ensure the matter has been resolved and continues to meet the Port's standards.

Supervisors and managers have a duty to cooperate fully in any investigation and take immediate action if they observe or learn of conduct that may violate this policy. Failure to report or address known harassment, discrimination, or bullying may result in disciplinary action.

Discretion will be used during the investigation to maintain as much confidentiality as possible while effectively completing the investigation; however, confidentiality cannot be guaranteed. If an employee is not satisfied with the handling of a complaint or the action taken by management, they should bring the complaint to the next higher level of authority.

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

## External Complaint Procedure

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the Port's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation.

Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other applicable law, whether criminal or civil. Although the Port cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the Port, they must provide written notice of the claim to Port within 180 days of the act or omission the employee claims caused them harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

## Protection Against Retaliation

The Port prohibits retaliation in any form against an employee for making a good-faith complaint under this policy, reporting sexual assault, harassment, bullying, or discrimination, or for participating in an investigation of such conduct.

- **Definition of Retaliation:** Retaliation is any adverse action taken against an employee because they engaged in a protected activity, such as reporting misconduct or participating in an investigation. Retaliation may include, but is not limited to: termination, demotion, reduction in hours, schedule changes, unwarranted discipline, exclusion from work-related opportunities, intimidation, or other actions that could discourage an employee from participating in protected activity.

Employees who believe they have been retaliated against should immediately report it to their supervisor, the Human Resources delegate, or the Executive Director. Any employee found to have engaged in retaliation will be subject to disciplinary action, up to and including termination of employment.

See also Section 2.1.10, *No-Discrimination and No-Retaliation*, and Section 2.1.18, *Reporting Improper or Unlawful Conduct*.

## Support Services After a Harassment Complaint

The Port is committed to supporting employees who have filed harassment complaints. In addition to promptly and thoroughly investigating all complaints, the Port offers various support services to ensure the well-being of the Port's employees:

- **Employee Assistance Program (EAP):** Full-time employees have access to our EAP, which provides professional counseling services to help cope with the emotional impact of harassment.
- **Flexible Work Arrangements:** Employees may request flexible working hours or remote work options to feel more comfortable and secure during the investigation process.
- **Training and Education:** Ongoing training on harassment prevention and response is provided to all employees to create a more informed and supportive workplace culture.
- **Reassignment:** Temporary or permanent reassignment to a different team or department may be available to help the employee feel safer and more comfortable at work.
- **Regular Check-Ins:** Regular check-ins with the affected employee are scheduled to provide ongoing support and ensure their needs are being met.
- **Restorative Practices:** If appropriate and agreed upon by the employee, we implement restorative practices that focus on healing and reconciliation.
- **Resource Lists:** Employees receive a list of external resources, such as local advocacy groups, legal aid organizations, and crisis hotlines, for additional support.
- **Conflict Resolution Services:** Mediation or conflict resolution services are available to address any ongoing issues or tensions in the workplace related to the complaint.

By offering these support services, the Port aims to ensure that employees feel heard, supported, and valued throughout and after the harassment complaint process.

### 2.1.17. Other Employee Rights

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing their experience.

The Port is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination, and retaliation, and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the Port to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the Port regarding their experience and/or employment status, the employee should contact the Human Resources delegate. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis; such agreements are not appropriate for every situation. If the Port and employee do reach an agreement, the Port will not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about their experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking slightly about the Port or making comments that would lower the Port in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms that the Port and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

### 2.1.18. Reporting Improper or Unlawful Conduct - No Retaliation

Employees may report concerns about the Port's compliance with any law, regulation or policy, using one of the methods identified in this policy. The Port will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by the Port.
- A violation of law, regulation, or standard pertaining to safety and health in the place of employment.
- Mismanagement, gross waste of funds, abuse of authority.
- A substantial and specific danger to public health and safety resulting from actions of the Port or one of its employees; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the Port will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

### Employee Reporting Options

This policy applies to reports of improper or unlawful conduct that may not fall under other specific Port policies, such as the Harassment, Bullying, or Discrimination Policy. Employees wishing to report those types of behaviors should follow the reporting procedure described in Section 2.1.16 *Reporting Incidents of Harassment or Bullying*.

Employees who wish to report improper or unlawful conduct should first talk to their supervisor. If the employee is not comfortable speaking with their supervisor, or the employee is not satisfied with their supervisor's response, the employee is encouraged to speak with the Human Resources delegate or Executive Director. Supervisors and managers are required to inform the Human Resources delegate about reports of improper or unlawful conduct they receive from employees.

The Port will not disclose the identity of any employee who reports any of the information described in this policy during an investigation without the written consent of the employee. Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If the Port were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee may file a complaint with the Oregon Bureau of Labor and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

## **Additional Protection for Reporting Employees**

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the Port's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of their coworker or supervisor acting within the course and scope of their employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with the Port; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

### **2.1.19. Policy Against Retaliation**

The Port will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes they are disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by Port policy).

In addition, the Port prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no Port employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. The Port may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of their own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if the Port determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

For a detailed definition and examples of retaliation, see Section 2.1.16, *Protection Against Retaliation*.

### **2.1.20. Political Activity**

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of Port of Hood River's employees to express their personal political views); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

## **2.2. DISPUTE RESOLUTION PROCEDURE**

The Port recognizes that undisclosed problems can lead to impaired work relationships, dissatisfaction with working conditions, and a decline in operational efficiency. To address this, the Port has established a dispute resolution procedure to solve problems as quickly, fairly, and thoroughly as possible. This procedure provides a method for impartially hearing complaints, resolving problems, and ensuring a fair and objective review. All issues will be handled without prejudice or retaliation. Please note that this procedure does not apply to complaints of discrimination, harassment, or retaliation; employees should use the reporting process outlined in the relevant section of the Handbook for such complaints.

Steps to Resolve Disputes:

### **1. Initial Discussion with Supervisor:**

- Employees are encouraged to discuss any questions or concerns with their immediate supervisor as soon as they become aware of a problem or have a question.

- The supervisor will follow up on the concern and work towards resolving the issue.
- 2. Escalation to Next Level of Management:**
    - If the concern involves the immediate supervisor or the employee feels uncomfortable discussing the issue with them, the employee should escalate the matter to the next level of management.
    - This could be the department head or another higher-level manager, or the Executive Director.
  - 3. Contacting Human Resources:**
    - If the issue remains unresolved after discussing with the next level of management, or if the employee prefers, they can bring the concern directly to the Human Resources Delegate or Executive Director.
    - The Human Resources Delegate will review the issue, provide guidance, and work towards a resolution.
  - 4. Formal Written Complaint:**
    - For issues that are not resolved through the above steps, employees can submit a formal written complaint to Human Resources.
    - The written complaint should include details of the issue, steps taken to resolve it, and any supporting documentation.
  - 5. Human Resource Review and Investigation:**
    - Upon receiving a formal written complaint, the Human Resources Delegate will conduct a thorough and objective investigation.
    - Depending on the nature of complexity of the issue, the Port may engage an outside qualified third-party investigator to ensure an impartial and fair review.
    - The Human Resources Delegate (or investigator) will gather information, interview relevant parties, and review any documentation related to the issue.
  - 6. Resolution and Feedback:**
    - The Human Resources Delegate will provide a written response to the employee outlining the findings of the investigation.
    - The employee will have the opportunity to discuss the resolution and provide feedback.

By following these steps, the Port aims to ensure that all disputes are resolved fairly, promptly, and without any form of retaliation. Employees are encouraged to utilize this procedure to address their concerns and contribute to a positive and productive work environment.

## 2.3. RECRUITMENT PROCESS

The Port of Hood River is committed to recruiting and selecting the most qualified individuals in a fair, consistent, and lawful manner. The Human Resources Department will oversee and guide the recruitment and selection process to ensure compliance with applicable laws and Port policies, while the hiring manager or supervisor retains final selection authority. All employment practices comply with applicable state and federal laws, including equal employment opportunity, veterans' preference, and nondiscrimination requirements.

### 2.3.1. Position Review

Before a position is posted, the Port will review the duties and responsibilities of the position and determine the appropriate Fair Labor Standards Act (FLSA) designation (exempt or non-exempt). Any changes in job description or classification must be approved by Human Resources prior to posting.

### 2.3.2. Job Postings

All job postings will include:

- Job title and department
- Salary range or pay grade
- Summary of duties and responsibilities
- Minimum and preferred qualifications
- Overview of benefits offered
- Veterans' preference statement
- Application instructions and closing date

### 2.3.3. Veterans' Preference

The Port complies with all Oregon laws regarding veterans' preference.

### 2.3.4. Application Process

Applicants must follow the instructions provided in the job posting and submit all required materials within the specified time period. Applications that do not meet submission requirements or deadlines may be disqualified. Application materials may include an employment application, resume, cover letter, responses to supplemental questions, or work samples.

Any information revealing an applicant's age, date of birth, or school graduation dates must be redacted prior to review. If not redacted by the applicant, this will be completed by Human Resources before materials are shared with decision-makers. Confirmation of such details may only occur following a conditional job offer.

The Port will not require an applicant to present a valid driver's license unless driving is an essential job function or a legitimate business necessity.

### 2.3.5. Internal Job Postings

The Port may issue Notices of Internal Recruitment to advertise job openings in-house. Current employees who possess the required knowledge, skills, and abilities and who meet the minimum qualifications for the position are encouraged to apply.

### 2.3.6. External Job Postings

The Port may post vacancies externally, either in conjunction with internal recruitment or independently, depending on recruitment needs. All candidates will be evaluated using the same qualifications, minimum requirements, and application standards.

### 2.3.7. Interview and Evaluation Process

Interviews, exercises, and evaluations will be conducted fairly and consistently for all candidates, without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, veteran status, or any other protected classification.

Reference checks for finalists will be coordinated by the Human Resources Delegate or designee and conducted with the applicant's consent to verify prior employment, qualifications, and suitability for the position. If a background or consumer report is required as part of the evaluation or conditional offer process, the Port will obtain the applicant's written authorization and comply with all provisions of the Fair Credit Reporting Act.

All interview and evaluation materials will be documented and retained as part of the recruitment record.

### 2.3.8. Conditional Job Offer

A conditional job offer will be provided to the successful candidate, outlining any additional conditions that must be met prior to final appointment. These conditions may include background checks, drug screening, driving record verification, or confirmation of required licenses or certifications.

- Verification of age or other restricted information may only occur after a conditional offer is made.
- If required verifications are not successfully completed, the conditional offer may be rescinded.

### 2.3.9. Final Job Offer

Once all conditions have been satisfied, a final job offer will be extended in writing. The offer letter typically includes:

- Position title
- Start date
- Reporting location and work schedule
- Employment relationship ("at will")
- Introductory or probationary period (if applicable)

- Pay rate and pay schedule
- Benefits summary
- Performance review schedule

#### 2.3.10. Employment of Relatives

The Port prohibits relatives of current employees from holding positions where one directly supervises the other. 'Relatives' include spouses, domestic partners, children, parents, siblings, in-laws, and others related by marriage or domestic partnership. Domestic partners include individuals in dating relationships, and a household member is anyone residing with the employee. This applies regardless of gender, sexual orientation, or genetic relationship.

If a supervisory relationship arises after employment, the supervisor must disclose the relationship to the Human Resources Delegate or the Executive Director.

With respect to a relative relationship, the employees and the Port will jointly attempt to find an alternative work assignment for one of the two employees. If no alternative work assignment is available within ninety (90) days, one of the employees will be required to resign. If neither agrees to resign, the Executive Director will determine which employee will need to be terminated.

With respect to a household relationship, the Human Resources Delegate or the Executive Director will evaluate the situation and determine whether the employees should remain in their positions, or whether an alternative work assignment should be found for one of the two employees. If no alternative work assignment is available within ninety (90) days, the employees may remain in their current positions until an alternative work assignment is available and if the situation does not create unfairness or favoritism or the appearance of unfairness or favoritism.

Failure to disclose relationships or making employment decisions based on them may result in disciplinary action, up to and including termination.

#### 2.3.11. Employment Motor Vehicle Record Checks

Employees working in positions where driving is an essential function of their duties must possess a valid driver's license and must carry auto liability insurance on any personal vehicles used to conduct the Port's business. Employees who use their own vehicles for authorized Port business use should make any necessary arrangements with their insurance carriers.

The Port may verify the validity of an employee's driver's license and/or driving record at the time of hire and at any point during their employment if driving is an essential function of their job or if so, doing relates to a legitimate business purpose of the Port.

While on the Port's business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their manager of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations.

Employees who receive a ticket or citation while driving a Port-owned vehicle or while on the Port's business will be responsible for paying the fine (if any) associated with the ticket or citation and may face discipline up to and including termination.

#### 2.3.12. Introductory Period

New employees are hired on a 180-day introductory period, which serves as an extension of the employee selection process. During this time, employees are considered to be in training and under observation and evaluation by supervisors. The introductory period allows for an assessment of the employee's adjustment to

work tasks, conduct, adherence to work rules, attendance, and job responsibilities. This period provides an opportunity for employees to demonstrate satisfactory performance for the position and allows the Port to determine if the employee's abilities align with the position's requirements. It also serves as a chance for the employee to evaluate if the Port meets their expectations as an employer.

At the end of the introductory period, the employee's performance will be evaluated, and a decision regarding their employment status will be communicated in writing. Successful completion of the introductory period results in a transition to regular status. This transition does not alter the at-will nature of employment; both the employee and the Port may end the employment relationship at any time, with or without notice, and for any reason not prohibited by law.

If an employee's performance is close to satisfactory but requires additional time to meet expectations, the introductory period may be extended for up to 30 days, provided there is a reasonable expectation of improvement. Such an extension must be requested before the original introductory period ends and must be approved by the supervisor and Human Resources.

In limited exceptional circumstances, extensions beyond 30 days may be considered. Any such extension must be justified in writing, reviewed by Human Resources, and approved by the Executive Director prior to the end of the existing introductory period. These extended periods should be used sparingly and are not intended to be routine. The total introductory period, inclusive of any extensions, shall not exceed twelve (12) months.

If the employee does not meet expectations or their skills remain unsatisfactory, it is unlikely that their employment will continue.

### 2.3.13. Promotions and Transfer Training Period

Employees who are promoted or transferred to a new position must also complete a 180-day introductory period. This period is used to determine the suitability of the placement and the employee's ability to satisfactorily perform the required work. If it is determined during this period that the job change is not suitable, the employee will be returned to their original position if a vacancy exists. If no such vacancy is available, the employee will be assigned to any other vacant position deemed suitable by the organization. If no suitable vacancy exists, the employee's employment may be terminated. Should the employee be placed in a position other than their original one, adjustments to pay and benefits may occur.

### 2.3.14. Re-employment

Employees who resign from the Port in good standing may be eligible for re-employment consideration. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. Previous performance with the organization will be evaluated if the reference check phase is reached. The Port is not obligated to rehire former employees. If an employee returns within twelve (12) calendar months their previous Sick Leave balance will be restored in full.

### 2.3.15. Credit for Prior Seniority

Employees who are rehired by the Port will receive credit for prior time worked under the following conditions:

- **Reduction in Workforce:** Employees who were separated due to a reduction in the workforce will receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within one (1) year after the separation date.
- **Voluntary Resignation:** Employees who voluntarily resigned from their employment with the Port may receive credit for prior time worked for the purposes of benefit eligibility, subject to management approval, if re-employed within six (6) months after the resignation date. A new anniversary date will be established based on the date of rehire.
- **Other Rehires:** All other rehires will be considered new employees, except where the Employee Retirement Income Security Act (ERISA) may dictate otherwise for pension purposes.

This policy ensures that rehired employees receive appropriate credit for their prior service time, aligning with applicable laws and organizational standards.

### 2.3.16. Employment Classifications

The following terms describe the classification of employees, their employment status, and eligibility for Port benefits:

- **Introductory Employees:** Newly hired or promoted employees who are within their introductory (probationary) period, which is typically six months from the date of hire or promotion, unless otherwise specified. This period allows the Port to assess the employee's performance and overall fit. PTO and sick leave begin to accrue upon hire but typically become available for use after 90 days, unless otherwise negotiated or required by law. An employee may also be in a training period at the same time.
- **Training Period Employees:** Individuals hired into a position for which they do not yet fully meet the required qualifications. These employees may be hired at a lower rate of pay for a defined training period, which may run concurrently with or extend beyond the six-month introductory period but shall not exceed one year. Training period employees may be full-time or part-time, depending on the needs of the position.
- **Full-Time Employees:** Employees regularly scheduled to work 32 hours or more per week on an ongoing basis (longer than six months). Eligible for all Port benefits.
- **Part-Time Employees:** Employees regularly scheduled to work fewer than 32 hours per week on an ongoing basis (longer than six months).
  - Those working 30 hours or more per week are eligible for Port health insurance benefits but do not accrue PTO.
  - All part-time employees are eligible for PERS, Oregon-mandated sick leave and receive three personal (floating) holidays per year.
  - Not eligible for other Port benefits unless specified in their offer letter.
- **Limited-Term Employees:** Hired for a defined period or specific project, typically 6 to 24 months. May be full-time or part-time.
  - **32 hours or more/week:** Eligible for all Port benefits, including PTO and holiday pay.
  - **30-31 hours/week:** Eligible for PERS, Port Health Insurance benefits, Oregon-mandated sick leave and receive three personal (floating) holidays per year.
  - **Fewer than 30 hours/week:** Eligible only for Oregon sick leave and three personal (floating) holidays. Not eligible for other Port benefits.  
*Benefit eligibility must be specified in the offer letter.*
- **Temporary or Seasonal Employees:** Hired for short-term or peak-season work, typically not exceeding six months. May work full-time or part-time. Eligible for Oregon sick leave and three personal (floating) holidays. Not eligible for PTO or other Port benefits.
- **Interns:** Students enrolled at least half-time in an accredited educational program and hired on a temporary basis (e.g., summer or for academic credit).
  - Designated as "student employees" under PERS rules and are not eligible for PERS membership.
  - Eligible for Oregon sick leave and three personal (floating) holidays. Not eligible for other Port benefits.
- **Employment of Minors (If authorized):** The Port does not typically employ individuals under 18. However, the Executive Director may authorize the employment of minors aged 16-17 on a limited basis if operationally necessary, with HR review to ensure compliance with all applicable labor laws. Any such authorization must be documented in the offer letter.
- **Essential Personnel:** Employees designated as critical to Port operations during emergencies or inclement weather (e.g., certain Facilities and Office staff).

#### Wage and Hour Classification:

- **Exempt Employees:** Positions meeting federal and state exemption criteria. Not eligible for overtime.
- **Non-Exempt Employees:** Positions that do not meet exemption criteria under federal or state wage and hour laws. These employees are eligible for overtime pay in accordance with Port overtime pay requirements, i.e. approved by supervisor, etc. Time must be recorded and is rounded to the nearest 30-minute increment, in accordance with applicable law and Port policy. The rounding practice is applied consistently and does not result in underpayment.

## 2.4. EMPLOYMENT RECORD KEEPING

### 2.4.1. Access to Personnel Files

The Port maintains a personnel record for each employee, with access restricted to authorized persons only. These records contain applications, written evaluations, performance counseling notices, correspondence, and other pertinent employment information. Authorized persons include individuals in a direct line of supervision over the employee to whom the file applies, Human Resources delegate, or any management representative involved in a pending personnel action.

Employees may review their personnel file, except for any references and other material exempt from disclosure under state law, by making advance arrangements with the Human Resources delegate. The Port will provide copies of personnel records or files as required by law, and employees may be asked to reimburse the reasonable cost of providing these copies.

### 2.4.2. Updating Personnel Records

It is important to keep personnel records current regarding pay, payroll deductions, benefits, and other matters. Employees should notify the Human Resources delegate if there are changes in any of the following information:

- Name
- Marital status
- Address
- Telephone number
- Dependents
- Beneficiary(ies)
- Person to be notified in case of emergency
- Job-related physical or other limitations that impact employment
- Other information having a bearing on employment

An Employee Information Change Form<sup>2</sup> is available for reporting any changes in personal information.

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<sup>2</sup> Location - R:\Archives\Human Resources\Forms & Templates\Employee Information Change Form

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## 3. EMPLOYEE RELATIONS & ETHICS

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### 3.1. ETHICS

The Port believes in treating people with respect and adhering to ethical and fair practices. All Public Officials are held accountable to the states Ethics laws found in ORS 244.

#### 3.1.1. Public Officials

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.

Upon employment with the Port, an individual becomes a Public Official.

#### 3.1.2. Gifts

During a calendar year, a public official, a candidate or a relative or member of the household of the public official or candidate may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 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 the 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.

During a calendar year, a person who has a legislative or administrative interest may not offer to the candidate or a relative or member of the household of the candidate any gift or gifts with an aggregate value in excess of \$50.

#### 3.1.3. 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:

- 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

#### 3.1.4. 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.

#### 3.1.5. Financial Interest in Public Contracts

A former public official cannot have a financial interest in a public contract for two years post-authorization. Employees must report potential conflicts. If a retired public official is considered for consultancy, internal review by legal counsel is required to ensure compliance. Non-compliance may lead to disciplinary action, including separation.

#### 3.1.6. Employee Recognition and Meals

The Port may occasionally provide meals or refreshments to employees as part of Port-sponsored recognition or engagement events. These activities are part of the Port's official employee recognition and engagement program and must comply with the Oregon Accounting Manual 10.40.10 and Oregon Government Ethics Law (ORS 244.040).

Meals and refreshments must serve a legitimate business purpose and all expenditures must comply with the Port's financial and documentation requirements.

For detailed guidelines, including allowable events, frequency limits, and documentation requirements, employees should refer to the Port's Employee Recognition and Meals Policy.<sup>3</sup>

## 3.2. CONFIDENTIALITY

### 3.2.1. Organization and Customers

At the Port, employees have access to highly confidential and proprietary information, including information about the Port's business plans and customers. Customers trust the Port with confidential information and disclosing this information without authorization would have a materially adverse impact on the Port's integrity and on its relationships with the customers. Employees must not disclose any information pertaining to the organization or its customers without prior explicit approval of their managers/supervisors and must sign a Release of Confidential Information form<sup>4</sup>.

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<sup>3</sup> Location - R:\Archives\Policy Documents\Policies\Financial\Employee Recognition and Meals Policy

<sup>4</sup> Location - R:\Archives\Human Resources\Forms & Templates\Release of Confidential Information

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

### 3.2.2. Employee Records

The Port's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of this information. Additionally, the Port will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the Port 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. All pre-employment inquiries, including reference check records, as well as former employee files are maintained in locked, separate areas and are not used by the Port in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in locked, 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. Port-assigned information, which may include organizational charts, department titles and staff charts, job descriptions, 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 Port 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 the Human Resources delegate. The Human Resources delegate 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 taken into consideration. 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 in order to facilitate company work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes, and for timekeeping purposes will be shared with supervisors/managers.
- Employees' company anniversary dates will be distributed to appropriate supervisors/managers periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes, for periodic benefit plan changes, or for benefit statement updates.

Should a security breach occur, employees will be notified electronically or in writing as soon as possible.

### 3.2.3. Recording in the Workplace

Employees may not obtain or attempt to obtain the whole or any part of a conversation by means of any device without first obtaining permission from all of the people in the conversation. This rule applies to the recording of conversations made during work hours, while at work-related functions, or in connection with work between or among employees, supervisors/managers, elected officials, or members of the public. It does not apply to conversations where there is no expectation of privacy, such as a Board of Commissioners meeting or work session, and the like.

Nothing in this policy prohibits or restricts an employee's right under the federal or Oregon constitutions to make recordings outside of working hours or while not representing or working on behalf of the Port. If anything in this policy contradicts provisions of Oregon or federal law that provide for lawful secret recordings, the provisions of the law will apply.

Employees who secretly record meetings with supervisors, coworkers, elected officials, members of the public or others while on duty will be subject to discipline, up to and including termination of employment.

### 3.3. WORKPLACE RULES

#### 3.3.1. Workplace Professionalism

The Port has established policies and procedures to ensure orderly operations and the fair treatment of employees. These include:

- **Workplace Respect:** Employees must care for and properly maintain Port records, equipment, and property. Each employee is responsible for the appropriate use and accuracy of items in their custody.
- **Compliance:** Employees are required to follow all applicable codes, laws, regulations, and Port policies.
- **Professional Conduct:** Professionalism and respect toward customers, vendors, business associates, and coworkers are mandatory. Behavior such as abusive language, harassment, bullying, or conducting personal business during work hours will not be tolerated. This includes responsible behavior regarding alcohol consumption when representing the Port.
- **Confidentiality:** Confidential information, including personnel data and trade secrets, must be protected.
- **Dress Code:** Employees should dress neatly and professionally to promote safety and create a positive impression on customers, visitors, and coworkers.

Non-compliance with these policies may result in corrective action, up to and including termination.

#### **Workplace Professionalism and Unprofessional Conduct**

The Port prohibits any form of unprofessional behavior, which includes incivility, harassment, or interference with others' work. Employees must work cooperatively, focusing on customer service and productivity. Unprofessionalism, whether exhibited on-site or off-site, undermines these values and will not be tolerated. Corrective action will be taken for any violations.

Unprofessional Behavior Examples (not exhaustive):

- Public humiliation in any form.
- Interference with someone's job performance, including assigning unrelated tasks.
- Taking credit for another person's ideas.

Any employee experiencing unprofessional behavior should report it following the process outlined in the *No-Harassment policy* (Section 2.1.11.). False or malicious complaints will also be subject to corrective action.

#### 3.3.2. Attendance, Punctuality and Reporting Absences

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees are also expected to remain at work their entire work schedule, except for unpaid break periods or when required to leave on authorized Port business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via phone call, text or email no later than two hours before the start of the employee's shift/workday. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days may be considered job abandonment and may result in termination of employment.

### 3.3.3. Off-Duty Conduct

Generally, the Port regards employees' off-duty activities as personal matters. However, off-duty conduct that negatively impacts the Port's reputation or the employee's ability to perform their job may result in corrective action, including termination. This includes criminal acts or behavior that adversely affects the Port.

### 3.3.4. Open Door Policy

The Port values open, honest communication. Employees are encouraged to raise issues, complaints, suggestions, or questions with their immediate supervisor first. If the response is unsatisfactory or if the issue involves the supervisor, employees should next reach out to the department director. If still unresolved, the matter can be escalated to the Human Resources delegate or the Executive Director.

### 3.3.5. Interpersonal Communications

Every employee is entitled to be treated with professionalism and respect by coworkers. Communication between employees must be courteous, respectful, and professional. The manner and tone of communication are important.

### 3.3.6. Workspace Bulletin Boards & Announcements

The Port has bulletin boards in the employee food prep room, the Maintenance Shop, and the Toll Booth to communicate important information. Items to be posted must be approved in advance by the Executive Director or Human Resources delegate. Employees are responsible for regularly reviewing the information posted on the bulletin boards in their work areas.

### 3.3.7. 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. If an employee receives a subpoena for a deposition or court appearance, they must follow these steps:

- Notify Port management upon receiving the subpoena.
- Provide a copy of the subpoena to the Executive Director.
- The Executive Director will consult with Port legal counsel for advice and direction.

Port legal counsel will guide the appropriate course of action and, if necessary, accompany the employee to the deposition or trial.

### 3.3.8. Charitable Activities and Solicitation

The Port encourages employee participation in charitable organizations of their choice, but participation in these activities is entirely voluntary. Employees should feel no pressure to participate, and non-participation will not be viewed negatively. Using Port facilities and resources for charitable purposes must be handled carefully. The Port supports small-scale efforts, such as selling raffle tickets or candy for a child's school or youth group, as long as these activities do not disrupt the work environment and are conducted during breaks or meal periods. Employees must ensure that no one feels obligated to participate. All charitable activities must be approved by the Port, and employees should contact their supervisor for specific details. The Port also encourages employees to volunteer in the community as a positive representation of the organization, but such involvement is always at the employee's discretion.

### 3.3.9. Children in the Workplace

The Port supports the national "Bring Your Child to Work Day" event for school-age children, observed on the fourth Thursday in April each year. To maintain a professional business environment and ensure productivity, participation in this event requires prior approval from the employee's supervisor. Participating employees are responsible for their children and must accompany them in the workplace throughout the day. School-age children may participate during the employee's regularly scheduled workday.

### 3.3.10. Pets in the Workplace

The Port values a positive and welcoming workplace and recognizes that pets can bring comfort and joy to employees. To maintain safety, professionalism, and respect for all staff, tenants, and visitors, the following guidelines apply to pets on Port property.

#### General Guidelines

- Employees may bring pets to work on an occasional basis with prior supervisor approval.
- Pets must be well-behaved, housebroken, clean, and free of fleas or odor.
- Employees are fully responsible for their pets and must ensure they are leashed or otherwise under control and accompanied by the owner at all times while on Port property.
- Pets may not be left unattended, including inside vehicles, offices, or outdoor areas.
- Pets are not allowed in tenant-occupied buildings or food-preparation areas.
- Employees must clean up after their pets immediately and keep shared areas clean.
- If a pet causes distraction, allergy concerns, or safety issues, the employee may be asked to remove the pet from the premises.

#### Offsite Work

Employees who work offsite must follow the same approval process. The Port understands there may be limited circumstances where bringing a pet is necessary. In such cases, employees must communicate with their supervisor in advance to determine whether task adjustments or other arrangements can be made. Approval may be modified or revoked if a pet interferes with safety, productivity, or public interaction.

*For purposes of this policy, "offsite" includes all work performed outside Port administrative offices, such as facilities, maintenance, or project locations.*

#### Service Animals

This policy does not apply to certified service animals covered under the Port's ADA Accommodation Policy.

#### Liability and Enforcement

Employees accept full responsibility for any injuries, damages, or cleaning costs caused by their pet. The Port may withdraw approval or take appropriate action if these guidelines are not followed.

### 3.3.11. Whistleblower Protection

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

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should immediately contact a direct supervisor/manager, Human Resource delegate, or the Executive Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to corrective action, up to and including termination.

Whistleblower protections are provided to maintain confidentiality and to prevent retaliation. Although someone's identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their due course, the privacy of the individual making the report will be protected to the extent possible. The Port will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments as well as threats of physical harm. Any whistleblower who believes retaliation has occurred must contact the Executive Director immediately. The right of a whistleblower to protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Executive Director who is responsible for investigating and coordinating corrective action.

### 3.3.12. Use of Port Vehicles and GPS Tracking

Port vehicles are provided to employees for official Port-related business only. All drivers are expected to operate Port vehicles safely, lawfully, and responsibly.

To promote safety, accountability, and efficient fleet management, Port vehicles may be equipped with GPS tracking devices that record location, speed, and usage. This information is used to ensure proper use of Port assets and may be reviewed by management as needed, particularly when there are safety, performance, or operational concerns.

Supervisors and managers are responsible for monitoring appropriate vehicle use within their departments and addressing any reported or observed issues.

Employees must:

- Use Port vehicles only for authorized work-related purposes.
- Stay on assigned or approved routes unless given supervisor permission to deviate.
- Immediately report accidents, damage, or mechanical issues to their supervisor.
- Keep vehicles clean and return them to designated locations after use.

Use of a Port vehicle constitutes consent to GPS monitoring as described above. Unauthorized use, including personal errands or unapproved route deviations, may result in disciplinary action, up to and including termination.

A signed acknowledgment and consent form<sup>5</sup> is required before an employee may operate a Port vehicle.

## 3.4. PROFESSIONAL APPEARANCE AND DRESS CODE POLICY

Employees play a crucial role in shaping the atmosphere and reputation of the Port. The way employees present themselves significantly influences the impression made on customers and clients. A professional appearance is essential for fostering a positive perception and instilling confidence.

### 3.4.1. Commitment to Respect and Individuality

The Port is committed to creating a workplace where all individuals feel respected and valued. The Port recognizes the significance of personal expression, including natural hair textures and hairstyles, as important reflections of identity and culture. Any form of discrimination based on these attributes is not tolerated.

### 3.4.2. Professional Appearance Standards

Managers have the discretion to determine the appropriateness of an employee's appearance. Employees who do not meet professional standards may be sent home to change and will not be compensated for that time off. Essential elements of appropriate dress include clothing that is neat, clean, and well-maintained. The following guidelines must be observed:

- Overly revealing clothing, tank tops, halter tops, and any extremes in dress, accessories, fragrance, or hairstyles are not permitted.
- Clothing, jewelry, and hairstyles should not pose any safety hazards.
- Body piercing jewelry and body art that do not convey a professional image should be covered.
- Management may grant exceptions to the dress code for special occasions.

### 3.4.3. Business Casual Dress Code

Business casual attire is permitted, except during periods when business casual days are suspended, and business dress is required. A more relaxed business casual dress code is allowed on Fridays, provided job duties

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<sup>5</sup> Location - R:\Archives\Human Resources\Forms & Templates\Port Vehicle Use and GPS Tracking Consent Form

do not necessitate more formal wear. Regardless of the day, clothing must always be neat, clean, and in good repair. Business dress is mandatory when meeting clients. The dress code policies may be updated to reflect changes in business fashion trends and/or weather.

#### 3.4.4. Department-Specific Guidelines: Uniforms and Port Logo Clothing

Certain departments may have specific dress guidelines. Employees who choose to change clothes for meetings or events during the workday must do so during their rest or meal periods, or outside of work hours, unless the clothing change is required protective gear or otherwise compensable under applicable wage and hour laws. Employees provided with uniforms by the Port must wear them every workday, including call-outs that occur after-hours, on holidays, and weekends. Proper footwear provided by the Port is also required.

Annually, the Port will provide a limited amount of Port logo clothing to all employees. Port-provided clothing is limited to standard logo apparel such as shirts, jackets, or similar upper garments. Pants or other personal clothing items are not covered under this policy unless specifically required for safety or department-specific uniforms and approved by the supervisor.

This policy ensures that all employees present themselves professionally, enhancing the Port's image and fostering a respectful and inclusive workplace. Adherence to these guidelines is essential for maintaining a professional environment that benefits both employees and the community.

### 3.5. COMMUNICATIONS AND SOFTWARE SYSTEMS POLICY

#### 3.5.1. Electronic Communications Systems

The Port provides electronic communication systems to ensure efficient and effective communication within the organization and with external clients and vendors. Employees are encouraged to familiarize themselves with these tools and their proper usage. This policy outlines the guidelines for accessing and disclosing information when using these systems. All users, including employees and external parties, are expected to adhere to this policy.

The Port's electronic communication systems include, but are not limited to, computers, software, email, copiers, fax machines, telephones, cell phones, voicemail, messengers, and various online services. These systems are to be used primarily for business purposes during business hours. Any personal use should be minimal and must not interfere with business operations.

These systems are not private or confidential. The Port reserves the right to review, audit, intercept, access, and search these systems at any time, and to disclose contents as needed, within the bounds of current and future laws. All messages and data sent through these systems remain the property of the Port.

Employees must not allow proprietary or confidential information to enter the public domain through electronic transmissions. Examples of such information are outlined in the Confidentiality Policy. These systems must not be used to receive or distribute copyrighted materials, trade secrets, or other proprietary information without prior authorization.

All communications via these systems are subject to the Port's anti-harassment, anti-discrimination, and non-solicitation policies. Employees are expected to carefully review the wording, tone, and content of their communications before sending them.

Questions regarding the proper use of communication or software systems should be directed to a supervisor. Violations of this policy should be reported immediately. Improper use or policy violations may result in disciplinary action, up to and including termination.

#### 3.5.2. Email System

Employees are reminded to be courteous and professional when using the email system. Emails should be written with the same care as letters or internal memos. Even deleted emails can be retrieved, and while the Port reserves the right to access any email, it expects employees to respect others' privacy and not access emails not

intended for them. Employees should not use the email system for personal communications and should always consider the possibility of misdirection or forwarding.

### 3.5.3. Software and Hardware Use

Employees should not expect privacy for any files, including personal files on Port systems. All files on Port systems are subject to review by Port staff. The following policies apply:

- Port licenses software and does not own it; unauthorized copying is prohibited.
- Use software only per license agreements.
- Do not download or upload unauthorized software.
- Report misuse of software to the Finance Director or Executive Director.
- Illegal software reproduction can lead to civil damages, criminal penalties, and disciplinary action, including termination.
- Do not destroy, modify, or abuse hardware or software.
- Do not develop or distribute malicious software.

Questions about software use should be directed to the Finance Director or IT consultant.

### 3.5.4. Unauthorized Access

Employees are not permitted unauthorized access to electronic communications of other employees or third parties unless directed to do so by Port management. No employee can examine, change or use another person's files, output, username or password unless they have explicit authorization from management to do so.

### 3.5.5. Laptop Security

Staff issued laptops and related equipment must follow Port security guidelines. Employees should always follow organization guidelines in safeguarding equipment. Refer to the Telework or Telecommute section in this handbook for more details.

### 3.5.6. Mobile Devices

Employees must protect confidential information accessed via mobile devices. The Port reserves the right to delete data and applications from devices containing Port information to protect confidentiality. This policy covers devices like smartphones, tablets, and laptops. Lost or stolen devices must be reported immediately to the Human Resources delegate or IT consultant. Mobile devices should be set to lock after every 10 minutes for security reasons, and a PIN-based lockout is required. The PIN must be provided to the Human Resources delegate or IT consultant.

### 3.5.7. Internet Use

Internet access via Port resources is intended to facilitate effective use of employee time and effort. This use cannot disrupt or interfere with the work of other network users, adversely affect the operation of the Internet or the Port's internal network or misrepresent the interests of the Port. All use of the Internet must comply with applicable laws and policies, including those related to sexual harassment and illegal activities.

The safety and security of the Port's network and resources must be considered when using the Internet. Users should be cautious and skeptical when downloading resources from the Internet.

Employees have no right to expect that Internet access is private. The Port reserves the right to monitor and record all accesses to any website or newsgroup from any Port computer at any time and to use this information in disciplinary actions or legal proceedings. Internet records are public records and are subject to the same rules for public inspection and retention as all other Port records.

Internet use should support education and research consistent with the employee's position. Users must:

- Maintain the integrity of files and data.
- Treat information created by others as private property.
- Use the network without disrupting others.
- Avoid accessing or processing inappropriate material.

- Refrain from using the Internet for commercial purposes.

Unauthorized Internet activity may result in the discontinuation of access privileges and disciplinary action.

### 3.5.8. Social Media Policy

For purposes of this policy, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including on personal or third-party blogs, journals, diaries, personal or commercial websites, social networking websites, web bulletin boards, or chat rooms, whether or not associated or affiliated with the Port, as well as any other form of electronic communication.

Employees are ultimately responsible for what they post online. Before creating online content, it is essential to consider the risks and rewards involved. Any conduct that adversely affects job performance, the performance of coworkers, or negatively impacts the Port's residents, those working on behalf of the Port, or the Port's legitimate business interests may result in disciplinary action, up to and including termination.

#### **Prohibited Postings**

Employees will be subject to discipline, up to and including termination, if they create and post any text, images, or other media that violate Port policies, including its no-harassment, no-discrimination, and workplace violence policies. Similarly, postings that include threats of violence, or are physically threatening, intimidating, bullying, or harassing, will not be tolerated and may subject an employee to disciplinary action, up to and including termination.

Employees must not create a link from their blog, website, or other social networking site to a Port-owned or maintained website without identifying themselves as a Port employee.

Employees should express only their personal opinions and must not represent themselves as spokespersons for the Port unless authorized by their manager or supervisor to do so. If the Port is a subject of the content being created, employees must be transparent about their employment with the Port and clarify that their views do not represent those of the Port, its employees, or its elected officials.

#### **Encouraged Conduct**

Employees are expected to be fair and courteous to coworkers, residents, Port employees and elected officials, as well as suppliers and third parties doing business with the Port.

It is generally more effective to resolve work-related complaints by speaking directly with coworkers or utilizing the Port's Open-Door Policy rather than posting complaints on social media. If employees choose to post complaints or criticism, they should avoid making statements, posting photographs, videos, or audio that could reasonably be viewed as malicious, obscene, threatening, intimidating, or disparaging to citizens, coworkers, Port employees, or elected officials, or that might constitute harassment or bullying, or violate Port policies. Examples of prohibited conduct include offensive posts intended to harm an individual's personal or professional reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion, or any other status protected by law or Port policy.

Employees must maintain the confidentiality of the Port's confidential information. This includes refraining from posting internal reports, policies, procedures, or other internal, Port-related confidential communications or information.

Nothing in this policy is meant to prevent employees from exercising their right to make complaints of discrimination or workplace misconduct, engage in lawful collective bargaining activity, or express an opinion on matters of public concern, provided such expression does not unduly disrupt Port operations. Employees are free to express themselves as private citizens on social media sites; however, their expression must be balanced against the Port's interest in fulfilling its public responsibilities effectively and efficiently.

#### **Request for Employee Social Media Passwords**

Supervisors and managers at the Port are prohibited by law from requiring or requesting an employee or applicant to disclose or provide access through the employee's or applicant's username, password, or other

means of authentication that provides access to personal social media accounts. This includes usernames and passwords that would otherwise allow a supervisor or manager to access private email accounts not provided by the Port.

Nothing in this policy prohibits the Port from requiring an employee to produce content from their social media or internet account in connection with a Port-sponsored investigation into potential misconduct, unlawful or unethical behavior, or policy or rule violations. Refer to the Communications Plan<sup>6</sup> for Social Media staff guidelines.

### 3.5.9. Voice Mail System

The voice mail system is for business use only. The Port reserves the right to monitor and access all voice mail messages. Employees are not authorized to retrieve or listen to voice mail messages not intended for them without prior approval, except in case of an emergency.

### 3.5.10. Telephone Usage, Cell Phones and Mobile Devices in General

Personal cell phone use should be limited to designated break and lunch periods. The use of cell phones while driving Port vehicles or operating equipment is strictly prohibited and may result in disciplinary action. For further details, please refer to the "Driving While on Business" section above.

Employees are permitted to bring personal mobile devices to work. However, during working hours, the use of such devices should be limited to emergencies, meal periods, or rest breaks.

Employees using personal or Port-provided mobile devices must comply with the Port's policies against harassment, bullying, and discrimination. Any violation of these policies, including inappropriate texts, instant messages, or DMs sent to other employees or non-employees, may result in disciplinary action, up to and including termination.

Non-exempt employees are not permitted to use personal or Port-provided mobile devices for work-related purposes outside of their regular work schedule without prior written authorization from their supervisor. This includes, but is not limited to, reviewing, sending, or responding to emails or text messages, and making or responding to calls. Violating this policy may lead to disciplinary action, up to and including termination. Non-exempt employees are still responsible for accurately recording all hours worked.

### 3.5.11. Employee Use of Port - Provided or Paid for Mobile Devices

Mobile devices are made available to Port employees on a limited basis to conduct Port's business. Determinations as to which employees receive Port-provided mobile devices will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device. In certain cases, the Port may provide a monthly cellular telephone allowance to employees who regularly make work-related calls away from the office using their personal cell phones. For more information, employees should contact the Human Resources delegate.

Employees who receive a mobile device from Port must agree to not use the mobile device for personal use except in emergency situations and must abide by all aspects of the Mobile Device Policy. Further, employees who receive a cell phone or mobile device from Port must acknowledge and understand that because the mobile device is paid for and provided by Port, or subsidized by Port, any communications (including text messages) received by or sent from the mobile device may be subject to inspection and review if Port has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Mobile Device Policy or any other Port policy. Employees should have no reasonable expectation of privacy in a Port-provided or -paid for mobile device. An employee who refuses to provide Port access to their personal mobile device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including termination.

Family and friends may not use an employee's Port-provided mobile device.

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<sup>6</sup> Location - R:\Archives\Policy Documents\Policies\Administrative\Communications Plan

## **Mobile Devices and Public Records**

Port-related business conducted on Port-provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against Port or individual employees.

### **3.5.13. Use of Generative Artificial Intelligence (AI) Systems**

Generative Artificial Intelligence (AI) systems have rapidly gained popularity and widespread adoption, presenting significant opportunities for the Port to enhance efficiency, reduce errors, and better serve the community. However, these technologies also introduce potential impacts and risks that require careful consideration.

Guidelines when using AI:

- **Confidentiality and Privacy:**
  - Do not input sensitive, confidential, regulated data, or personally identifiable information of the public into generative AI systems.
  - When unsure about data sensitivity, consult your supervisor.
- **Content Review and Fact-Checking:**
  - Verify and fact-check content and outputs generated by AI tools.
  - Employees are accountable for ensuring accuracy and appropriateness of AI-generated outputs.
- **Bias and Fairness:**
  - Be vigilant for potential biases inherent in AI systems, reflecting cultural, economic, and social biases from source materials.
  - Review AI-generated content to mitigate unintended biases or potentially harmful materials.

#### **Technology Use Requirements:**

Port email addresses must be used when setting up accounts for AI tools, adhering to Port technology policies.

#### **IT Evaluation for AI Tools:**

Before purchasing any technology, including AI tools, employees must submit an IT Help ticket for evaluation. IT will assess whether existing solutions can be utilized, ensure security compliance, and evaluate ongoing maintenance and vendor stability.

#### **Public Records:**

All materials created or assisted by AI systems may constitute public records under Oregon law. Employees must retain AI-generated content in accordance with Port recordkeeping and public records retention policies.

#### **Prohibited Uses:**

Employees may not use generative AI systems to:

- Create or distribute misleading or deceptive content;
- Represent AI-generated content as an official Port position without appropriate review;
- Replace required human judgment in decision-making that affects employment, safety, legal compliance, or public policy.

#### **Accountability:**

Employees are responsible for following these guidelines. Misuse of AI systems or failure to comply with this policy may result in corrective action, up to and including termination, consistent with the Port's disciplinary policies.

### **3.5.14. Public Records**

Information generated or exchanged for government work is subject to Public Records laws regardless of the media or device used. The Port is required to maintain these records.

This policy ensures the proper use of communication and software systems, protecting the Port's interests and maintaining a professional and efficient workplace. Adherence to these guidelines is mandatory and crucial for

all employees. Violations of this policy may result in corrective action, up to and including termination. Employees should not delete or destroy any records they have created that pertain to Port business. If employees have any questions regarding this policy, they are encouraged to consult with their supervisor or the Human Resources delegate for further clarification.

### 3.6. PERFORMANCE MANAGEMENT AND REVIEW POLICY

The Port values the contributions of all employees and is committed to maintaining a fair and meaningful performance evaluation system. Periodic performance evaluations, conducted with the goal of doing so annually, help monitor organizational effectiveness and support each employee in maximizing their potential and contribution to the Port's mission.

Performance evaluations are aligned with the Port's strategic objectives and values, reinforcing how individual performance contributes to the broader goals of the organization. This policy fosters a supportive and effective performance management system that benefits both employees and the Port. Adherence to these guidelines ensures a fair, transparent, and productive evaluation process that drives continuous improvement and professional growth.

#### **Objectives of the Annual Performance Review Process**

The primary goals of the annual performance review process are:

- To inform employees about their performance relative to established standards.
- To assess how well managers and supervisors support employees in achieving work performance objectives.
- To ensure open communication and dialogue.
- To provide a consistent, objective, and fair method for making compensation decisions.
- To identify areas where employees may need additional training.
- To serve as a tool for career planning.
- To document employee performance and contributions.

#### **Responsibilities of Managers**

Managers are responsible for facilitating professional development opportunities and actions designed to improve and enhance employee performance. This includes:

- Providing reasonable training, including computer software proficiency.
- Assigning, directing, controlling, and reviewing employee work.
- Assisting employees in identifying and correcting performance deficiencies.
- Objectively evaluating employee performance during the evaluation period.
- Implementing Performance Improvement Plans (PIPs) for employees who do not meet performance expectations.

#### **Employee Participation**

The performance evaluation process is participatory, involving verbal and/or written input from both employees and managers. This collaborative approach ensures that employees are best positioned to contribute to the improvement of the Port. Employees are encouraged to:

- Inquire about their performance periodically.
- Accept new responsibilities and show initiative.
- Review opportunities for advancement within the Port.
- Seek assistance in developing a goal-oriented path for career advancement.
- Explore available training opportunities to enhance their skills.
- Provide feedback to their supervisors to improve the evaluation process.

#### **Evaluation Schedule**

Performance evaluations are conducted at the completion of six months of service, at twelve months of service, and periodically thereafter with the goal of conducting them annually. These evaluations serve as a basis for

decisions related to training, job assignments, merit-based pay increases, professional development, promotions, and retention.

### **Evaluation Tools and Documentation**

The Port utilizes the Employee Performance Evaluation Form<sup>7</sup>, or a form that closely follows the noted form to track and document goals, performance, and achievements throughout the year. The form, along with any employee comments and response materials, are included in the personnel files. The Port ensures the strict confidentiality of employees' performance evaluations.

The Port may also use specific tools or software to manage the performance review process, ensuring consistency, efficiency, and ease of use. Managers and supervisors receive training in conducting effective and unbiased performance evaluations to ensure consistency and fairness across the organization. Upon completion of the performance review process, the completed forms are submitted to the Executive Director or designee for approval.

### **Evaluation Outcomes**

At the end of the evaluation, there should be:

- A solid understanding of the past year's performance, including any differences in performance factor rating and overall rating.
- Clear direction for the upcoming period.
- An understanding of any changes in compensation, if applicable.
- The beginning of the development of next year's goals.
- A signed annual review by both the employee and the supervisor.

### **Continuous Feedback and Improvement**

The Port emphasizes the importance of continuous feedback throughout the year. Managers and employees should engage in regular discussions to address performance issues promptly and keep employees aligned with their goals.

### **Recognition and Rewards**

Outstanding performance should be recognized and rewarded to encourage and motivate employees. Details are included in the Merit-Based Step System in this handbook (Section: 4.2.13).

#### **3.6.1. Performance Improvement Plans (PIPs)**

The Port is committed to employee development and maintaining clear performance standards. When an employee's performance does not meet expectations, a Performance Improvement Plan (PIP) may be initiated to identify concerns, establish measurable goals, and provide structured support to help the employee succeed. A PIP outlines specific performance issues, sets clear expectations for improvement, and defines a timeframe, typically 30, 60, or 90 days, for meeting these goals. Supervisors will document the plan using the Port's PIP Form<sup>8</sup>, which includes progress checkpoints, available resources, and follow-up meetings.

All PIPs are reviewed by the Executive Director or designee and maintained in the employee's personnel file. If the employee does not demonstrate sufficient and sustained improvement within the designated timeframe, further action may be taken, up to and including disciplinary measures or termination of employment.

#### **3.6.2. Conflict Resolution**

Employees have the right to appeal or discuss disagreements with their performance evaluations. This ensures fairness and transparency in the evaluation process.

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<sup>7</sup> Location - R:\Archives\Human Resources\Forms & Templates\Evaluation & Performance Review Forms

<sup>8</sup> Location - R:\Archives\Human Resources\Forms & Templates\Performance Improvement Plan

## Appeal Process

Employees who wish to appeal an evaluation must submit a written appeal to their supervisor within five (5) business days of receiving the evaluation. The written appeal should identify the specific portions of the evaluation the employee believes are inaccurate or unfair.

The supervisor or manager will review the appeal and may meet with the employee to discuss the concerns. The supervisor has the authority to modify the evaluation if a change is warranted or to deny the request. If the appeal is denied, the employee's written appeal will be attached to the evaluation in the personnel file.

If the employee believes the evaluation process was not fair, objective, or consistent with Port policy, they may request a further review by the Human Resources delegate or Executive Director. The Executive Director's decision is final and will be documented in the employee's personnel file.

## 3.7. CORRECTIVE ACTION

Groups of people working together for any purpose require certain guidelines regarding their conduct and relationships. Accordingly, employees must be aware of their responsibilities to the Port and their coworkers. The Port strives to take a constructive approach to corrective action matters to ensure that actions which interfere with operations or an employee's job are addressed.

The Port generally follows these corrective action steps: (1) oral reprimand; (2) written reprimand; (3) suspension without pay; and (4) discharge. However, where warranted by the nature of the offense or particular circumstances, the Port may, at its discretion, initiate discipline at an advanced step in the corrective action process or implement other disciplinary measures (e.g., demotion, coaching) as deemed appropriate. Counseling and special evaluations may also be part of the discipline process, as determined by the Port at its sole discretion.

The Port retains the right to consider the circumstances of the event and the employee's performance and work history when determining what action to take. The Port may, at its discretion, deviate from the established guidelines as it deems necessary under the circumstances. In all matters of corrective action, the Port reserves complete discretion, except as limited by law. In all disputes, investigations, or controversies, the Port's 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, shall be final.

Violations of the Port's standards will result in corrective action, up to and including termination. In deciding on the appropriate corrective action, the Port will consider relevant factors, including the seriousness of the infraction, the employee's past record, and other surrounding circumstances.

All corrective or disciplinary actions will be documented and placed in the employee's personnel file. Employees will be informed when documentation related to corrective action is added to their file and may provide a written response or statement for inclusion. Documentation will be retained in accordance with the Port's recordkeeping policies.

Although it is impossible to identify every potential violation of standards of conduct, the following is a partial list of infractions that may result in disciplinary action, including but not limited to:

- Falsifying employment applications, timecards, personnel records, or other Port documents
- Unauthorized use, removal, or destruction of Port or employee property
- Gambling, carrying weapons or explosives, or violating criminal laws on Port premises
- Sexual harassment or harassment based on an employee's membership in a protected class
- Fighting, throwing objects, horseplay, practical jokes, or disorderly conduct
- Engaging in fraud or sabotage
- Threatening, intimidating, coercing, using abusive language, or interfering with others' performance, or causing substantial workplace disruptions
- Excessive absenteeism or tardiness
- Violating the drug and alcohol policy, including possession, sale, or use of intoxicants or illegal drugs on Port premises, in Port vehicles, or while on Port business

- Insubordination, refusal to comply with legitimate instructions, or failure to perform reasonable assigned duties
- Violating safety, health, or security rules, or failing to follow related procedures
- Damaging or destroying Port property, either carelessly or intentionally
- Performance that, in the Port's opinion, does not meet the job requirements
- Engaging in other practices that the Port deems inconsistent with reasonable rules of conduct necessary for the welfare of the Port, its employees, or customers
- Violating the Port's communication standards
- Inability or unwillingness to cooperate with coworkers
- Failing to safeguard Port assets
- Failing to notify a supervisor when unable to report to work or when leaving work during normal hours without permission
- Failing to observe work schedules, including rest breaks and meal periods
- Sleeping on the job or feigning illness or injury to avoid working
- Failing to attend scheduled training sessions or related activities, such as conferences or workshops, paid for by the Port
- Excessive personal phone calls or texting during work hours
- Violating any Port rule, policy, or practice, whether written or unwritten

This list is representative of actions that may result in disciplinary measures. It is not comprehensive and does not alter the employment-at-will relationship between the employee and the Port. If employees have questions regarding the application or intent of these policies, they should consult their supervisors. Adherence to the Port's work standards will help ensure corrective action is unnecessary.

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# 4. COMPENSATION

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## 4.1. PAY EQUITY

The Port is dedicated to ensuring that all employees receive an equitable total compensation package, which is determined by a variety of factors pertinent to their position, job performance, education, and experience. The Port's commitment to pay equity reflects its broader dedication to fairness, transparency, and the recognition of individual contributions within its workforce. Further, the Port supports Oregon's Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined under Oregon or federal law) in the payment of wages or other compensation for work of a comparable character.

The Port values open communication and encourages any employee who believes they are not being compensated fairly to address their concerns proactively. Employees should feel comfortable discussing their compensation queries with their immediate supervisor or the Human Resources delegate. These discussions are intended to provide clarification and, where necessary, to review and adjust compensation in accordance with the established policies and criteria.

The Port believes that maintaining pay equity is essential for fostering a motivated and productive workforce, and the Port is committed to regular reviews of its compensation practices to ensure ongoing fairness and alignment with industry standards.

## 4.2. PAY PRACTICES

### 4.2.1 Pay Orientation

At the time of hire, employees receive written information explaining how their pay is calculated, including the types of earnings, deductions, and benefit contributions shown on their pay statement. This information is provided through the Employee Handbook and other Port Human Resources materials, and is available for review on the Port's shared HR drive or through the payroll system.

The Port reviews this information annually to ensure it remains accurate and up to date. The following details are provided to help employees understand their pay and deductions:

- All pay rates employees may be eligible for, such as hourly or salary rates, shift differentials, or other applicable pay.
- All benefit deductions and contributions, with descriptions of each payroll code.
- All other deductions, with explanations of each.
- Any allowances, if applicable, claimed as part of minimum wage.

Employees who have questions about their pay or deductions may contact the Finance Department or Human Resources for clarification at any time.

### 4.2.2. Paydays

Employees are paid every two weeks, with paydays falling on the Wednesday following the end of the pay period. Each pay period covers two consecutive weeks (Sunday through Saturday) for a total of 26 pay periods per year. If a scheduled payday falls on a weekend or bank holiday, pay will be issued on the preceding business day. If a payday falls on a Port-observed holiday, pay will be distributed on the last workday prior to the holiday.

### 4.2.3. Pay Statements

Each pay statement (electronic or printed) includes the following information as required by Oregon law:

- Date of payment and dates of work covered
- Employee's name
- Port of Hood River's name, business registry number, address, and phone number

- Rate(s) of pay for each type of work (regular, overtime, shift differential, etc.)
- Salary basis (hourly, salary, shift, or other)
- Gross wages and net wages
- Amount and purpose of each deduction
- Any allowances claimed toward minimum wage
- Accrued paid leave balances

Employees may request explanations of deductions or payroll codes from the Finance Department at any time.

#### 4.2.4. Payroll Deductions

Only deductions required or authorized by law will be made from pay. Mandatory deductions include federal and state taxes, Social Security, Medicare, and Oregon PERS contributions. Voluntary deductions, such as deferred compensation, insurance premiums, or charitable contributions, must be authorized by the employee.

Detailed descriptions of deduction types and codes are available from the Finance Department.

#### 4.2.5. Pay Advances

Pay advances are not typically provided. In rare emergency circumstances, an advance may be approved by the Executive Director or Finance Director, not to exceed the net amount of wages earned to date. Any approved advance will be deducted from the employee's next paycheck. Employees experiencing financial hardship are encouraged to seek confidential resources through the Employee Assistance Program (EAP) or other financial counseling services.

#### 4.2.6. Delivery and Method of Payment

The Port pays employees through direct deposit to a financial institution designated by the employee. A pay statement showing gross pay, deductions, and net pay accompanies each payroll. Employees wishing to change deposit or mailing information must provide updated forms to the Finance Department at least five (5) business days before the next payroll.

#### 4.2.7. Employee Withholding Certificates (Form W-4)

Employees must submit a completed IRS Form W-4 at hire and may update it at any time. The Port will implement changes beginning the first payroll period ending on or after 30 days from submission. Employees are encouraged to consult a tax professional if they have questions about withholding allowances or exemptions.

#### 4.2.8. Time Records for Non-Exempt Employees

Non-exempt employees must record all time worked each day in the Port's approved timekeeping system. Time records must reflect actual start and stop times, meal periods, and any approved leave. Employees and supervisors must review and certify time records each pay period for accuracy. Altering, falsifying, or submitting another employee's time record is grounds for corrective action, up to and including termination.

#### 4.2.9. Time Records for Exempt Employees

Exempt employees are required to complete timesheets to document attendance and to allocate their time accurately across Port projects, departments, and cost centers. These records are used for accounting and budgeting purposes only and do not affect salary pay.

Exempt employees are paid on a salary basis and will receive their regular pay for each work week in which they perform any work, regardless of the number of hours worked, except as otherwise permitted by law. Paid leave should be recorded for any full- or partial-day absences to maintain accurate leave balances.

#### 4.2.10. Overpayments

If a payroll overpayment occurs, the Port will notify the employee promptly and provide written documentation explaining the reason for the overpayment and the total amount owed.

The Port will generally not recover overpayments through automatic payroll deductions, as wage deductions are restricted under Oregon law. Instead, the Port will request repayment directly from the employee.

The employee and the Port may agree on a reasonable repayment plan, which may include installment payments made outside of payroll. Any repayment arrangement must be documented in writing and signed by both the employee and the Port.

If an employee separates from employment before repayment is complete, the Port may pursue lawful recovery of any remaining balance owed, consistent with applicable state and federal law.

#### 4.2.11. Pay Discrepancies and Dispute Resolution

Employees who believe there is an error in pay, deductions, or time records should contact the Finance Director or Human Resources immediately. The Port will promptly review and correct any verified discrepancies. Employees will not experience retaliation for raising pay-related questions or concerns.

#### 4.2.12. Final Paycheck

Employees who resign with at least 48 hours' notice (excluding weekends and holidays) will receive their final paycheck on their last day worked. If less notice is provided, final wages will be paid within five (5) business days or on the next regular payday, whichever occurs first. Final pay includes all earned wages and any accrued, vested leave balances that are due and payable at separation, consistent with the Port's Paid Time Off (PTO) policy.

#### 4.2.13. Merit-Based Step System

The Port employs a seven-step compensation range with two longevity steps for each job classification. Each step within this system is differentiated by a 5% merit-based increase. Additionally, a possible annual Cost of Living Adjustment (COLA) may be applied to the compensation range once approved during the Budget process by the Board of Commissioners. (CPI Rate for All Urban Consumers – West – Size Class B/C)

Key points of the Merit-Based Step System include:

- **Performance-Based Promotion:** Advancement to the next step is not automatic. It is contingent upon the employee's satisfactory annual performance evaluation and the successful completion of any required training or certifications as directed by the supervisor or the Executive Director. See Value Based Compensation for Specific Training and Certifications in Additional Compensation: Other Benefits section for more details.
- **Longevity Steps:** Employees at the top of their range (Step 7) for three years are eligible for a 5% longevity increase. After an additional five years, another 5% longevity increase may be granted. In cases of exceptional performance, the Executive Director has the discretion to move an employee into the longevity step even if they are currently frozen at Step 7.
- **Initial Placement:** Employees may be hired at any step between Steps 1 and 7, depending on their knowledge, skills, abilities, and certifications, with longevity steps applied thereafter.

For any questions or further clarification regarding the Merit-Based Step System, employees are encouraged to consult with their supervisors.

#### 4.2.14. Out-of-Class Pay

"Out-of-class" pay is compensation provided to an employee who is temporarily assigned duties and responsibilities of a higher-level classification for a specified period of time.

##### Eligibility:

- Assignment must exceed 5 consecutive workdays.
- Duties must be clearly beyond the employee's regular classification.
- Must be approved in advance by the supervisor and Executive Director.

##### Compensation:

- Temporary increase of 5% or pay at Step 1 of the higher classification, whichever is greater.
- Applies only during the assignment period and does not affect permanent step placement.

##### Duration:

- Generally limited to 6 months unless extended with written justification.

**Process:**

- Assignment and pay must be documented and approved in writing.
- Payroll must be notified before the pay period begins.

At the end of the assignment, employees return to their regular duties and pay rate.

## 4.3. HOURS OF WORK AND WORK SCHEDULES

The Port operates Monday through Friday from 9:00 AM to 5:00 PM, with additional operations in the Facilities Department on weekends. Due to the diverse nature of services and operations, work schedules may vary based on job responsibilities and departmental needs. Certain positions may require specific shift times to ensure continuous service, while others may allow for more flexible scheduling.

### 4.3.1. Four-Tens Workweek Model

The Port may offer a "four-tens" workweek model, allowing employees to work four ten-hour days, followed by three consecutive days off. This model maintains a 40-hour workweek while providing employees with an extended break. Participation in this schedule is subject to supervisory approval and depends on operational requirements. Employees must ensure that their adjusted work hours do not disrupt the Port's services, and any changes may be reviewed to ensure alignment with business needs.

### 4.3.2. Time Records

**Non-Exempt**

Employees must maintain accurate timesheets that record hours worked and any leave taken. These timesheets serve as legal records and are used to calculate pay and benefits in accordance with federal and state laws. Completed and approved timesheets must be submitted by the designated payroll deadline. Hours worked, paid time off (PTO), overtime, and compensatory time (if applicable) must be accurately documented, including start/end times and meal breaks. Any corrections should be promptly reported to the supervisor. Falsifying or altering timesheets is prohibited and may result in disciplinary action, up to termination.

**Exempt**

Employees work under a "professional workweek" model, where compensation is based on job duties rather than hours worked. Exempt employees must track their time based on projects or departments using a designated timesheet. PTO is used for vacation or sick leave absences exceeding four hours, with no deductions required for shorter absences unless they exceed 12 incidents annually.

### 4.3.3. Overtime and Compensatory Time

**Non-Exempt**

Employees are eligible for overtime pay at a rate of 1.5 times their regular pay for hours worked beyond 40 in a given workweek, with leave such as vacation and sick time not counting toward the 40 hours. If a holiday occurs during the week and additional hours are worked, overtime pay will apply, even if total hours do not exceed 40. Overtime work must be pre-approved by a supervisor. As an alternative to receiving overtime pay, non-exempt employees may opt for compensatory time ("comp time"), which is accrued at the same 1.5 rate. Employees may accumulate up to a maximum of 40 hours of comp time. Additionally, non-exempt employees can adjust their work hours within the same workweek, such as working extra hours on one day and fewer hours on another, provided that total hours do not exceed 40. This adjustment also requires prior approval from a supervisor. Any unused comp time will be paid out upon termination of employment.

**Exempt**

Employees, on the other hand, are not eligible for overtime pay or comp time. However, they may accrue additional time off for extended hours worked beyond their regular schedule. This additional time must be approved by a supervisor in advance. Exempt employees may use the accrued time at a later date, and it should be tracked to maintain a healthy work-life balance. The accumulated time off for exempt employees may not exceed 40 hours and is subject to different guidelines than those for non-exempt employees.

#### 4.3.4. Holiday Pay and Truck Roll

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

#### 4.3.5. On-Call Compensation

Designated Facilities Department employees are required to participate in the Port's on-call rotation as a condition of employment. This includes all Facilities staff other than supervisory or management positions, unless otherwise approved by the Executive Director. Participation in on-call duty is identified in applicable job descriptions as an essential function of the position. On-call designations and schedules are determined by the supervisor based on operational needs.

Employees assigned to on-call duty will receive a stipend and applicable compensation for call-back work as outlined in the Facilities Department On-Call and Call-Back Procedure. Employees are expected to remain accessible, available, and able to respond promptly to calls during their scheduled assignment.

For any emergency requiring an off-hours response, on-call employees will be compensated at the applicable premium rate, with a minimum of one hour of pay for each incident, as defined in the procedure. Time is calculated from when the employee leaves home until returning home. If an emergency occurs during an employee's regular shift, immediately after, or while the employee is already on Port premises, additional hours worked will be compensated at the standard overtime rate.

Participation in on-call duty is a job requirement for designated employees. Failure to perform on-call responsibilities or refusal to participate without an approved accommodation or other authorized reason may result in corrective action, up to and including termination.

Detailed expectations, including response requirements, communication procedures, stipend amounts, backup coverage, and documentation, are outlined in the Facilities Department On-Call and Call-Back Procedure<sup>9</sup>.

#### 4.3.6. Meal and Rest Periods

All non-exempt employees are required to take an unpaid 30-minute meal period when their work period is six hours or greater. Supervisors will provide information on the assigned time and length of the meal period. Under Oregon law, the meal period must be uninterrupted, with the employee fully relieved of all duties. If the work period is less than six hours, no meal period is required.

If an employee is required to remain on duty or perform any tasks during the meal period due to the nature of the work, the employee must inform their supervisor before the end of the shift so that the Port can compensate the employee for that time.

In addition to meal periods, all non-exempt employees are entitled to two paid, uninterrupted 10-minute rest breaks (or the equivalent in smaller increments) for every four-hour segment, or major portion thereof, worked in a work period. Rest breaks should be taken in the middle of each segment whenever possible. For example, employees working a four-hour shift are entitled to one 10-minute rest break, and employees working a six-hour shift are entitled to one 10-minute rest break along with a 30-minute unpaid meal period.

Meal periods and rest breaks are mandatory and cannot be combined into a single break or skipped to adjust start or end times. Failure to comply with this policy or applicable laws may result in disciplinary action, up to and including termination.

#### 4.3.7. Rest Breaks for Expression of Breast Milk

The Port promotes and supports the practice and need for employees to express breast milk on its premises upon their return to work. Until their child is 18 months old, employees may take reasonable rest periods to express breast milk. Rest periods to express breast milk may be taken concurrently with regular meal and rest breaks, although additional reasonable break time will be made available, as needed. Management and

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<sup>9</sup> Location - R:\Archives\Human Resources\Procedures & Protocols\Facilities\On-Call

employees will work together to find mutually agreeable hours of work and breaks which support the continuation of expressing breast milk.

The Port will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, near the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the Port will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period. Hand washing facilities and a refrigerator will also be available at all sites and appropriate signage for privacy will be supplied.

### **Notice**

An employee who intends to express milk during work hours must give their supervisor or Human Resource delegate reasonable oral or written notice of their intention to do so in order to allow the Port time to make any preparations necessary for compliance with this rule.

### **Storage**

Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration but should clearly label any containers with employee 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.

#### **4.3.8. Social and Recreational Activities**

Participation in off-duty social or recreational activities such as organization picnics and holiday parties is entirely voluntary. Participation or nonparticipation will not affect your wages, hours, working conditions, or present or future employment opportunities.

#### **4.3.9. Inclement Weather Attendance: Office Closure for Normal Business**

In the event of inclement weather necessitating the closure of the office for normal business, essential personnel are required to report while non-essential personnel are excused. Specific Maintenance staff (as defined in position descriptions) and possibly some office staff are considered essential and must report during inclement weather events.

- **Non-Exempt Employees:** If the Port closes the office due to inclement weather, any missed work time will be deducted from the employee's accrued, unused PTO. If the employee has depleted their PTO, they may use leave without pay. Management has the discretion to make this time paid if deemed appropriate.
- **Exempt Employees:** During office closures due to inclement weather, any missed work time will be deducted from the employee's accrued, unused PTO. If the employee has exhausted their PTO, no deduction will be made to their salary. Management has the discretion to make this time paid if deemed appropriate.

The Executive Director reserves the right to require non-essential employees to work during office closures, alter shifts, or perform duties beyond their normal scope until the inclement weather situation subsides. All employees working during office closures will be compensated at their regular rate of pay.

#### **4.3.10. Inclement Weather Attendance: Office Open for Normal Business**

For the safety of all Port employees, accrued PTO may be used when severe travel advisories are in effect due to inclement weather. Employees must notify their supervisor on or before their scheduled start time if they are unable to safely travel to work. As a public agency, the Port is required to maintain services to its customers regardless of weather conditions, including snow, ice, and storms. Employees are expected to arrange suitable

transportation during inclement weather to ensure attendance, as their presence is necessary to maintain service.

Employees are responsible for managing personal circumstances, such as distance, vehicle equipment, or school closures, to arrive at work as scheduled. On the first day of inclement weather, employees may receive up to a one-hour "grace" period for late arrival, but on subsequent days, they are expected to make necessary arrangements to be at work on time. Compensation will be provided only for actual hours worked, following standard Port payroll policies for non-exempt and exempt employees.

If an employee cannot travel safely due to unique conditions at their home location, they must contact their supervisor at least one hour before their scheduled start time. Any missed work time due to inclement weather will be deducted from the employee's accrued, unused PTO.

#### 4.3.11. Inclement Weather Attendance: Office Closed Early

If the Port closes the office before the normal end of the workday, on-duty non-essential personnel are excused unless instructed otherwise by the Executive Director. These employees will be paid for the remainder of their scheduled shift without needing to use paid leave. Non-exempt personnel who are required to remain on duty must continue working for the remainder of their scheduled shift and will be paid at their regular rate.

Employees will be notified by 7 a.m. via email to their Port inbox, or through a notification in their online employee portal, to confirm whether the office is open for normal business. The message will include any instructions regarding the Port's operations.

## 4.4. TELEWORK OR TELECOMMUTE

Both telework and telecommuting offer flexibility that may be available to certain positions within the organization. These are distinct arrangements:

- **Telework:** The planned practice of regularly working from a non-organization address, typically the employee's residence.
- **Telecommute:** The planned practice of occasional or intermittent work from a non-organization address, typically the employee's residence.

All telework and telecommuting arrangements require prior written approval from the supervisor and may be modified at the discretion of the Executive Director or designee. These arrangements may be permissible for some jobs but not all. Employees are responsible for ensuring a safe work environment when teleworking or telecommuting and must meet job expectations regardless of their work location. Supervisors are responsible for monitoring compliance with these agreements, relevant policies, performance standards, expectations for work product and productivity, and time accountability.

Employees who telework or telecommute must be available during established work hours and provide timely responses to emails, phone calls, etc. Any absences, including unavailability during work hours, must be pre-approved. Employees must accurately account for all time worked. Supervisors should evaluate requests to alter regular work hours for teleworking or telecommuting employees in the same manner as they would for those working at the Port's address. An employee's salary, benefits, and insurance coverage do not change as a result of teleworking or telecommuting.

Employees are responsible for using Port networks in a safe and secure manner as directed by the Port's IT consultant.

As mentioned above, these are planned arrangements. Employees and supervisors must collaborate to determine if an arrangement can be made and to establish the details of the arrangement.

### Information Technology

Employees who telework or telecommute are expected to set up a remote office and use both organization-provided and personal equipment without direct physical assistance from the Port. While the Port will maintain any equipment it supplies, employees are responsible for the safe and secure transportation of equipment to and from the office. Employees must have sufficient telephone arrangements to perform their work and

participate in telephone conferences during agreed-upon work hours. Additionally, employees must have adequate Internet access if their work assignments require the use of web resources while working remotely.

The Port will determine, with input from the employee and the supervisor, what equipment will be supplied for each telecommuting situation. Employees are required to sign an Equipment Inventory form<sup>10</sup>, affirming responsibility for the equipment and agreeing to return it in its original condition upon request or termination of employment.

All Port-supplied equipment will be maintained by or at the direction of the Port. Equipment supplied by the employee will be maintained by the employee. The Port accepts no responsibility for damage or repairs to employee-owned equipment. All equipment and software supplied by the Port are for Port business only and must comply with the Port's security and maintenance policies and practices. Portable equipment must have Port-authorized security measures installed and running at all times. If the teleworking employee provides their own equipment, it must comply with the Port's security and maintenance policies and practices, as well as any additional safeguards required by the Port. Employees must notify the Port immediately in the event of a breakdown or other issue with supplied equipment, software, or other materials. Employees will follow the Port's direction regarding any necessary repairs, updates, replacements, etc. Upon separation of employment or the discontinuation of a telework arrangement, all Port property issued to the teleworking employee must be returned. Port data stored on any employee's personal electronic equipment is subject to public records requests and discovery and may be reviewed by the Port at any time.

### **Security**

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

Steps include making sure that:

- All devices have anti-virus software
- 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 [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 Port authorized shared network drives or cloud locations. Similarly, no data is saved or stored on portable machines.
- VPN access [if available] is only via the Port issued devices. No personal devices are connected via VPN.

For further details, employees are encouraged to contact the Port's IT Consultant.

### **Physical Security**

Employees are expected to ensure physical office security by taking measures such as keeping proprietary materials in locked file cabinets and desks, securing doors and windows, concealing devices when not in use, and implementing any other appropriate security measures for the job and environment.

Employees must follow all Port policies related to information and data security. Complying with these policies mitigates risk and ensures an appropriate level of security for confidential information, both paper and electronic, whether in transit or at an alternate worksite. When accessing the Port's network from a personal computer, employees are responsible for preventing access to any computer resources or data by unauthorized users. Additionally, employees must ensure the remote host is not connected to any other network simultaneously, except for personal networks that are under their complete control or under the complete control of the employee.

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<sup>10</sup> Location - R:\Archives\Human Resources\Forms & Templates\Equipment Inventory Form

Performing illegal activities through the Port network or on Port time is strictly prohibited. Employees bear responsibility for and the consequences of misuse of their access. The IT Consultant will confirm that the user's device does not contain any traces of protected, sensitive, Port, or proprietary information and will delete any such data, licensing, and information remaining on the device.

### **Technology Support**

The IT Consultant will only provide device support that relates to the Port devices and connection.

## **4.5. EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT**

The Port will cover all actual and reasonable business-related expenses incurred by employees while performing their job responsibilities. All such expenses must be pre-approved by the employee's supervisor prior to payment.

### **4.5.1. Expense Reimbursement Procedure and Reports**

Requests for expense and mileage reimbursement must be submitted at least quarterly. Each request must include supporting documentation and/or itemized receipts. Expense reimbursements will not be processed unless all itemized receipts are provided. If receipts are lost, a note detailing the business activity and expense must be submitted.

### **4.5.2. Mileage Reimbursement**

Employees may use their personal vehicles for Port-related business purposes with supervisor approval. Please refer to the "Driving While on Business" section for more details.

Employees will be reimbursed for mileage when using their personal vehicles for approved travel related to Port business, such as attending meetings, visiting job sites, running work-related errands, or any other travel directly tied to fulfilling their job responsibilities. Reimbursement will be at the current IRS-determined rate per mile. To recover these costs, an expense report must be signed and dated by the employee, initialed by their supervisor, and submitted to the Finance Department for processing according to policy. Employees with questions about expense reports and mileage allowances should consult their supervisor.

### **4.5.3. Credit Card Use and Reconciliation**

If a Port credit card is issued to an employee, the employee is responsible for maintaining accurate records of all purchases and submitting required receipts and documentation for monthly reconciliation with their supervisor. Credit cards may only be used for legitimate Port-related business expenses in accordance with IRS guidelines and Port Financial Policies. Employees must complete a Credit Card Agreement prior to receiving a card and must adhere to all applicable procedures for reconciliation and documentation. Personal use of Port credit cards is strictly prohibited.

**Note:** Specific procedures, spending limits, and approval requirements are outlined in the Port's Financial Administrative Policies<sup>11</sup>, which govern credit card administration and reconciliation processes.

### **4.5.4. Overnight Travel and Meal Expense Reimbursement**

Employees traveling overnight on Port-related business activities will be reimbursed for lodging, meals, and incidental expenses based on the per diem rates set by the IRS. These per diem rates cover the costs of lodging, meals, and incidental expenses such as tips and fees. Employees should refer to the current IRS per diem rates for the specific location of their travel. Employees do not need to keep receipts for expenses covered by the per diem rate. However, to ensure the per diem is nontaxable, employees must submit an expense report to the employer detailing the dates, locations, and business purpose of the travel. Link to the expense report<sup>12</sup> can be found below.

### **4.5.5. Exceeding Per Diem Limits**

There may be certain group meal functions at conference or training locations where exceeding the per diem limits is acceptable. Such situations should be known in advance, and prior approval must be obtained from the

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<sup>11</sup> Location - R:\Archives\Policy Documents\Policies\Financial\Financial Policies & Procedures

<sup>12</sup> Location - R:\Archives\Human Resources\Forms & Templates\Expense Reimbursement Request

Executive Director or designee. Additionally, receipts must be submitted as part of the expense reimbursement request.

#### 4.5.6. Alcoholic Beverages

The Port will not reimburse costs for alcoholic beverages, and such expenses should not be submitted for reimbursement.

#### 4.5.7. Transportation Expense Reimbursement

Transportation costs, including airfare, airport parking, hotel shuttles, automobile rental, and fuel for rental vehicles, may only be expensed with prior written approval.

As part of each employee's official compensation package, employees may retain any travel benefit program rewards such as frequent flier miles for the employee's own personal use. If the employee receives such travel benefit awards for their personal use, the employee may need to report the value of such rewards for income tax purposes. If an employee receives compensation from a carrier for delay or cancellation of travel, or similar situation, the employee may retain such compensation for delay or cancellation provided there was no increased cost to the Port. Any vouchers for unused transportation or lodging paid for by the Port are the property of the Port.

#### 4.5.8. Spouse/Guest Expense Reimbursement

The Port will not pay for meals or entertainment expenses of spouses, guests, or significant others. The Port expects its employees to use good judgment and reserves the right to deny an expense if it is deemed unreasonable by management.

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# 5. BENEFITS

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## 5.1. ADDITIONAL COMPENSATION: BENEFITS

The Port strives to provide equitable and cost-effective benefits for employees in recognition of the influence benefits have on employees' economic and personal welfare. Paid in various benefit forms on behalf of employees, the total cost of providing the benefit program is a significant supplement to pay and should be viewed as additional compensation.

Policies, provisions, and procedures that govern the Port's benefit program apply to all regular full-time and part-time employees, whether exempt or non-exempt, unless otherwise stated in a particular benefit plan. Benefits do not apply to temporary or on-call employees.

Some benefits may accrue during the new-hire introductory period, but in most cases, eligibility to use these benefits will not occur until an employee obtains regular employee status or meets other conditions of employment specified in the Handbook or contained in the benefit policy/plan booklets.

### 5.1.1. Benefit Pro-Ration and Employee Cost Sharing

Discretionary employee benefits not mandated by state or federal law are selected and controlled by the Port. Decisions to provide these benefits are based on considerations such as cost, composition of the workforce, operational efficiency, and desirability of benefit provisions. When the costs of discretionary insurance benefit plans exceed the Port's interest in or ability to pay the full premium, employees will be required to share in the cost of their coverage.

### 5.1.2. Benefit Design and Modification

The Port reserves the right to design plan provisions and to add, eliminate, or otherwise modify the benefits described in this Handbook or elsewhere in plan documents when it is in the Port's best interest. Employees should consider that changes to benefits may occur at management's discretion before making serious, long-term decisions based solely on current benefit offerings.

### 5.1.3. Benefit Plan Documents

Employees will receive summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents govern. These official documents are available from SDIS – Special District Insurance Services or current insurance provider for review. Employees are asked to refer any questions about this information to the Human Resources delegate.

### 5.1.4. Benefit Changes and Continuation

Individual benefits may be modified, become more expensive, or may even be eliminated in the future because of cost increases or as a result of changes in the business situation or economic conditions. Employees are encouraged to be thoughtful about relying solely on these benefits, given that they are subject to change. Upon separation from employment, employees may be eligible for the continuation of benefits consistent with state and federal law. Any benefits described in this Handbook apply only so long as the Handbook is current; employees do not have vested rights.

## 5.2. HEALTH INSURANCE BENEFIT

### 5.2.1. Comprehensive Insurance Benefits Overview

#### **Eligibility**

Only regularly scheduled, full-time employees working 30 hours or more per week are eligible for the Port's health benefits package. This includes Medical, Dental, Vision, Life, Disability, AD&D Insurance, the Employee Assistance

Program (EAP), and participation in Flexible Spending Accounts (FSA) and Dependent Care Assistance Program (DCAP). This eligibility standard excludes all seasonal and temporary employees.

### **Overview**

The Port offers a comprehensive healthcare package that includes Medical, Dental, Vision, and an Employee Assistance Program (EAP) for eligible employees and their dependents. Eligible dependents include a legal spouse, an eligible domestic partner, and children up to age 26, as defined in the plan documents.

Plan options are designed to balance quality care and cost savings. Details about available plans, coverage, and employee costs are provided in official insurance documents, which employees receive on their first day of work and whenever plan changes occur.

### **Plan Review and Cost Management**

The Port reviews its health insurance offerings and contribution structure on an annual basis to ensure long-term fiscal sustainability. While the Port makes every effort to provide quality, affordable healthcare coverage, it reserves the right to adjust its contribution levels and cost-sharing arrangements in response to rising healthcare costs or budgetary needs.

### **Enrollment and Coverage Start Date**

Coverage details are provided at the time of hire, during the annual open enrollment period, and when a qualifying life event occurs. Benefits become effective on the first of the month following the employee's date of hire unless the hire date is the first workday of the month, in which case coverage begins immediately. Official plan documents are distributed on the first day of work or upon any plan changes.

Please refer to these official documents or contact Human Resources for full details. Eligibility for benefits does not guarantee continued employment for the period required to qualify for those benefits.

### **COBRA Continuation Coverage**

If an employee's coverage under the Port's group health plan ends due to a qualifying event, they and their eligible dependents, as clarified above, may have the right to continue coverage at their own expense under the federal COBRA law. COBRA continuation coverage is available only to employees and dependents who were eligible for the Port's health benefits at the time of the qualifying event. A detailed notice outlining COBRA rights and responsibilities will be provided upon termination of employment or other qualifying events.

### **Life, Disability, and AD&D Insurance**

The Port provides basic life insurance, short-term disability insurance, and accidental death and dismemberment (AD&D) coverage for all employees who meet the Port's health benefits eligibility requirements. For exempt employees only, long-term disability insurance is also provided. Specific information about coverage amounts and terms is provided at the time of hire and is available from Human Resources upon request.

### **Flexible Spending Accounts (FSA and DCAP)**

The Port offers employees the option to participate in a medical Flexible Spending Account (FSA) and a Dependent Care Assistance Program (DCAP). These benefits are available to employees who meet the Port's health benefits eligibility criteria. These accounts allow pre-tax contributions to cover eligible healthcare and dependent care expenses for the employee and their eligible dependents, as clarified above. Annual enrollment is required, and participation is subject to IRS rules. For details, contact Human Resources.

## **5.3. OTHER INSURANCE BENEFITS**

### **5.3.1. State Unemployment Insurance**

The Port participates in a self-funded State Unemployment Insurance program that adheres to all applicable state regulations and requirements. This program provides weekly benefits to employees who become unemployed through no fault of their own or under circumstances outlined by state law. Eligibility and benefit duration are determined by state guidelines and the employee's work history. Employees with questions about unemployment benefits can seek assistance from the Human Resources delegate.

### 5.3.2. Workers' Compensation

The Port is committed to the safety and well-being of its employees by providing comprehensive Workers' Compensation insurance coverage. This insurance covers medical treatment and part of any income lost due to work-incurred injuries or illnesses. Specific benefits are determined by state laws and vary based on the nature and severity of the incident.

To ensure maximum coverage and a smooth claims process, employees must: (1) report any work-related accidents or illnesses immediately to their supervisor and the Human Resources delegate; (2) seek medical treatment and follow-up care if necessary; and (3) promptly complete a written Employee's Claim Form (Form 801). Prompt reporting ensures accurate documentation and timely medical intervention. The Port also emphasizes creating a safe work environment through adherence to safety regulations, regular training sessions, and promoting a culture of safety awareness.

### 5.3.3. Return to Work

If an employee requires workers' compensation leave, they will — under most circumstances — be reinstated to the same position held at the time the leave began or to an equivalent position, if available. However, the employee must first provide documentation from a healthcare provider familiar with their condition certifying their ability to return to work and perform the essential functions of the position.

When returning from workers' compensation leave, employees have no greater right to reinstatement than if they had been continuously employed. For example, if the employee would have been laid off during the leave, or if the position is eliminated and no equivalent or comparable positions are available, reinstatement may not be guaranteed. The Port does not discriminate against employees who experience a workplace injury or illness.

### 5.3.4. Early Return to Work

The Port's Return-to-Work program provides guidelines for returning employees to work as soon as possible after an on-the-job injury or illness resulting in time loss. This program is not a substitute for reasonable accommodation when the injured employee also qualifies as an individual with a disability. The program is designed as transitional work to facilitate an employee's return to their regular job within a reasonable time frame. The Return-to-Work program for job-related injuries is a collaborative effort involving the Port, injured employees, their treating physicians, and the workers' compensation insurance carrier claims staff. The goal is to return employees to full employment as early as possible, consistent with their medical condition and the advice of the treating physician.

If an employee's doctor determines that they are able to perform modified work, the Port will attempt to provide a temporary job assignment for a reasonable period until the employee can resume regular duties, except when accommodations are needed for a disability. If an employee is offered a medically approved modified position due to a work-related injury, failure to phone in or report at the designated time and place may impact their compensation and employment with the Port. While working in a modified or transitional role, the employee remains subject to all other Port rules and procedures.

### 5.3.5. Overlap with Other Laws

The Port will take into account other applicable leave and disability laws, such as the Americans with Disabilities Act (ADA), the Oregon Family Leave Act (OFLA), or Paid Leave Oregon, that may apply to an employee's situation. If, after returning from workers' compensation leave, it is determined that the employee is unable to perform the essential functions of their position due to a qualifying disability, they may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering workplace disabilities.

For detailed information regarding workers' compensation benefits and procedures, employees should refer to the official plan documents or contact the Human Resources delegate. The Port is committed to providing the necessary support and care in the event of a work-related injury or illness.

## 5.4. PAID TIME OFF (PTO) POLICY

The Port's Paid Time Off (PTO) program provides employees with paid time away from work for any reason, including vacation, illness, personal appointments, or other personal needs. PTO combines vacation and sick time

into one bank to offer flexibility and ensure income stability during time away from work. The policy is designed to promote work-life balance while complying with applicable sick leave laws.

### **Eligibility**

All regularly scheduled full-time employees working 32 hours or more per week are eligible to accrue PTO based on their length of service.

Part-time, temporary, intern, and seasonal employees do not accrue PTO. Instead, they are eligible for:

- Oregon-mandated paid sick leave, accrued at 1 hour for every 30 hours worked, up to 40 hours per year, and
- Three personal (floating) holidays per calendar year, which may be used for any purpose. These floating holidays do not accrue, do not carry over, and are not eligible for cash-out.

### **PTO Accrual Rates for Full-Time Employees**

- 1st through 12th month (1st year): 7.11 hours per pay period
- 13th through 60th month (2–5 years): 7.61 hours per pay period
- 61st through 120th month (6–10 years): 8.31 hours per pay period
- 121st through 180th month (11–15 years): 10.11 hours per pay period
- 181st through 240th month (16–20 years): 10.61 hours per pay period

PTO is earned each pay period and reflects combined vacation and sick time. PTO is available for use after 90 days of employment, unless otherwise negotiated at hire.

### **Sick Leave for All Employees**

In accordance with Oregon Sick Leave Law, all employees—regardless of classification—accrue 1 hour of paid sick leave for every 30 hours worked, up to 40 hours per year. Sick leave may be used for personal illness or injury, preventive care, medical appointments, donating blood, or to care for a qualifying family member.

- Accrual begins on the first day of employment.
- Sick leave may be used after 90 days of employment.

If an employee separates and is rehired within 180 days, the Port will reinstate any previously accrued, unused sick leave and credit prior service toward the 90-day eligibility period. If the employee is rehired after more than 180 days, they start over with a zero balance and must wait 90 days before using newly accrued sick leave.

### **Accrual Start Date**

PTO and sick leave begin accruing on the employee's first day of work. Use of PTO or sick leave is restricted until the employee has completed 90 days of employment, unless otherwise agreed in advance.

### **PTO Usage**

PTO can be used for any purpose, including vacation, illness, medical appointments, personal time, or family care. PTO should be scheduled and approved in advance whenever possible. Employees must complete a Leave of Absence Request Form<sup>13</sup> for all planned time off and submit it to their supervisor. For unplanned absences, employees must notify their supervisor as soon as possible.

### **Required Notice for Time Off**

- Illness or injury: Notify supervisor at least 2 hours prior to the start of the shift
- Planned time off: Submit request at least 2 weeks in advance

PTO is considered replacement time and may only be used for scheduled workdays and hours. Time off must be taken in increments of 30 minutes or more. If multiple employees request the same time off, departmental seniority may be used to determine approval. Management reserves the right to deny requests based on business needs, even if timely notice is provided.

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<sup>13</sup> Location - R:\Archives\Human Resources\Forms & Templates\Leave of Absence Request Form

### **PTO Payment**

All PTO is paid at the employee's regular base pay rate, including applicable shift differentials.

### **PTO Year-End Options (Full-Time Employees Only)**

At the end of the calendar year, full-time regularly scheduled employees will be required to choose one of the following three options for unused PTO:

- **Transfer to Disability Bank:** PTO hours may be transferred for future use during extended absences, including but not limited to those related to illness, injury, disability, hospitalization, mental health needs, or other qualifying personal or medical reasons approved by the supervisor. Hours in the Disability Bank are not eligible for cash-out.
- **Carry Over:** Employees may carry over up to 120 hours of unused PTO into the next calendar year. These hours remain available for future use and are eligible for cash-out at a later time.
- **Cash Out:** Employees may elect to cash out any PTO hours in excess of the 120-hour balance in the Earned Bank, paid at full value in the first regular payroll in January. To be eligible for cash-out, employees must maintain a minimum PTO balance of 120 hours.

Employees must make their year-end selection after the final payroll of the year. Updated PTO balances will appear in the first payroll of the new year.

### **Extended Absence / Disability Bank**

The Disability Bank is intended for extended absences, including those related to illness, injury, hospitalization, pregnancy-related conditions, mental health needs, or other absences approved by the supervisor. Employees may accumulate up to 1,040 hours (approximately six months) in their Disability Bank.

These hours may only be used for qualifying extended absences and are not eligible for payout upon separation.

### **Sabbatical Leave**

The Port may grant sabbatical leave for personal or professional development, subject to approval by the Executive Director. Sabbaticals are typically considered for employees with 10 or more years of continuous service and must be coordinated to ensure operational coverage. Accrued Disability Bank hours may be used during sabbaticals with prior approval.

### **Employee Responsibilities**

Employees are responsible for understanding and following this PTO policy, including timely communication with supervisors, planning in advance, and ensuring proper use of time off.

### **Additional Support**

The Port offers an Employee Assistance Program (EAP) to support employee well-being, including resources for managing stress, health challenges, and personal issues. If employees are facing extended time away from work and have exhausted their PTO hours, they are encouraged to contact Human Resources and explore the Paid Leave Oregon program as soon as possible.

## **5.5. PAID HOLIDAY BENEFIT**

The Port provides paid holidays to recognize and celebrate important national and cultural events, and to give employees time off for rest and personal activities.

### **Eligibility:**

Full-time employees are eligible for the following paid holidays each calendar year, per the following schedule:

- New Year's Day (January 1)
- Presidents Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veterans Day (November 11)

- Thanksgiving Day (Fourth Thursday in November)
- Friday after Thanksgiving
- Christmas Day (December 25)

When a Port holiday falls on a Sunday, the following Monday will be observed as the holiday. If a holiday falls on a 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. Holidays are defined as the 24 hours beginning at midnight on the date of the holiday.

### **Floating Holidays**

The Port provides floating holidays to offer full-time employees flexibility for personal needs or special occasions. Full-time employees receive five floating holidays per year, credited on January 1, which include recognition for Martin Luther King Jr. Day, Indigenous Peoples' Day, and Juneteenth. Employees hired after July 1 will receive two floating holidays in their first year; those hired before July 1 will receive five.

Floating holidays must be used by the end of the final pay period of each calendar year and cannot be carried forward or cashed out if unused. They must be used in 8-hour increments. Requests for floating holidays should follow the PTO procedures but may be approved with shorter notice if feasible. Employees are encouraged to schedule all floating holidays in advance to ensure adequate coverage and minimal disruption to operations.

While the Port offices remain open on Martin Luther King Jr. Day, Indigenous Peoples' Day, and Juneteenth, employees may request these days off following the PTO procedures, on a first-come, first-served basis.

Part-time employees who are scheduled to work on Martin Luther King Jr. Day, Indigenous Peoples' Day, or Juneteenth will receive double their base rate for any hours worked on those days.

## **5.6. OTHER BENEFITS**

### **5.6.1. Employee Assistance Program**

All full-time Port employees covered by the SDIS medical insurance program have additional wellness benefits available through our Employee Assistance Program (EAP). Provided by Canopy through SDAO/SDIS insurance, this program offers various services, including three free counseling sessions per year, available face-to-face, over the phone, or via video conference. These confidential sessions with professional mental health care providers are designed to support employees' mental health and well-being. Given the increased stress from the pandemic, leadership changes, new roles and responsibilities, and busy summer seasons, employees are encouraged to take advantage of these resources. For more information, please contact the Human Resources delegate.

### **5.6.2. Retirement Plan**

The Oregon Public Employees Retirement System (PERS) covers all employees in a PERS-qualified position who work at least 600 hours and more than six months in a calendar year. Employees are required to contribute 6% of their payroll once they become PERS members, and the Port also funds the PERS defined benefit of the pension plan, which is updated biennially. This plan ensures long-term financial security for employees. For further details about the Oregon PERS plan, employees can contact the Human Resources delegate or visit the Oregon PERS website at <https://www.oregon.gov/pers/Pages/index.aspx>.

### **5.6.3. Oregon Savings Growth Plan**

Port employees have the option to participate in the Oregon Savings Growth Plan (OSGP), a voluntary 457(b) deferred compensation plan operated by the State of Oregon Retirement Systems. This plan allows employees to contribute pre-tax or post-tax (Roth) dollars to a retirement savings account, with a variety of investment options available. The OSGP is designed to supplement other retirement benefits, such as the Oregon Public Employees Retirement System (PERS), offering employees an additional way to grow their retirement savings and enhance their financial security. Employees interested in participating should contact the Human Resources delegate for more information and enrollment forms.

#### 5.6.4. Uniforms, Boots, and Rain Gear

The Port provides uniforms, hats, and name tags to all personnel not only as a benefit to employees but also to identify workers to the public. As representatives of the Port, Port personnel are expected to represent the Port positively and professionally by wearing the uniform every day or displaying Port logo tags identifying them as Port employees. Maintenance personnel are required to use Port uniforms, hats, name tags, and safety equipment with the Port's logo while working in the field, as this is an expectation set by the Port and the Board of Commissioners.

Effective January 1, 2026, the Port will provide an annual safety-boot stipend, in an amount approved in the Port's budget, for employees whose job duties require safety boots as determined by their supervisor or manager. This stipend will be issued each January and paid through the employee's regular paycheck to support the purchase of work-related safety boots. Because it is provided as a cash payment, the stipend will be treated as taxable income in accordance with IRS rules.

Safety remains a key objective of the Port, and all employees working in environments where foot injury could occur must wear appropriate work boots. Employees are responsible for selecting and maintaining boots that meet safety standards. Appropriate rain gear and boot tracks for ice will continue to be provided to field personnel. For any questions, employees should contact their supervisor.

#### 5.6.5. Education and Training Assistance Program

The Port of Hood River supports the professional development and personal growth of employees through educational opportunities that enhance job skills, improve performance, and prepare employees for future roles within the organization.

##### **Eligibility:**

This program is available to all regular full-time and part-time employees in good standing. Education or training must be directly related to the employee's current job or a potential future position at the Port.

##### **Covered Expenses:**

With prior written approval from the Executive Director or designee, the Port may reimburse:

- Tuition and enrollment fees
- Required textbooks (which become Port property)
- Examination or certification fees

If other funding sources (e.g., grants, scholarships, or third-party reimbursements) are available, the Port will reimburse only the remaining uncovered costs, up to the program's limit and the maximum allowed by the IRS.

##### **Training Time and Participation:**

Employees are encouraged to attend at least one workshop, conference, or special training per year that relates directly to their role. Local opportunities are preferred; however, if specialized training is unavailable locally, the Port may approve related travel, meal, and lodging expenses. Time away from work for educational purposes must be pre-approved.

Programs such as workshops, institutes, or seminars that do not meet reimbursement criteria may still be attended during regular work hours if approved by the Executive Director or designee.

##### **Reimbursement Requirements:**

- Courses must be pre-approved in writing.
- Employees must receive a passing grade of 'C' or better, or a "Pass" for ungraded programs.
- Proof of enrollment and a grade report must be submitted upon course completion.
- The maximum annual reimbursement is subject to IRS guidelines (see IRS Publication 15-B).

**Repayment Clause:**

If an employee voluntarily separates from the Port within 90 days of completing a reimbursed course, they must repay up to 75% of the reimbursed amount. The Port will issue an invoice for repayment, as deductions cannot be made from final pay.

**Testing Fees:**

The Port will pay for examination or certification testing fees one time only, regardless of whether the employee passes.

**Tax Treatment:**

Reimbursements under this program are generally excludable from taxable wages in accordance with IRS rules, up to the annual maximum allowed by the IRS. For more information or to request approval for a training or course, employees should contact their supervisor or the Human Resources delegate during the annual budget planning cycle.

### 5.6.6. Value-Based Compensation Program

The Port of Hood River supports continuous professional development through a Value-Based Compensation Program. This program provides additional pay to employees who complete pre-approved training, certifications, or licenses that directly enhance their job performance and contribute to Port operations.

Employees may be eligible for a flat-rate or percentage-based pay differential, depending on the type and level of training completed. All training must be relevant to the employee's current position or a potential future role and must be pre-approved by the employee's supervisor and the Executive Director.

For full eligibility criteria, application procedures, and a list of qualifying trainings, employees should refer to the Value-Based Compensation Program<sup>14</sup>, available from Human Resources.

### 5.6.7. Personal Enrichment Reimbursement Program

The Port recognizes that supporting employees in maintaining a healthy work-life balance contributes to overall well-being, job satisfaction, and positive performance. Engaging in enriching personal activities outside of work helps employees recharge and fosters a more productive and resilient workplace culture.

To support this goal, the Port offers a Personal Enrichment Reimbursement Program, providing eligible employees with reimbursement of up to \$350 per fiscal year to offset the cost of qualifying personal enrichment activities.

**Eligible Activities**

Examples of qualifying activities include:

- Gym or fitness memberships
- Exercise, yoga, dance, or mindfulness classes
- Art, music, language, cooking, or writing classes
- Participation in recreational or special interest clubs (e.g., book clubs, golf, hiking, or community groups)

This list is not exhaustive; if you are unsure whether an activity qualifies, contact Human Resources or the Finance Director for clarification prior to enrolling.

**Note:** Purchases of physical assets or equipment (e.g., bikes, golf clubs, home fitness gear, instruments, etc.) **do not qualify** for reimbursement.

**Eligibility**

This benefit is available to all regular full-time and part-time employees actively employed at the time of reimbursement. Seasonal, temporary, intern or contract employees are not eligible.

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<sup>14</sup> Location - R:\Archives\Human Resources\Value-Based Compensation Program

### **Reimbursement Guidelines**

- The maximum reimbursement is \$350 per employee per fiscal year (July 1 – June 30).
- The expense must occur within the current fiscal year and be related to a qualifying activity.
- Reimbursement will be processed as a taxable fringe benefit and included in your paycheck.
- To request reimbursement, employees must submit a completed Personal Enrichment Reimbursement Form, along with proof of payment, to the Finance Director no later than June 30 of the current fiscal year.

### **Submitting a Request**

To receive reimbursement:

1. Complete the Personal Enrichment Reimbursement Form<sup>15</sup>.
2. Attach itemized receipts or proof of payment for the approved activity.
3. Submit all documents to the Finance Director by June 30.

Reimbursements will be processed through payroll on a regular cycle, subject to tax withholding as required by IRS guidelines.

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<sup>15</sup> Location - R:\Archives\Human Resources\Forms & Templates\Personal Enrichment Reimbursement Form

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# 6. LEAVES OF ABSENCE

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The Port recognizes that employees may encounter situations that require temporary short-term or extended absences from work. We offer several types of leaves of absence for various purposes, ensuring that our employees have the support they need during such times. The types of leaves available include:

- Bereavement Leave
- Disability Leave (Non-FMLA)
- Family and Medical Leave
- Civic Duty Leave
- Military Leave
- Donate Bone Marrow
- Personal Leave
- Crime Victims' Leave
- Domestic Violence Leave
- Paid Leave Oregon
- PTO (as described in previous section)

The type of leave requested may determine which employees are eligible and the procedures to be followed in requesting and obtaining the leave. The impact of the leave on benefit accruals, benefits, and reinstatement rights also varies according to the type of leave requested. Detailed information about each type of leave is provided in the following pages.

For any questions regarding eligibility for a leave of absence, the procedures to follow, or the benefits and rights available while on leave, please contact the Human Resources delegate.

## 6.1. BEREAVEMENT LEAVE

### **Purpose of Leave**

Bereavement Leave may be used to attend funeral or memorial services, make necessary arrangements, and grieve the loss of a qualifying family member.

### **Eligible Family Members**

Bereavement Leave is available in the event of the death of the following individuals:

- Spouse or registered domestic partner
- Child or child's spouse or partner (including biological, adopted, foster, or stepchild)
- Parent
- Grandparent or grandchild
- Parent-in-law
- An individual who stood in loco parentis (acted as a parent)
- An individual related by blood or affinity whose close association is equivalent to a family relationship

Leave to attend the funeral of a non-immediate family member with whom the employee had a particularly close relationship may be granted at management's discretion.

### **Length of Leave**

Under the Oregon Family Leave Act (OFLA), employees who have been employed by the Port for at least 180 calendar days and have worked an average of 25 hours per week are entitled to up to two weeks (10 working days) of job-protected bereavement leave per qualifying death. The leave must be completed within 60 days of receiving notice of the death.

Employees who have not yet met OFLA eligibility requirements may still request bereavement leave using accrued Paid Time Off (PTO), subject to supervisor approval.

### **Request Procedure**

Employees should provide at least 10 days' advance notice when possible. If advance notice is not feasible, verbal notice must be provided within 24 hours of starting leave. Someone may notify the Port on the employee's behalf if necessary.

If the leave was not requested in writing in advance, the employee must submit a written confirmation of the leave within three (3) days of returning to work. This written confirmation is for documentation purposes and helps ensure accurate leave tracking.

### **Pay While on Leave**

The Port provides up to three (3) paid days of Bereavement Leave per qualifying death. These paid days are counted as part of the two-week bereavement leave entitlement.

Employees may use accrued Paid Time Off (PTO) to cover any additional bereavement leave beyond the three paid days. Any remaining time beyond available PTO may be taken as unpaid leave, but will remain job-protected under OFLA if the employee is eligible.

### **Status of Benefits**

Paid Bereavement Leave (up to three days) does not affect benefit eligibility or accruals. Any additional leave taken as PTO or unpaid bereavement leave will be treated in accordance with the Port's PTO, OFLA, and benefits continuation policies.

## **6.2. CIVIC DUTY LEAVE**

### **6.2.1. Jury or Witness Duty Leave**

#### **Purpose:**

The Port provides protected leave of absence for employees subpoenaed to serve as witnesses or for jury duty. If the absence would cause undue hardship to the employee or the organization, the Port may request, with the employee's agreement, that jury duty be postponed. Employees may choose to use their accrued PTO leave for voluntary service as a witness or for their own legal proceedings or lawsuits.

#### **Length of Leave:**

Jury or witness duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions. Employees are expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep their supervisor informed about the amount of time required for jury duty.

#### **Request Procedure:**

Employees must notify their manager or supervisor as soon as practicable after receiving notice to serve as a witness or on a jury so that arrangements can be made to cover their position. Employees are expected to provide a copy of the subpoena or notice within five (5) days of receiving it.

#### **Pay While on Leave:**

Non-exempt employees will be compensated for the difference between civic pay received and their regular rate of pay for up to two (2) weeks. After that period, employees may utilize paid time off if desired. For exempt employees, any partial day or partial week worked will be paid in full; employees are required to remit to the Port any jury fees received in connection with their service.

#### **Status of Benefits:**

Benefits are not affected by jury or witness duty leaves.

### **6.2.2. Voting Leave**

#### **Purpose:**

The Port encourages all employees to vote and to take advantage of polling hours before or after work. If employees are unable to vote outside of business hours, the Port will accommodate them by arranging time for them to vote.

**Request Procedure:**

Employees must notify their supervisor before Election Day if they are unable to vote before or after work and provide a valid reason why voting during those hours is not possible.

**Pay While on Leave:**

Time off to vote will be without pay for non-exempt employees unless they have earned hours of vacation or personal time that they can use for that purpose.

## 6.3. CRIME VICTIM'S LEAVE & DOMESTIC VIOLENCE LEAVE

### 6.3.1. Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days immediately before the date the employee takes leave is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or their immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault.

"Immediate family member" includes a spouse, registered domestic partner, father, mother, sibling, child, stepchild, or grandparent of the employee.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of their intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to [Contact] as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, Port may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

### 6.3.2. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence or the crimes of harassment, sexual assault, bias or stalking (either the employee or the employee's minor dependents).

Reasons for taking leave include the employee's (or the employee's dependent's) need to: seek legal or law enforcement assistance or remedies; secure medical treatment for or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation or sick leave while on this type of leave. Employees should also determine whether Paid Leave Oregon may provide pay during this type of leave. See the "Paid Leave Oregon" policy for more information.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of their intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to the Human Resource delegate as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. The Port will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give Port notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give verbal or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault, bias crimes or stalking may be entitled to a “reasonable safety accommodation” that will allow the employee to more safely continue to work, unless such an accommodation would impose an “undue hardship” on Port. Please contact the Human Resources delegate immediately with requests for reasonable safety accommodations.

## 6.4. FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Port of Hood River is considered a covered employer under the Federal Family and Medical Leave Act (FMLA) because all public agencies are covered regardless of size. However, for an employee to be eligible to take job-protected FMLA leave, the employer must have at least fifty (50) employees within a 75-mile radius of the employee’s worksite. Because the Port employs fewer than fifty (50) employees within a 75-mile radius, employees are not currently eligible for federal FMLA leave, even though the Port is a covered employer. If the Port’s employee count changes and employees become eligible, updated notice will be provided.

## 6.5. OREGON FAMILY LEAVE ACT (OFLA)

The following summarizes the Oregon Family Leave Act (OFLA) policy and procedures. Generally, eligible employees are entitled to up to 12 weeks of unpaid, job-protected leave for the reasons identified below.

Oregon law prohibits retaliation against any employee for asking about, requesting, or using OFLA leave. In all cases, applicable Oregon statutes, administrative rules, Port policies, and collective-bargaining agreements govern the employee’s and the Port’s rights and obligations.

Employees seeking more information should contact Human Resources. The official “Oregon Family Leave Act” notice is posted in the Food Prep Room and Maintenance Shop, and is incorporated here by reference.

### Definitions:

- **Family Member:** Includes a spouse or domestic partner; a child of the employee or of the employee’s spouse or domestic partner; a parent of the employee or the parent’s spouse or domestic partner; a sibling or stepsibling and their spouses or domestic partners; a grandparent or grandchild and their spouses or domestic partners; and any individual related by blood or affinity whose close association is the equivalent of a family relationship.
- **Child:** Includes a biological, adopted, foster, or stepchild; the child of a registered domestic partner; or a child for whom the employee stands in loco parentis. A child is covered under age 18 or over 18 if incapable of self-care due to a mental or physical disability.

### Eligibility

- **OFLA Eligibility:** An employee must have been employed at least 180 days and have averaged 25 hours per week during the 180 days preceding the leave.
- **OMFLA (Oregon Military Family Leave):** Employees need only average 20 hours per week; there is no minimum length of employment.
- **Public Health Emergency Leave:** During a declared public-health emergency, employees are eligible to take any OFLA leave if they have either
  - a) worked more than 30 calendar days immediately before the leave begins, or
  - b) averaged 25 hours per week during the 30 days preceding the leave.

This temporary eligibility applies only while the emergency declaration is in effect.

### Public Health Emergency

A “public health emergency” is a public health emergency declared under ORS 433.441 or an emergency declared under ORS 401.165.

Examples include the State of Oregon’s COVID-19 emergency (2020) or wildfire emergencies (2021).

Unplanned School or Child-Care Closures – If a child’s school or childcare provider closes due to a public-health emergency declared by the Governor, employees are not required to provide advance notice. Employees should follow the Port’s standard call-in procedures to report the absence as soon as practicable.

### **Reasons for Taking Leave**

- 1. Pregnancy Disability Leave:** For incapacity due to pregnancy, prenatal care, or birth.
- 2. Sick Child Leave:** To care for a child who has an illness or injury requiring home care or who has a serious health condition, or when the child’s school or place of care is closed due to a public-health emergency.
- 3. Bereavement Leave:** To attend or plan a family member’s funeral or grieve their death (up to two weeks per family member, maximum four weeks per leave year).
- 4. Oregon Military Family Leave (OMFLA):** Up to 14 days of unpaid leave per deployment for eligible employees with a spouse or domestic partner called to or on active duty.
- 5. Public Health Emergency Leave:** As described above, for any qualifying OFLA reason while a public-health emergency is in effect.

### **Length of Leave**

Eligible employees may take up to 12 weeks of unpaid, job-protected leave in a 12-month (“one-year”) period. Additional weeks may apply for pregnancy-related disability or as otherwise provided by law. Employees are eligible to take up to two (2) weeks of unpaid Bereavement leave, up to a maximum of four (4) weeks per leave year.

One-Year Period – OFLA leave is measured using a rolling 52-week period, beginning on the Sunday immediately preceding the date the leave begins. Each time an employee requests OFLA leave, Human Resources will look back 52 weeks from the first day of the requested leave to determine how many OFLA-protected weeks the employee has already used. That amount is then subtracted from the 12-week entitlement to determine the remaining leave available.

### **Intermittent or Reduced-Schedule Leave**

Leave may be taken intermittently or on a reduced schedule when medically necessary. Employees should make reasonable efforts to schedule treatment to minimize disruption to Port operations and coordinate schedules with their supervisor in advance.

### **Employee Responsibilities - Notice**

Employees must provide 30 days’ advance notice if the need for leave is foreseeable. If 30 days’ notice is not practicable, notice must be given as soon as possible.

For unforeseeable sick-child leave, verbal or written notice must be provided within 24 hours of the absence. For unplanned school or childcare closures due to a declared public-health emergency, no prior notice is required; employees must simply follow normal call-in procedures.

If leave dates change or extend, employees must update their supervisor or HR delegate within three business days, or as soon as possible.

Failure to follow call-in procedures may result in discipline or a reduction of protected leave. If the leave involves care for another person, the employee may be asked to provide proof of relationship; HR will advise how to provide appropriate documentation.

### **Certification**

Employees may be required to provide sufficient information for the Port to determine whether the leave qualifies for OFLA protection and its expected duration.

A doctor’s or health-care provider’s note may be required if the employee uses more than three days of sick-child leave in a leave year.

Requested medical certification must be returned within 15 calendar days.

### **Substitution of Paid Leave for Unpaid Leave**

Employees must use accrued paid leave, including PTO, compensatory time, and floating holidays, before an unpaid OFLA leave period. Leave will be applied in this order: PTO → Comp Time → Floating Holiday.

### **Holiday Pay While on Leave**

Employees using paid time off during an approved OFLA leave that includes a Port-observed holiday will receive holiday pay for that day.

### **Benefits While on Leave**

The Port will continue group-health-plan coverage during approved OFLA leave on the same terms as if the employee were actively working. Employees must continue their normal premium contributions. PTO and other benefits do not accrue during unpaid leave, but the leave period counts as continuous service for vesting and benefit-eligibility purposes.

### **Job Protection and Return to Work**

Upon return, employees will be reinstated to their previous position or to an equivalent position if the original has been legitimately eliminated.

Employees are expected to return promptly when the need for leave ends. Failure to return after an approved period may result in loss of reinstatement rights unless otherwise required by law.

Use of OFLA leave will not result in loss of any employment benefit accrued prior to the start of leave.

### **Restoration of Leave Bank After Re-Employment**

Employees who are rehired within 180 days of separation will have their OFLA eligibility and remaining leave restored, provided they were eligible at the time they separated. HR will review the employee's prior OFLA usage during the applicable 52-week period and reinstate any unused portion of their 12-week entitlement. Employees who return after more than 180 days must re-establish OFLA eligibility.

### **Coordination with Paid Leave Oregon (PLO)**

An employee may be eligible for both OFLA and Paid Leave Oregon. If both Paid Leave Oregon and OFLA cover the reason for leave, say for pregnancy disability or caring for a child with a serious health condition, the employee may decide to apply for either leave. They cannot be taken at the same time. HR will inform employees when they are eligible for multiple types of leave and how wage replacement and job protection coordinate.

### **Additional Information**

For the most current details about OFLA, visit the Oregon Bureau of Labor and Industries (BOLI): <https://www.oregon.gov/boli/workers/Pages/oregon-family-leave.aspx>

## **6.6. LEAVE TO DONATE BONE MARROW**

### **Eligibility**

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

### **Length of Leave**

An employee may use up to 40 hours of leave which may be taken as paid or unpaid time. In extenuating circumstances, approval to take more time off [paid or unpaid] may be granted by a supervisor or manager.

### **Request Procedure**

Employees must notify their manager or supervisor as soon as practicable after becoming aware that they will be donating bone marrow. They are expected to provide a copy of the doctor's verification for the bone marrow donation. If a medical determination is made that the employee does not qualify as a bone marrow donor, the paid leave of absence used before that determination will not be affected.

### **Status of Benefits**

Benefits are not affected by this leave.

## 6.7. PERSONAL LEAVE OF ABSENCE

Full-time, regular employees may be granted an unpaid personal leave of absence under certain circumstances. A personal leave of absence is an approved period of time away from work for personal reasons that do not fall under the guidelines of the Oregon Family and Medical Leave Policy or any other leave policy. A personal leave of absence is granted at the Port's discretion and is normally granted to protect the length of service and benefit rights of an employee whose service might otherwise be terminated.

### **Eligibility**

If OFLA does not apply to an employee's situation, employees become eligible for a personal leave of absence after 90 days of service, provided all earned paid leave has been exhausted first. Arrangements for a personal leave of absence must be made with the employee's supervisor and approved by the Executive Director.

### **Length of Leave**

The leave may be requested for any time over 5 consecutive days. A personal leave of absence starts on the first regular workday following the last day worked. The maximum leave allowed under this policy is 90 days, unless a different timeline is approved in writing by the Executive Director. In situations involving a qualifying disability, unpaid leave beyond 90 days may be granted in compliance with applicable laws, including reasonable accommodations under the Americans with Disabilities Act (ADA) and similar regulations.

### **Request Procedure**

An employee is required to provide the employer notice of the intention to take leave. For planned events the employee is required to provide thirty (30) days written notice. For unplanned events the employee is required to notify the employer within twenty-four (24) hours of the leave and provide written notice within three (3) days. If an employee is incapacitated due to an unplanned event and are unable to meet these obligations, we ask the employee to notify the employer as soon as possible. Leave requests must include an expected date of return. If the employee does not return within three days of that date and no extension has been requested, it will be assumed that the employee has resigned.

### **Pay While on Leave**

Personal leaves of absence are without pay. Employees must use accrued PTO leave during a personal leave of absence. After this is exhausted, the leave is unpaid.

### **Status of Benefits**

The Port will pay its share of medical benefits until the maximum leave days are reached. Employees must pay their share of premiums by the due date to maintain coverage. After 90 days, insurance coverage will not be maintained unless employees pay the full premium monthly. Benefits do not accrue during personal leave but are retained at the same level.

### **Reinstatement**

The Port will attempt to arrange employment for individuals returning from a personal leave of absence, but no guarantees are made unless approved in writing by the Executive Director. While on a personal leave of absence, employees are required to check in with their supervisor on a regular basis as agreed upon to inform the Port of their status and to notify of any change in personal data. Employees may be required to present a doctor's release before being reinstated if the leave was medically related.

## 6.8. MILITARY LEAVE

Employees who wish to serve in the military and take military leave should contact the Human Resources delegate for information about their rights before and after such leave. Employees are entitled to reinstatement upon completion of military service, provided they return or apply for reinstatement within the time allowed by law.

All employees who are members of the National Guard, National Guard Reserve, or any reserve component of the Armed Forces of the United States or the United States Public Health Service are entitled to a paid leave of absence from duties for a period not exceeding 21 workdays in any federal fiscal year (October 1st through September 30th) for training, provided they have been employed for at least six months prior to the leave.

Employees who have not worked for the Port for six months will also receive up to 21 workdays in any federal fiscal year for the same purposes, but such leave will be unpaid. Employees are not required to take their leave in one block of time but may use the paid leave allowed under this rule over the course of the federal fiscal year. The actual number of paid work hours allowed is dependent on the employee's standard work schedule but must be consistent with the intent of this rule. Military leave may be used for active duty or inactive duty for training, state active duty, and duty under Title 10 or 32 of the United States Code.

The total number of paid days for both training and active duty shall not exceed the total amount allowed above in any federal fiscal year. Absences incurred for additional active duty or inactive duty for training, state active duty, or duty under Title 10 or 32 of the United States Code may be charged to accrued paid time off, such as PTO or compensatory time, or taken as unpaid leave.

**Request Procedure:**

Employees must provide oral or written notice, using the Leave of Absence Request Form<sup>16</sup>, of their obligation or intention to perform service in the uniformed services. Notice must be given unless precluded by military necessity or if it is otherwise unreasonable or impossible. Failure to provide notice may result in loss of re-employment rights.

**Status of Benefits:**

Reservists, National Guard members, and veterans returning from military service in the Armed Forces retain rights with respect to seniority, vacation, compensation, and length of service pay increases, as provided by applicable statutes of the United States and the State of Oregon. For any leave extending beyond 30 days, employees may maintain health care insurance benefits for up to 24 months while on leave by paying the full insurance premiums.

## 6.9. PAID LEAVE OREGON

Paid Leave Oregon is a state insurance program administered by the Oregon Employment Department. This program is required by Oregon law and provides paid, job-protected leave to eligible employees for qualifying family, medical, or safe-leave reasons.

All health-related information gathered by the Port during this process will be maintained confidentially. Employees will not be discriminated against or retaliated against for requesting or using Paid Leave benefits.

**Cost of Coverage**

Employees contribute up to 0.6 percent of gross wages each pay period. The Port contributes not less than 0.4 percent of the employee's gross wages. These contribution rates and the overall program cost are reviewed annually by the Oregon Employment Department and may change. Employees will receive advance notice of any change.

**Note:** Public employers such as the Port are required to contribute regardless of headcount. (The small-employer exemption applies only to private employers with fewer than 25 employees.)

**Eligibility**

Most employees who perform work in Oregon are eligible to apply for Paid Leave benefits. Eligibility determinations, benefit amounts, and claim approvals are made by the Oregon Employment Department. Employees who disagree with an eligibility determination may use the appeal process described in their decision notice.

**Length of Leave**

Employees may qualify for up to 12 weeks of Paid Leave benefits per benefit year, with an additional two (2) weeks available for pregnancy, childbirth, or related medical conditions. The benefit year begins on the Sunday before the first day Paid Leave is used. Leave may be taken intermittently or in one continuous block.

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<sup>16</sup> Location - R:\Archives\Human Resources\Forms & Templates\Leave of Absence Request Form

## Reasons for Leave

Paid Leave Oregon benefits may be approved for the following purposes:

- **Family Leave** – To care for an eligible family member with a serious health condition, to bond with a new child after birth, adoption, or foster placement, or to complete legal steps for adoption or foster placement.
- **Medical Leave** – For the employee’s own serious health condition or disability related to pregnancy.
- **Safe Leave** – For employees or eligible child dependents dealing with sexual assault, domestic violence, harassment, bias crimes, or stalking.

A *serious health condition* is an illness, injury, impairment, or physical or mental condition that requires inpatient care, continuous treatment, or causes incapacity, including pregnancy-related disability.

## Paid Leave Benefits While on Leave

The amount of weekly benefit is based on the employee’s prior-year earnings and is determined by the Oregon Employment Department. Minimum and maximum benefit amounts may be adjusted each year; current information is available at [paidleave.oregon.gov](https://paidleave.oregon.gov).

## Continuation of Benefits During Leave

If an employee is receiving Paid Leave benefits, the Port will continue the employee’s healthcare, life, disability, and all eligible voluntary coverage, on the same terms as if the employee had continued to work. An employee wishing to maintain coverage when on Paid Leave is responsible for paying their share of premiums, the same as when premiums were paid by the employee, prior to receiving Paid Leave benefits.

If the Port chooses to pay the employee’s portion of the insurance coverage during the period of Paid Leave, employees are expected to repay the Port for those premiums. Upon return to work, the Port will deduct those premiums from an employee’s pay, up to 10% of an employee’s gross pay, each period, until the Port has been paid back.

If an employee cannot or will not pay their share of premiums, the Port may discontinue coverage until the employee returns from leave. Additionally, if an employee fails to return to work from leave under Paid Leave, then the Port may use any legal means available to collect any amount the employee owes to the Port for covering the employee’s share of the premiums while the employee was on leave under Paid Leave.

## Use of Accrued Leave While on Paid Leave

Employees may choose to use Port leave banks—such as PTO, compensatory time, or floating holidays—while receiving Paid Leave Oregon benefits. This option allows employees to bring total pay up to their normal wage amount while on leave. The Port cannot require employees to use accrued leave. Employees will not be required to exhaust benefits provided under the Port’s long-term disability insurance plan before making a claim for Paid Leave Oregon benefits.

If accrued leave is used, it will be applied in the following order: PTO → Comp Time → Floating Holiday.

Employees who receive both Paid Leave Oregon benefits and Port-paid leave will continue to earn new PTO and receive holiday pay only for the portion of time paid by the Port. For example, if the Port pays an employee for 64 hours in a pay period while the remaining hours are covered by Paid Leave Oregon, the employee’s PTO accrual and holiday pay will be based on the 64 Port-paid hours.

## Notification of Need for Leave

Employees must notify the Port when applying for or intending to take Paid Leave:

- **Foreseeable Leave:** At least 30 days’ written notice to Human Resources before leave begins.
- **Unforeseeable Leave:** Verbal notice to the supervisor within 24 hours of the start of leave and written notice within three (3) days.

If the employee is incapacitated, they must provide notice as soon as practicable. Written notice must include the employee's name, type of leave, reason for leave, anticipated dates or duration, and whether the leave will be intermittent or continuous.

*Employees may use the Port's "Leave of Absence Request Form," available from Human Resources or on the HR shared drive, to provide this notice.*

**Failure to provide timely notice may result in a 25 percent reduction of the employee's first weekly Paid Leave benefit, as provided in OAR 471-070-1310.**

### **Filing a Claim for Coverage**

Employees must establish an account and file claims through Frances Online at <https://frances.oregon.gov>. This is the official electronic system used by the Oregon Employment Department. Employees are responsible for submitting all required forms, updates, and documentation; the Port cannot file on an employee's behalf.

### **Job and Benefit Protection While on Leave**

Employees employed by the Port for at least 90 consecutive days before starting Paid Leave are entitled to job protection upon return:

- If the same position exists, the employee will be restored to that position.
- If the position no longer exists (for legitimate business reasons), the employee will be restored to a similar position with equivalent pay and benefits.

The Port may require a release to return to work if the leave was for the employee's own serious health condition. Health-care coverage will be maintained during Paid Leave on the same terms as if the employee were working. Employees remain responsible for their regular premium contributions.

### **Medical Certification Before Returning to Work**

If Paid Leave is used for the employee's own serious health condition lasting more than three consecutive workdays, the Port may request medical certification confirming the employee's ability to safely return to work.

### **Complaint Procedure**

Employees who believe they have been treated unfairly or retaliated against for using Paid Leave should promptly contact their supervisor or Human Resources in writing.

Employees may also file a complaint with the Oregon Bureau of Labor and Industries (BOLI) or consult private legal counsel.

### **Questions and Resources**

For more information about Paid Leave Oregon benefits, visit <https://paidleave.oregon.gov> or contact:

- Human Resources Delegate
- Oregon Employment Department – Paid Leave Oregon Frances Online: <https://frances.oregon.gov>

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# 7. HEALTH AND SAFETY

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The Port is committed to and legally responsible for providing employees with a safe and healthy work environment, whether on-site, in the field, or at an approved alternative location (such as an employee's home). To achieve this goal, both management and employees are expected to make diligent efforts to promote safety in accordance with applicable laws and standards.

## 7.1.1. Safety Rules and Regulations Development

The Port develops and implements safety rules and regulations through its managers and supervisors. This process is ongoing and includes periodic safety audits to assess the necessity and feasibility of providing devices or safeguards to ensure a safe and healthful workplace. Additionally, employees are educated about workplace hazards and the proper and safe methods to use when performing job tasks.

## 7.1.2. Employee Responsibilities

Employees are expected to:

- Give full skill and attention to their duties, using the highest standard of care and good judgment.
- Follow safety rules and regulations at all times, including using appropriate protective clothing, shoes, and equipment.
- Attend all training sessions offered.
- Adhere to the directions of warning signs, signals, and supervisory personnel.

## 7.1.3. Reporting Injuries and Illnesses

All job-related injuries or illnesses must be reported to a supervisor immediately, regardless of severity. In the case of a serious injury, the reporting obligation is deferred until circumstances reasonably permit a report to be made.

## 7.1.4. Safety Rules and Regulations Communication

Safety rules and regulations will be issued or modified as necessary and will become effective immediately upon communication. These rules and regulations will be distributed to employees and posted on the employee bulletin board.

## 7.1.5. Smoking and Tobacco Use in the Workplace

The Port is a non-smoking facility, including all Port buildings and vehicles. This policy also covers the use of electronic cigarettes, vaping devices, and other tobacco products such as cigars, pipes, and smokeless tobacco. Areas outside the office may be designated as smoking areas, and smoking or the use of other tobacco products is limited to these areas. Employees are not permitted to smoke, vape, or use any tobacco products within 10 feet of any entrance, exit, window, or air intake device. Any employee with concerns about the designated areas should address them with the appropriate supervisor.

## 7.2. SUBSTANCE ABUSE AND ALCOHOL

The Port is committed to providing a workplace free from substance abuse. To ensure the safety of employees, service users, and the public, it is the policy of The Port to maintain a work environment free from the effects of drugs, alcohol, or other impairing substances.

### 7.2.1. Prohibited Conduct

The following activities are prohibited on Port premises, property, during work time, or while representing The Port. Violations may result in corrective action, up to and including termination:

- **Alcohol:** Possession, transfer, use, or being under the influence of alcohol while on Port property, during work time, while operating Port vehicles (or personal vehicles used for Port business), or in other circumstances that adversely affect Port operations or the safety of employees or others.

- The consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods is prohibited. An employee will be considered "under the influence" if physical or mental faculties are affected to any perceptible degree, or if blood alcohol content exceeds 0.02 percent while at work.
- **Controlled Substances:** Possession, distribution, use, manufacture, or being under the influence of any narcotic, hallucinogen, stimulant, sedative, or any controlled substance while on Port property, during work time, or while operating Port vehicles (or personal vehicles used for Port business). This includes legal substances such as marijuana, which remain prohibited for use while on duty.
  - Any use of controlled substances prior to reporting to work or during rest breaks that impairs physical or mental faculties to any perceptible degree is prohibited. A positive test result for controlled substances will be considered a violation of this policy.
  - **Note:** "Controlled substances" include those listed in Schedules I-V of the Federal Controlled Substances Act, including marijuana, even if its use is lawful under state law.

Bringing to Port property, or possessing, items or objects on Port property that contain any "controlled substance," including, for example, "pot brownies," "edibles," and candy containing marijuana. No employee, regardless of position held, may knowingly serve items containing marijuana or any other "controlled substance" to coworkers, members of the public, or elected officials while on work time or on/in Port property.

- **Drug Paraphernalia:** Possession of devices marketed for or designed specifically for ingesting or inhaling controlled substances (e.g., pipes, bongs, vape pens) is prohibited on Port property.

### 7.2.2. Prescription and Over-the-Counter Drugs

Employees who are using prescription or over-the-counter drugs that may affect their ability to perform their duties safely must inform their supervisor.

- The use of prescription or over-the-counter drugs is not prohibited by this policy. However, if such use impairs job performance or safety, the Port may reassign the employee or take other appropriate actions. Failure to report the use of medication that may affect performance will result in disciplinary action.
- The use of medical marijuana is prohibited in the workplace, even if it is authorized under state law. Employees who use medical marijuana for a disability should discuss alternative accommodations with their supervisor, as the Port does not permit marijuana use as an accommodation.

### 7.2.3. Testing for Substance Use

The Port reserves the right to conduct drug and alcohol testing under the following circumstances:

- **Pre-Employment Testing:** Applicants who receive a conditional offer for safety-sensitive positions may be required to undergo drug and alcohol testing.
- **Reasonable Cause Testing:** Employees suspected of being under the influence of drugs or alcohol during work hours or in violation of this policy may be required to undergo testing.
- **Post-Accident Testing:** Employees may be tested following an accident that results in significant property damage or injury, or where drug or alcohol use is suspected.
- **Random Testing:** For employees in safety-sensitive positions, random testing may be conducted to ensure compliance with this policy.

#### **Reasonable Cause Testing**

"Reasonable cause" is defined as an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee may be under the influence of drugs or alcohol. Indicators include:

- Direct observation of drug or alcohol use;
- Physical symptoms of impairment (e.g., glassy eyes, slurred speech, poor coordination);
- Erratic or abnormal behavior;
- Significant deterioration in job performance;

- Unexplained absenteeism or tardiness.

Supervisors should document the facts leading to reasonable cause and forward the report to the Executive Director for approval prior to testing. A second witness should corroborate the findings when possible.

#### 7.2.4. Drug Testing Procedure

If an employee's initial laboratory screening test for controlled substances yields a positive result, the following process will be followed:

- **Second Test:** A second test shall be performed using a portion of the same sample withdrawn from the employee during the initial screening.
- **Notification:** If the second test confirms the positive result, the employee shall be notified in writing by the Human Resources delegate. The notification will include the specific substance identified in the test.
- **Third Test Option:** The employee has the right to request a third test of the same sample within 24 hours of receiving the letter of notification. However, the cost of this third test will be borne by the employee.

#### 7.2.5. Refusal to Test or Cooperate

An employee who refuses to submit to a required drug or alcohol test when there is reasonable cause will be subject to disciplinary action, up to and including termination. Refusal to cooperate includes:

- Failing to provide a sample when requested;
- Tampering with or attempting to tamper with a specimen sample;
- Using chemicals or other substances to mask or otherwise alter the presence of drugs or alcohol in the specimen;
- Providing a sample that was produced by someone or something other than the employee.

The reasons for refusing to test will be taken into consideration when determining the appropriate disciplinary action.

#### 7.2.6. Search of Property

When there is reasonable cause to believe that an employee possesses alcohol or a controlled substance on Port property or has otherwise violated the provisions of this policy regarding possession, sale, or use of controlled substances or alcohol, the Port reserves the right to search any property provided by the Port to the employee. This includes, but is not limited to:

- Clothing provided by The Port (e.g., uniforms);
- Lockers, toolboxes, or desks;
- Port-owned vehicles or equipment.

Employees should have no expectation of privacy in any property, equipment, or supplies provided by The Port.

#### 7.2.7. Last-Chance Agreement

In certain situations, The Port may offer an employee who has violated this policy the opportunity to enter into a Last-Chance Agreement in lieu of termination. A Last-Chance Agreement is a formal document outlining the terms and conditions under which the employee may continue employment while addressing substance abuse issues. Key provisions typically include:

- **Mandatory treatment:** The employee may be required to undergo and complete a substance abuse treatment or rehabilitation program.
- **Ongoing compliance:** The employee must comply with all Port policies, including refraining from further substance use or policy violations.
- **Follow-up testing:** The employee may be required to undergo random drug and alcohol tests at the discretion of The Port.
- **Specific performance expectations:** The employee must meet outlined performance expectations during the agreement period.

Failure to comply with the terms of a Last-Chance Agreement will result in immediate termination, regardless of the provisions of any other personnel policies.

#### 7.2.8. Consequences of Positive Test Results or Policy Violations

An employee who violates this policy or tests positive for controlled substances or alcohol may be subject to corrective action, up to and including termination. Alternatively, an employee may be offered a Last-Chance Agreement, as defined above. Failure to comply with the terms of a Last-Chance Agreement will result in immediate termination.

#### 7.2.9. Confidentiality

All information related to drug and alcohol testing, as well as test results, is confidential. Access to such information is limited to those with a legitimate need to know, and any disclosure requires written consent from the employee.

#### 7.2.10. Employee Assistance

The Port encourages employees with substance abuse issues to seek assistance before performance or safety becomes a concern. Employees may contact their supervisor or the Human Resources department for help in obtaining treatment. However, seeking assistance will not prevent disciplinary action if policy violations have occurred.

### 7.3. WORKPLACE SAFETY

#### 7.3.1. Commitment to Safety

The Port recognizes the importance of a safe workplace for employees. A safe and comfortable work environment enhances employee satisfaction and productivity. The best source for official OSHA rules on workplace safety is the Occupational Safety and Health Administration's (OSHA) website at <https://www.osha.gov/laws-regs>.

#### 7.3.2. Prohibition of Weapons

To ensure workplace safety, the Port specifically prohibits any employee, from bringing any kind of weapon, knife (other than a folding pocketknife), or firearm including hunting rifles onto the premises. If there is any uncertainty about whether an item is considered a weapon under this policy, employees must ask their supervisor before bringing the item onto Port property, which includes personal vehicles parked in designated parking areas.

#### 7.3.3. Reporting Safety Risks

Despite our best efforts to prevent them, situations may arise that pose a risk of harm to employees and others. All employees are obligated to report any incidents that pose such risks or threaten the safety, security, or financial interests of the Port. Reports should be made directly to the employee's supervisor or manager. All information related to these reports, including the identity of the reporting employee, will be kept as confidential as possible. Generally, the reporting employee will be notified of the actions taken in response to the report. Further details can be found in the Workplace Violence section of this handbook.

#### 7.3.4. Conducting Investigations

The Port, out of business necessity, may conduct an investigation of a current employee when behavior raises concerns about work performance, reliability, honesty, or potential threats to safety. Investigations are conducted by the Human Resources delegate, the Executive Director, or a designated investigator authorized by the Port.

Depending on the nature of the investigation, the Port may engage an external third-party investigator to ensure impartiality. Investigations may include reviewing criminal records and searching the Port's property, such as desks, work areas, lockers, file cabinets, voicemail systems, and computer systems.

#### 7.3.5. Familiarization with Security Systems

All employees should familiarize themselves with the Port's security systems, including the locations of panic buttons and surveillance cameras, key check-out/check-in procedures, and the duties and responsibilities of security patrol officers.

### 7.3.6. Corrective Action

Employees found to have violated any part of this policy may face corrective action, up to and including termination.

### 7.3.7. Search of Property: Port and Private

For the safety of employees and the welfare of the Port, only Human Resources delegate, under the direction of the Executive Director, may conduct or oversee searches of Port Property or personal items brought onto Port property, including owned or leased facilities, surrounding grounds, and parking areas. Refusal to cooperate in a search, inspection, or investigation will result in disciplinary action, up to and including termination.

#### **Eligible Items for Search**

Port property eligible for search includes but is not limited to individual lockers, desks, filing cabinets, and computers. Personal property brought onto Port grounds eligible for search includes but is not limited to pockets, purses/wallets, briefcases, cars/trucks, lunch boxes, toolboxes, shopping bags/boxes, and coats which may be searched with reasonable suspicion. Employees should have no reasonable expectation of privacy regarding Port premises and any property brought or stored thereupon.

#### **Search Procedure**

The decision to conduct a search or inspection must be authorized by the Executive Director. The Executive Director will determine the reasonableness of a search or inspection and whether reasonable suspicion exists to search any personal property stored on Port premises. Whenever possible, a minimum of three personnel will be present during the search, typically the Executive Director, a representative from Human Resources, and the applicable department manager, unless otherwise directed by the Executive Director. One person will document and record the inventory and event, and at least one observer should be of the same gender as the person whose belongings are being searched.

#### **Documentation of Search**

Documentation will include the following:

- Reason for the search (observed events, seriousness of the offense, reliability of the source)
- Individuals involved
- Location of the search
- Date and time of the search
- Findings, if any
- Actions taken with the person involved
- Final instructions given to the employee

The Executive Director will immediately report any illegal items found to the appropriate authorities and document such notification.

## 7.4. EMERGENCY RESPONSE

### 7.4.1. Emergency Situations

The Port may face major disruptions due to occurrences beyond its control. Employees are expected to exercise good judgment in responding to these events as the situation necessitates. The Port will strive to provide emergency and limited services during such disruptions. Decisions regarding closure, suspension of activities, or making the Port available for community support will be made by the Executive Director.

### 7.4.2. Employee Compensation During Emergencies

Compensation for employees will be determined in accordance with all applicable regulations when individual facilities or activities are closed due to emergency conditions. Employees who are not compensated during an emergency-related closure may use available paid leave.

### 7.4.3. Reporting Threats

Any threats to Port property or employees must be reported immediately to a supervisor, the Human Resources delegate, or the Executive Director.

#### 7.4.4. Fires and Emergencies

IN CASE OF EMERGENCY, DIAL 911. Exits, fire extinguishers, and first aid kits are located throughout the Port office buildings. An Automated External Defibrillator (AED) unit is located in the kitchen. Volunteers trained in CPR, AED, and first aid are available. Exits and areas around fire extinguishers must remain clear at all times.

#### 7.4.5. Workplace Injuries and Accident Reporting

All workplace injuries or accidents, no matter how insignificant they may seem, must be reported to a supervisor immediately, and an appropriate accident report must be completed. In the event of a time-loss accident or an accident requiring medical treatment, the Executive Director must be notified immediately. Employees who fail to report an injury or accident as required will be subject to corrective action, up to and including termination. Employees are also required to complete the Port's Incident Report Form<sup>17</sup> when reporting any workplace injury or accident. The form must be submitted to the supervisor as soon as possible.

#### 7.4.6. Safety and Health Program

For detailed information on workplace safety and health policies, please refer to the Port's Safety & Health Policy Handbook<sup>18</sup>. All employees are expected to comply with those policies to ensure a safe and healthy work environment.

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<sup>17</sup> Location - R:\Archives\Human Resources\Forms & Templates\Incident Report

<sup>18</sup> Location - R:\Archives\Policy Documents\Policies\Safety\Safety & Health Policy Handbook

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# 8. EMPLOYMENT SEPARATION

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## 8.1.1. Types of Separation

Separation from employment with the Port occurs when an employee voluntarily resigns, is laid off, or is discharged by the Port.

## 8.1.2. At-Will Employment

Employees of the Port are engaged in an 'at-will' employment relationship. This means that either the employee 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 at-will employment policy

## 8.1.3. Resignation

Resignation is a voluntary act by an employee to terminate employment with the Port. Employees are expected to provide as much notice as possible, preferably a minimum of two weeks. This process includes returning Port property, completing required forms, and participating in an exit interview. All Port property, including phones, computers, credit cards, keys, manuals, vehicles, tools, and equipment, must be returned to the direct supervisor or the Human Resources delegate on or before the last day of work. Employees who miss three or more consecutive workdays without contact are typically considered to have voluntarily resigned.

## 8.1.4. Job Abandonment

Employees are expected to be reliable in reporting for scheduled work. Absenteeism and tardiness disrupt operations and may lead to corrective action, up to and including termination. If an employee fails to call in or show up for work for three consecutive shifts or days, job abandonment and voluntary resignation will be assumed.

## 8.1.5. Job Elimination and Reduction in Work Hours

While the Port aims to avoid reducing hours or staff, situations may arise where such measures are necessary. Job eliminations or reductions in work hours may result from budget constraints, operational needs, restructuring, or reorganization of Port functions. Responses may include offering voluntary reductions in hours, reducing work hours, reducing the workforce, or implementing other cost-saving measures. Factors considered in selecting employees for reduced hours or layoff include:

- Department, location, or job
- Job knowledge, skills, and ability to perform required work
- Performance, attendance, safety, and corrective action records
- Required licenses, registrations, and certifications
- Creativity and teamwork skills
- Demonstrated willingness to go the extra mile for the Port

Evaluation of these factors is at the discretion of the Port. When factors are substantially equal, employees with the shortest term of service will be laid off first. A supervisor or manager will personally notify employees of a layoff, provide a letter detailing the conditions of the layoff, and explain effects on benefits, reemployment possibilities, and outplacement services. Limited reemployment rights may be provided for a specified period. The order of recall will be determined using the above factors. An offer of reemployment may be made orally or in writing. Failure to respond to an offer may result in waiving reemployment privileges.

## 8.1.6. Termination

The Port's general practice is to provide employees who have completed the initial introductory period with an opportunity to correct minor performance and conduct problems before termination. The corrective action policy in this Handbook describes actions management may take to address performance infractions. The decision to terminate is based on the seriousness of the infraction, overall performance record, and length of service. Employees have the opportunity to be heard in matters involving corrective action through the formal dispute resolution procedure in this Handbook.

#### 8.1.7. Exit Interview

An exit interview should be conducted with all employees who are terminating their employment, including those resigning, retiring, or being terminated. The purposes of the interview include securing forwarding addresses, reviewing final hours accrued, completing retirement and insurance forms, and explaining the final paycheck. The interview may also include a discussion of the reasons for leaving. The Executive Director, department supervisor, or the Human Resources delegate will conduct the exit interview. All pay and benefits shall cease as of the termination date, except as provided by COBRA. The final check will include all eligible accrued leaves payable at termination.

#### 8.1.8. Return of Port Property

Upon termination, the supervisor is responsible for ensuring the return of all keys, tools, equipment, computers, radios, phones, and other Port property used by or in possession of the terminated employee.

## Handbook Receipt Acknowledgment Form

As an employee of the Port of Hood River ("Port"), I acknowledge the following:

I have been provided with a copy of the Employee Handbook. I understand that the Handbook contains important information about Port's policies, work rules, and my benefits. I have both read and understood the information in the Handbook and have asked a supervisor/manager for the clarification of any information I did not understand.

I acknowledge the Handbook is neither a contract of employment nor a guarantee of specific treatment in any situation; that the Port has the right to change, modify, add to, substitute, eliminate, interpret, and apply, in its sole judgment, the policies, rules, and benefits described in this Handbook; and that the current Handbook supersedes all prior handbooks, policies, and understandings related to the subjects it contains.

Only authorized personnel, specifically the Human Resources delegate or the Executive Director, are permitted to make changes to this Employee Handbook. All amendments must be put in writing and require approval by the Port Commission to be deemed valid. Once approved, any changes to the content of this handbook will be communicated to employees through official notices.

I understand that, unless stated otherwise in an employment contract, my employment relationship with the Port is "at-will" and either the Port or I can end the relationship at any time, with or without reason or notice. The Executive Director is the only person who has the authority to enter into an employment contract, which must be in writing and signed by both parties to be valid.

Lastly, I am aware that I may be given confidential information during my employment, including customer lists, proprietary Port plans, and other information. I understand this information is critical to the success of the Port and I agree not to disseminate or use it outside of the Port, even in the event of my separation, either voluntary or involuntary.

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

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Employee Signature

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Date

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Print Employee's Name