

**PORT OF BROOKINGS HARBOR
CURRY COUNTY, OREGON**

RESOLUTION NO. 2022-11

**A RESOLUTION ADOPTING PORT OF BROOKINGS HARBOR
EMPLOYEE HANDBOOK**

WHEREAS, the Port of Brookings Harbor is a port district, organized and operated under the provisions of ORS Chapter 777, and has the authority to adopt resolutions; and

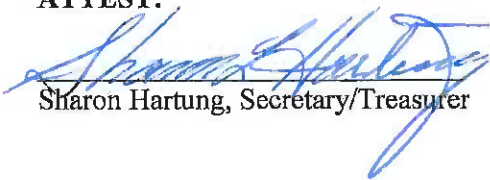
WHEREAS, the Port has revised its handbook in accordance with current State and Federal laws; and

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Port of Brookings Harbor, Curry County, Oregon as follows:

1. The Port of Brookings Harbor Employee Handbook, attached hereto as Exhibit A, is hereby adopted by reference.
2. The Policies and Procedures may be modified by Resolution or may be modified administratively by the Port Manager to follow best practices, for example, to update items to comply with Port Personnel Policy, to adapt to changing technology, or to incorporate new laws and rules.
3. Staff is directed to codify this policy according to past administrative practices.

APPROVED AND ADOPTED and made effective the same day by the Board of Harbor Commissioners of the Port of Brookings Harbor this 21st day of December, 2022.


Richard Heap, President

ATTEST:

Sharon Hartung, Secretary/Treasurer



Port of Brookings Harbor Employee Handbook



This Institution is an Equal Opportunity Provider



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INTRODUCTION

WELCOME TO THE PORT OF BROOKINGS HARBOR!

On behalf of your colleagues and the Board of Commission—we're glad you've joined us! We take pride in selecting people such as you to join our organization, and we truly believe you will be a positive addition to our most important asset—our employees.

We hope you will enjoy a productive and pleasant association with us. We have created a work environment, compensation and benefits program, and interactive culture that we believe fosters positive work relationships. We expect that you will enhance the atmosphere by contributing your best efforts in whatever is asked of you.

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

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

Again, welcome to our team. We wish you success in your new position and truly value you and the contribution you make during your employment with us. We sincerely hope you will like it here.

Port Manager

ABOUT THIS HANDBOOK

This Employee Handbook is a guide to help you understand our employment provisions and expectations. The Handbook applies to all of our employees. It is intended to be a positive document that begins to establish the relationship between us.

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

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within this Handbook. In that event, we'll try

to make fair and equitable decisions while making sure that the best interests of the organization are served.

Neither this Handbook nor any other organizational document or communication, whether written or verbal, is intended to in any way create an express or implied contract of employment or to guarantee any fixed terms or conditions of your employment. Your employment is at will, meaning it is not for any specific period of time and may be terminated, with or without reason, and without prior notice by the Port of Brookings Harbor or you for any reason, at any time. Nothing in this Handbook can be construed to contradict, limit, or modify the at-will nature of your employment.

The Port of Brookings Harbor reserves the right to interpret and administer the provisions of this Handbook as needed. Except for the policy of at-will employment, which can only be changed in writing by the Port Manager. The Port of Brookings Harbor has the maximum discretion permitted by law to change, modify, or delete any provision in this Handbook at any time with or without notice. However, oral statements or representations cannot supplement, change, or modify the provisions in this Handbook.

Each employee should read and become familiar with the information contained in this Handbook. Failure to comply with the Port of Brookings Harbor's policies or procedures may result in discipline, up to and including termination of employment.

This Handbook supersedes all inconsistent oral or written statements. Unless otherwise noted herein, the provisions of this Handbook apply to all personnel. However, to the extent any provision of this Handbook conflicts with the terms of a written employment contract signed by the Port Manager, the terms of the written contract will prevail. Likewise, to the extent that any provision of this Handbook conflicts with an applicable law, the law will be applied.

Some subjects described in this Handbook, such as benefit plan information, are covered in detail in official policy documents. You should refer to these documents for specific information since this Handbook provides summaries only. Please note that when discrepancies occur between benefit language in this Handbook and in the official policy documents, the terms of the written insurance policies are controlling. We encourage you to use caution when making decisions with long-term impact based on our current benefit offerings, given that we may find it necessary to make changes to these programs. You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read through the Handbook carefully and share it with your family members so they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource.



EMPLOYMENT POLICIES

EMPLOYMENT RELATIONSHIP

You and the Port of Brookings Harbor are engaged in an “at-will” employment relationship. Therefore, employment at the Port of Brookings Harbor is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will. This means that either you or the organization may terminate the employment relationship at any time, with or without reason or advance notice.

No one in the organization has the authority to enter into any agreement contrary to this “at-will” relationship except the Port Manager. It cannot be altered, except when in writing and signed by the Port Manager and you. The Port of Brookings Harbor will not make, and will not be bound by, any oral promises concerning the length or terms of your employment.

Equal Employment Opportunity

The Port of Brookings Harbor is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, or any other classification protected by law. All employment requirements mandated by local, state, and federal regulations will be observed.

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

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

All employees in the organization are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to Management’s attention. If you believe you have experienced harassment, discrimination, or retaliation, you should report the matter immediately according to the reporting process outlined in our policy against discrimination, harassment, and retaliation. We also encourage that you document your concerns. We will not retaliate against you for filing a complaint or cooperating in an investigation and we will not tolerate or permit retaliation by management or coworkers.

WORKPLACE ACCOMMODATIONS

Commitment to Equal Employment Opportunities

The Port of Brookings Harbor complies with all applicable federal and state laws providing for nondiscrimination in employment, and this includes providing reasonable accommodations to qualified individuals in accordance with these laws, except where such an accommodation is unreasonable or would create an undue hardship. This includes accommodations for:

- Employees who have a physical, mental, or sensory disability that affects their ability to perform any of the functions of their job or enjoy the "benefits and privileges of employment" equal to those enjoyed by similarly situated employees without disabilities;
- Employees with limitations related to pregnancy, childbirth, or a related medical condition, such as lactation, that may interfere with any job-related tasks or requirements; and
- Where a work-related requirement may interfere with a religious observance or an employee's religious belief.

Requesting a Reasonable Accommodation, Medical Information

Employees who wish to request an accommodation for any of these reasons should contact the Port Manager. As permitted by law and depending on the nature of the accommodation requested, the Port of Brookings Harbor may request medical information and opinions to verify the need for such accommodations, identify potential alternative accommodations, or to determine whether continued work would pose a safety or health risk, where appropriate. We will treat such information as confidential, except to the extent that others need to know to evaluate the request or to implement any approved accommodations.

Determinations

The Port of Brookings Harbor will make decisions about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. While we encourage employees to suggest the specific accommodations that they believe may be ideal, please be aware that the Port of Brookings Harbor is not required to make the specific accommodation requested and may provide an alternative effective and reasonable accommodation, to the extent it does not pose an undue hardship on the Port of Brookings Harbor.

No Retaliation

The Port of Brookings Harbor does not condone or allow any form of unlawful discrimination or discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation under this policy in good faith. For this reason, the Port of Brookings Harbor will not:

- deny employment opportunities on the basis of a need for reasonable accommodation;
- deny reasonable accommodation for known limitations, unless the accommodation would cause an undue hardship;

- take an adverse employment action, discriminate, or retaliate because the applicant or employee has inquired about, requested, or used a reasonable accommodation;
- require an applicant or an employee to accept an accommodation that is unnecessary; or
- require an employee to take family leave or any other leave, if a reasonable accommodation can be made instead.

If an employee feels that they or another employee may have been subjected to retaliation or other conduct that violates this policy, they should report it immediately to the Port Manager, the Director of Finance and Accounting, or any other management representative with whom they feel comfortable speaking.

POLICY AGAINST DISCRIMINATION, HARASSMENT, AND RETALIATION

The Port of Brookings Harbor prohibits unlawful discrimination and harassment. This policy defines these terms and provides a complaint procedure for employees who believe they have been the victims of prohibited conduct. This policy applies to all matters related to hiring, firing, transfer, promotion, benefits, compensation, and other terms and conditions of employment.

A copy of the Port of Brookings Harbor policy against discrimination, harassment, and retaliation is available at the Port of Brookings Harbor Bulletin Board, located at the Port Office.

Equal Employment Opportunity

The Port of Brookings Harbor will not tolerate conduct by any employee, elected official, board or commission member, volunteer or intern, customer or member of the public that discriminates, harasses, or creates an intimidating, offensive, or hostile work environment. All forms of unlawful discrimination and harassment are prohibited. We want to maintain a working environment free from all forms of discrimination and harassment, whether based upon race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, or any other legally protected characteristic or status. It is our intent that such factors shall not be a consideration for any of the following: employment, retention, promotion, recruitment or recruitment advertisement, rates of pay or other forms of compensation, administration of benefits, selection for job or management training, and demotion or separation. All matters related to employment are based upon job performance, plus trustworthiness, dependability, and reliability once hired. Retaliation associated with a complaint of harassment is also prohibited.

This policy explicitly applies to conduct in the workplace and at work-related events, including Port of Brookings Harbor-related social functions, business trips and functions (such as conventions, trade shows, etc.), and off-site work meetings. This policy applies to any conduct, however, as described above, which impacts the organization or work environment, regardless of where it occurs.

Unlawful harassment or intimidation of any kind by or toward another employee or any other person (including a customer, visitor, or vendor/supplier), or harassment of any person not associated with the Port of Brookings Harbor by use of Port of Brookings Harbor relationships, resources, or assets will not be tolerated. Conduct that the Port of Brookings determines to constitute a violation of this policy may result in the strictest disciplinary action.

Sexual Harassment

Sexual harassment and sexual assault are forms of harassment. Both are violations of state and federal law and will not be tolerated. "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, or a sexual offense has been threatened or committed as described in Oregon's criminal statutes. Sexual harassment, as defined by the Equal Employment Opportunity Commission and stated below, is expressly prohibited:

"Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

The definition of sexual harassment includes many forms of offensive behavior and can include gender-based harassment of a person of the same sex as the harasser. Conduct that may be considered in violation of this policy includes, but is not limited to:

- Unwanted sexual advances;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct, including leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons, or posters;
- Verbal conduct, such as making or using derogatory comments, epithets, slurs, or jokes;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, or sexually degrading words used to describe an individual;
- Suggestive or obscene letters, notes, or invitations; and/or
- Inappropriate physical conduct, including touching, assaulting, impeding, or blocking movements.

Cell phone use, including inappropriate text messages and other similar electronic communications, can also be considered harassing behavior.

Each manager/supervisor has a responsibility to maintain a workplace free of any form of unlawful harassment. No person shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.

Other Forms of Harassment

This policy applies not only to complaints and investigations of sexual harassment and assault, but to all other forms of harassment and intimidation based on age, race, sex, sexual orientation, national origin, religion, marital status, disability, veteran status, or any other category protected by federal, state, or local law. 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 and will not be tolerated. Harassing individuals by making derogatory comments regarding protected status or characteristics is strictly prohibited, as is using any other words or conduct that might create a hostile or offensive work environment.

Reporting Concerns

Management provides and supports a process for receiving and resolving complaints involving workplace discrimination, harassment, or sexual assault. If you believe that you have experienced or witnessed harassment, discrimination, sexual assault, or any other behavior prohibited by this policy, you must immediately report the matter to the Port Manager, the Director of Finance and Accounting, or any other management representative with whom you feel comfortable speaking.

Upon receipt of a report of prohibited discrimination, harassment, or sexual assault, the manager who received the report will provide a copy of this policy to the reporting employee.

No Retaliation

No team member will be retaliated against for making a complaint under this policy in good faith, or for participating or otherwise assisting in an investigation of such a complaint in good faith. If you believe you have been retaliated against in violation of this policy, you must report it to the Port Manager, the Director of Finance and Accounting, or another management representative.

Investigation and Response

Any reported allegations of harassment, discrimination, or retaliation will be investigated by the Port of Brookings Harbor promptly and in a manner appropriate to the circumstances. The investigation will be conducted promptly, but no specific timeframe can be guaranteed because each situation is likely to be different, and individuals may have varying schedules. Every effort will be made to complete the investigation within two weeks. In all cases, the reporting party will be notified of the outcome of the investigation. We will also check in with an employee who reports being the victim of alleged harassment every three months for one year following receipt such report to ensure no further concerns or retaliation are experienced. However, employees should not wait for the Port of Brookings Harbor to make contact to share or communicate any further concerns or experiences. If an employee would like the Port of Brookings Harbor to discontinue the follow-up process, a request must be submitted in writing to the Port Manager, the Director of Finance and Accounting, or another management representative.

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

Any employee or manager who is found by the Port of Brookings Harbor, 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, depending on the circumstances, up to and including termination.

Documentation

Employees are encouraged to document any incidents involving discrimination, harassment, or sexual assault as soon as possible.

Anyone who receives a report of workplace discrimination, harassment, intimidation, sexual assault, or related employment agreements containing prohibited provisions must document such reports. Any supervisor, manager, or employee who observes or experiences what they believe to be incidents of workplace discrimination, harassment, intimidation, or sexual assault should also document such incidents.

The Port of Brookings Harbor must maintain records of workplace harassment including:

- the date of the incident;
- the date the complaint was received by the designated individual or alternate;
- the dates the investigation was started and closed;
- the investigation report;
- the outcome of the investigation and any actions taken by the Port of Brookings Harbor; and
- the dates the Port of Brookings Harbor followed up with the victim, or a signed waiver of the Port of Brookings Harbor responsibility to conduct follow up contacts with the victim.

No Limitation of Remedies

We encourage employees to bring their concerns and complaints to the organization and to seek redress through the internal process outlined above. But we also understand that, at times, this may not be the choice of the employee.

Nothing in this policy prevents a complainant from filing a formal complaint with the Oregon Bureau of Labor and Industries (BOLI), or the Equal Employment Opportunity Commission (EEOC) and/or any other state or federal agency responsible for enforcing laws governing prohibited discrimination, harassment, and retaliation.

A complaint filed by an employee with BOLI alleging an unlawful employment practice as described in ORS 659A.030 (prohibiting discrimination because of race, color, religion, sex, sexual orientation, national origin, marital status, age, or expunged juvenile record), 659A.082 (prohibiting discrimination and mandating leave for certain military service), 659A.112 (prohibiting discrimination against individuals with disabilities), or unlawful harassment, sexual assault, or a violation of the additional protections for victims outlined above, must be filed no later than five years after the occurrence of the alleged unlawful employment practice. Other claims may have shorter timeframes.

In addition to the above, nothing in this policy prevents any person from seeking remedy under any other available law, whether civil or criminal. An employee or claimant must provide advance notice of claim against the Port of Brookings Harbor as required by ORS 30.275.

Employment Agreements

Under this policy, a nondisclosure agreement is any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint of work-related harassment, discrimination, or sexual assault. A nondisparagement agreement is any agreement by which one or more parties agree not to discredit or make negative or disparaging written or oral statements about any other party or the Port of Brookings Harbor. A no-rehire provision is an agreement that prohibits an employee from seeking reemployment with the Port of Brookings Harbor and allows the Port of Brookings Harbor to not rehire that individual in the future.

The Port of Brookings Harbor will not require or coerce an employee to enter into any agreement if the purpose or effect of the agreement prevents the employee from disclosing or discussing conduct constituting discrimination, harassment, or sexual assault. An employee claiming to be aggrieved by discrimination, harassment, or sexual assault may, however, voluntarily request to enter into a settlement, separation, or severance agreement that contains a nondisclosure, nondisparagement, or no-rehire provision and will have at least seven days to revoke any such agreement.

Voluntary Disclosure

A victim of workplace harassment may voluntarily disclose information regarding an incident of workplace harassment that involves the victim.

Additional Employee Support Services

Employees may choose to use other support services throughout and following instances related to concerns and complaints. The organization provides the following for additional assistance:

- Legal services; and
- Counseling and Support Services and/or Employee Assistance Services.

Employees should contact the Port Manager, the Director of Finance and Accounting, or another management representative for additional information about accessing these resources.

WORKPLACE PROFESSIONALISM

While harassment due to a person's protected class is prohibited, so too is unprofessionalism, such as incivility, due to personality clashes or issues. We want our focus to be on customer service, productivity, and the ability for each employee to flourish here. This makes it essential that our employees treat each other and those with whom we serve with courtesy, respect, and consideration. Further, we require that employees work cooperatively and constructively in resolving issues or problems on the job to foster satisfactory working relationships.

The Port of Brookings Harbor defines unprofessionalism as one-time or repeated behavior that is inappropriate, and that may be verbal, non-verbal, or physical; either direct or indirect which generally occurs at work and in the course of employment but may also apply to offsite behavior exhibited by employees that negatively impacts the working relationship. Such behavior, whether exhibited between coworkers, management and staff, vendors/customers, another outside party, or a member of the public, violates our policy on how others should be treated while at the workplace or while engaged in organizational operations.

Where an allegation of unprofessionalism is made, consideration of the intention will be given. The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that the Port of Brookings Harbor will not, in any instance, tolerate unprofessional behavior. Employees found to be in violation of this policy will be subject to corrective action, up to and including termination.

We will consider the following examples as unprofessional, although this is not considered a comprehensive list. Any action that creates the same or similar result will also be considered.

- making inappropriate comments on social media or via text messaging or other forms of electronic communication;
- public humiliation in any form;
- constant unwarranted criticism on matters unrelated or minimally related to the person's performance or job description;
- spreading rumors and gossip regarding individuals;
- interfering with the ability of someone to perform job duties or consistently assigning menial tasks not central to the job when there is no legitimate business reason for doing so; or
- taking credit for another person's work-related ideas.

Any Port of Brookings Harbor employee who has experienced unprofessionalism should immediately report the behavior according to the reporting process outlined in our policy against discrimination, harassment, and retaliation. All reports will be investigated and addressed. Making bad-faith or malicious complaints of unprofessionalism will be regarded as a serious offense, which may also lead to corrective action, up to and including termination.

Notwithstanding the above, the Port of Brookings Harbor will not construe or apply this policy in a manner that improperly prevents employees from communicating with each other about wages, hours, or other terms and conditions of employment. This policy is not intended to restrict communications or actions protected or required by state or federal law.

DISPUTE RESOLUTION

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

Reporting Issues Other Than Harassment/Discrimination

If you believe you have experienced harassment, discrimination, or retaliation, you should report the matter immediately according to the reporting process outlined in our policy against discrimination, harassment, and retaliation. Any other questions or concerns you may have should be discussed with your immediate manager/supervisor, absent special circumstances, as soon as you are aware there is a problem or have a question. Your manager will generally follow-up on your concern, in writing, within one week.

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

EMPLOYMENT

It is our goal to fill employment vacancies with the most qualified applicants, whether recruiting internally, externally, or utilizing both options. Job applicants will be considered on an equal basis for all positions without regard to sex, age, race, color, religion, national origin, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, a physical or mental disability, or any other characteristic or status protected under applicable law, including Veterans' Preference.

Our goal will always be to select the most qualified person for each available job.

Former employees and relatives of current employees will be considered for employment in the same manner as other applicants. We may, in our discretion, refuse to place a spouse, domestic partner, or immediate family member under the direct supervision of a spouse, domestic partner, or family member.

You may, from time-to-time, be temporarily transferred or assigned to perform work outside of your regular job duties, schedule, or location. Depending upon the circumstances, you may be subject to a wage adjustment while performing such work. We may also reassign employees on a

long-term basis whose placements are determined to be unsuited to their individual skills. We may also transfer any employee who has an injury or impairment that requires modified duty without posting the position.

New Employee Orientation

New employees are expected to attend a thorough orientation within the first week of employment. This helps to ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies.

Introductory Period

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

Your performance will be evaluated at the end of the introductory period, and a decision about your employment status will be made and shared with you in writing. If you have successfully completed the introductory period, you will be moved to regular status. Neither the introductory period nor movement to regular status alters the at-will status of your employment. At all times, including during the introductory period, your employment is at-will and may be terminated by the Port of Brookings Harbor or you, with or without reason and with or without prior notice. If your skills border on satisfactory, but fall short, the introductory period may be extended if there is reason to believe that your skills will improve within 30 days. This period may be extended only by approval of the Port Manager. The request for an extension won't be approved if it is submitted after the normal conclusion of your introductory period. If expectations are not met or if your skills are not satisfactory, your employment will not continue.

Promotions and Transfer Training Period

If you are promoted or transferred to a new position, you must also complete an introductory period of 60 days to determine the suitability of the placement and your ability to satisfactorily perform the required work. If it is determined that the job change is not working during this period, you will be returned to your original job if a vacancy exists. Otherwise, you will be assigned to any other vacant job we deem suitable. If no such job is vacant, your employment may be terminated. If you are placed in a job other than your original job, the pay and benefits may be adjusted.

Reemployment

Employees who resign from the organization in good standing may be eligible for reemployment 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. We are not

obligated to rehire former employees. If an employee returns within 12 calendar months, their previous sick leave balance will be restored in full.

Credit for Prior Seniority

All rehires shall be considered new employees, except where federal or state law requires otherwise.

Employment Classifications

Employee status is categorized to make distinctions in employment-related conditions and to aid in a better understanding of employment relationships within the organization. Employees may be considered introductory, full-time or part-time, temporary, or on-call as described below:

- Introductory Newly hired, transferred, or promoted employees within the introductory period. New hires normally earn, but cannot use, benefits.
- Regular Full-time: An employee who is regularly scheduled to work 30 hours or more per week. This classification is normally eligible for benefits.
- Regular Part-time: An employee who is regularly scheduled to work at least 20 but less than 30 hours per week. This classification is normally eligible for benefits, but on a pro-rata basis.
- Temporary: An employee who is hired for a specified period of time, usually no more than six months. This classification is typically not eligible for benefits, except for those mandated by law.
- On-Call: An employee who does not have a set schedule and works only when called upon.

Employees are further classified according to federal and state wage and hour laws as exempt or non-exempt, as defined below. Management will make the appropriate designation regarding the status for each new position or when a position changes substantially. If you are uncertain as to your status, ask your supervisor/manager.

- Exempt: An employee who is exempt from the overtime pay and minimum wage requirements under federal and state laws. Exempt employees are those who are generally paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.
- Non-exempt: An employee who is paid an hourly wage and whose job generally calls for the payment of minimum wage and overtime as specified under state or federal regulations.

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The organization maintains personnel records for each employee, and access to those records is restricted to authorized persons only. The records may include applications, written evaluations, performance counseling notices, correspondence, and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee to whom the file applies, employees performing human resources-related functions, and any management representative involved in a pending personnel action.

Your personnel file is available for review (except for any material exempt from disclosure under state law) by making advance arrangements with the Director of Finance and Accounting. We will provide access to or copies of personnel records or files as required by law, but you may be asked to reimburse us for the reasonable cost of providing copies.

Change in Personal Data

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, please notify the Director of Finance and Accounting.

- Name
- Marital status
- Address
- Telephone number
- Dependents
- Beneficiary(ies)
- Emergency contact information
- Job-related physical or other limitations that impact employment
- Other information having a bearing on your employment

A **Change in Personal Data** form is available for your use in reporting any changes in your personal information.



EMPLOYMENT RELATIONS AND CONDUCT

ETHICS

We believe in treating people with respect and adhering to ethical and fair practices. All Public Officials are held accountable to the State's ethics laws found in ORS 244.

Misrepresentation

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

Outside Employment

While employed at the Port of Brookings Harbor you may not engage in outside employment that conflicts with the nature of the organization's business, competes with the organization, conducts business with the organization, or otherwise interferes with your ability to perform according to established standards of performance and work rules. You also may not conduct business connected to outside employment during hours you are scheduled to work at the Port of Brookings Harbor or use company equipment for such purposes.

Off-Duty Conduct

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

Solicitation and Distribution Policy

The Port of Brookings Harbor has established rules to govern employee solicitation and distribution of written materials. The Port of Brookings Harbor has established rules to (1) maintain and promote safe and efficient operations, employee discipline, and an attractive clutter-free workplace and (2) minimize non-work-related activities that could interfere with customer satisfaction, product quality, and teamwork. This policy is not intended to restrict communications or actions protected or required by state or federal law.

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

Rules

Employees may not:

- solicit other employees during working time;
- distribute literature during working time;
- distribute literature at any time in working areas;
- use employer-owned property such as telephones, computers, smartphones, email systems, and intranets to solicit other employees;
- solicit, expect, or accept contributions from vendors, clients, or anyone doing business with the organization; or
- sell merchandise or collect funds of any kind without prior approval from the Port Manager.

Definitions

Solicitation includes, but is not limited to, approaching someone in person or through employer-owned property such as computers, smartphones, email systems, and intranets for any of the following purposes:

- offering anything for sale;
- asking for donations;
- collecting funds or pledges;
- seeking to promote, encourage, or discourage participation in or support for any organization, activity or event, or membership in any organization; or
- distributing or delivering membership cards or applications for any organization.

Distribution includes, but is not limited to, disseminating or delivering in person or through employer-owned property such as bulletin boards, computers, smartphones, emails, and intranets any literature or other materials including circulars, notices, papers, leaflets or other printed, written, or electronic matter (except that distributing or delivering membership cards or applications for any organization is considered solicitation and not distribution).

Working time includes any time in which either the person doing the solicitation (or distribution) or the person being solicited (or to whom non-business literature is being distributed) is engaged in or required to be performing work tasks. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and mealtimes.

Working areas include areas controlled by the Port of Brookings Harbor where employees are performing work, excluding, for example, cafeterias, break rooms, and parking lots.

Discipline

Employees who violate any provision of this policy may be subject to discipline, up to and including termination of employment.

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 our organization you became a public official.

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 a 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 a candidate or a relative or member of the household of the candidate any gift or gifts with an aggregate value in excess of \$50.

Use of Official Position or Office

A public official may not use or attempt to use their official position or office to obtain financial gain or avoid financial detriment for themselves, 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); or
- 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.

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

Financial Interest in Public Contracts

A person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract for two years after the date the contract was authorized. This prohibition applies only to public contracts that were authorized by (1) the person acting in the capacity of a public official or (2) a board, commission, council, bureau, committee, or other governing body of a public body of which the person was a member when the contract was authorized.

You are required to inform us of any activity that is ongoing or planned that may be or is a conflict with these laws. We will work with the State ethics commission to determine the appropriate steps for resolution.

Failure to meet these standards may result in discipline up to and including separation.

CONFIDENTIALITY

Organization and Customers

At the Port of Brookings Harbor, employees have access to highly confidential and proprietary information, including information about our business plans and customers. Our customers trust us with confidential information and disclosing this information without authorization would have a materially adverse impact on our integrity and on our relationships with our customers. Employees must not disclose, either during or after employment with the Port of Brookings Harbor, any information pertaining to the organization or its customers without prior explicit approval of their managers/supervisors and must sign a form stating such.

No organization records or information, including documents, files, records, computer files, and similar materials may be removed from our premises without permission from the Port of Brookings Harbor, except in the ordinary course of performing duties on behalf of the Port of Brookings Harbor. Additionally, the contents of organization records or information otherwise obtained in regard to business may not be disclosed to anyone except where required for a business purpose. This prohibition also applies to disclosures of any type, including posts on social media, blogs, or elsewhere on the internet. Employees are subject to appropriate corrective action, up to and including termination, for revealing confidential information.

Nothing in this Agreement has the purpose or effect of preventing an employee or prospective employee from disclosing or discussing conduct that constitutes discrimination prohibited by ORS 659A.030, including conduct that constitutes sexual assault, or that constitutes discrimination prohibited by ORS 659A.082 or 659A.112, if such conduct occurred: (1) between employees or between an employer and an employee in the workplace or at a work-related event that is off the employment premises and coordinated by or through the employer or (2) between an employer and an employee off the employment premises.

This policy is not intended, and should not be construed, to limit or prevent employees from exercising any rights under the National Labor Relations Act or equivalent state laws.

Employee Records

The Port of Brookings Harbor's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of this information. Additionally, the organization will generally actively collect only personal information that is related to its business operations or to government reporting and disclosure requirements. Personal information collected by the organization includes employee names, addresses, telephone numbers, email 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 preemployment inquiries, including reference check records, as well as former employee files are maintained in a locked, separate area and are not used by the organization in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in a locked, secured area 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 recordkeeping needs.

Organization-assigned information, which may include organizational charts, department titles and staff charts, designated positions, department budgets, company coding and recording systems, telephone directories, email lists, and company facility or location information and addresses, is considered by the company to be proprietary company information to be used for internal purposes only. The company retains the right to communicate and distribute such information 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 Port Manager. As appropriate, the Port Manager will investigate the incident and take 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, without limitation, 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 email 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; and
- release of any information required or authorized by law.

Should a security breach occur, appropriate notifications will be provided as soon as possible.

WORKPLACE RULES

The Port of Brookings Harbor believes policies and procedures are essential for the orderly operation of our business and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that each employee behaves according to our workplace standards. Courtesy and common sense should always prevail. Generally, conduct that may be disruptive, unproductive, unethical, or illegal will not be tolerated. The following work rules are not all-inclusive but serve as guidelines to demonstrate the work behaviors considered important to the Port of Brookings Harbor.

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

7. You are expected to avoid engaging in any of the following conduct: falsifying records, engaging in fraud, removing employer property from the premises without authorization, stealing or attempting to steal employer or employee property, being habitually tardy or absent, engaging in poor timekeeping, fighting on employer property at any time, being under the influence of illegal drugs on employer property at any time, being insubordinate, using or abusing employer time, property, materials, or equipment without authorization, gambling on employer premises at any time, sleeping on the job, using offensive or profane language on company premises, bringing dangerous or unauthorized weapons onto employer premises, engaging in criminal activity, violating or abusing employer policies, neglecting job duties, or bringing the organization into serious disrepute.

This information regarding our behavioral expectations should help guide employee actions. You are urged to use reasonable judgment and to seek advice in doubtful or unclear situations. It is our policy to resolve conduct and performance problems in the most informal and positive manner possible; however, conduct that falls outside of the above guidelines may result in corrective action, up to and including termination. This policy is not intended to restrict communications or actions protected or required by state or federal law.

We also believe that all of our employees should have an opportunity to be heard in matters involving discipline; therefore, we have adopted a formal dispute resolution procedure, which can be found on page 13 of this Handbook.

WHISTLEBLOWER PROTECTIONS

The Port of Brookings Harbor encourages any employee with knowledge of an illegal or dishonest activity to report it to the Port Manager or designee. 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 Port Manager.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should immediately contact a direct supervisor or the Port Manager. 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 be disclosed to conduct a thorough investigation, to comply with the law, or to respond to complaints and reports, the privacy of the individual making the report will be protected to the extent possible. The Port of Brookings Harbor 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. If you believe you have been retaliated against in violation of this policy, you must report it to the Port Manager, the Director of Finance

and Accounting, or another management representative. As appropriate, the Port of Brookings Harbor will investigate such reports and issue corrective action.

DRESS CODE

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

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

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

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

Management may make exceptions to the dress code for special occasions. An employee unsure of what is appropriate should check with the designated manager or supervisor.

Some departments may require specific guidelines. People who need to leave work to change clothes for meetings must utilize personal time or vacation time. If you are meeting clients, business dress is always appropriate. These policies may be changed as fashion trends in clothing for the business world change.

COMMUNICATION AND SOFTWARE SYSTEMS

Electronic Communications Systems

The Port of Brookings Harbor provides electronic communication systems to maintain superior communications both within the organization and with customers and vendors. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the organization who may use the systems are expected to be aware of and comply with this policy. For further reference consult the IT security policy adopted June 2021. This policy governs all IT resources and communications systems owned by or available at the Port of Brookings Harbor, and all use of such resources and systems when accessed using an employee's own resources.

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

These systems and any other informational, storage, or retrieval services that the organization provides are organization tools and are to be used for business purposes only during business hours. Use of company systems during business hours for other than work-related purposes should be minimal and must not impact business operations.

All contents of the Port of Brookings Harbor's IT resources and communications systems are the property of the company. Therefore, employees should have no expectation of privacy whatsoever in any message, file, data, document, facsimile, telephone conversation, social media post, conversation, or any other kind or form of information or communication transmitted to, received, or printed from, or stored or recorded on the company's electronic information and communications systems.

You are expressly advised that to prevent against misuse, **the Port of Brookings Harbor reserves the right to monitor, intercept, and review, without further notice, every employee's activities using the company's IT resources and communications systems, including but not limited to email (both outgoing and incoming), telephone conversations and voicemail recordings, instant messages, and internet and social media postings and activities, and you consent to such monitoring by your use of such resources and systems.** Do not use the company's IT resources and communications systems for any matter that you desire to be kept private or confidential from the company. Messages sent with or through the organization's IT resources and communications systems are the property of the organization.

Subject to the terms of the organization's confidentiality policy, you must not permit any proprietary or confidential information of the Port of Brookings Harbor to enter the public domain through electronic transmissions. Examples of the organization's proprietary and confidential information are provided in the confidentiality policy. Also, these systems shall not be used to receive or distribute copyrighted materials, trade secrets, proprietary information, or similar materials from/to outside the organization without prior authorization.

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

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

Electronic Mail System

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

You should know that even when a message is erased through email, it is still possible to retrieve and read that message. Even though the organization reserves the right to retrieve and read any email messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. We expect employees to respect others' privacy and not retrieve or read electronic messages for which they are not the intended recipient unless authorized. The use of passwords for security does not guarantee confidentiality; all passwords to company systems must be disclosed to the organization's Port Manager.

Organization-owned Personal Computers

To protect the integrity of our systems, all software used on our computers must be registered with the Port Manager. Personal or downloaded software may only be installed after written authorization from that individual. A virus check of all such software must be made immediately before it is installed on any organization computer. A virus check must also be conducted on any electronic devices originating from or used on any computer outside of the organization prior to its use with an organization-owned computer. The copy or transfer of organization-owned software may occur only with the written authorization of Port Manager.

Device Security

All staff that are issued laptops and other computer-related equipment will be given a copy of the Port of Brookings Harbor's computer-related equipment guidelines. These guidelines include security precautions and procedures as recommended by the Port of Brookings Harbor.

Laptops and other company-provided equipment, including smart phones, tablets, and any similar device, should be secured by two anti-theft devices to minimize the risk of theft. For example, a computer camera stored in a locked cabinet within a locked office; a laptop locked in a safe in a locked motel room; a laptop secured in a locked drawer within a locked residence. If an employee does not secure company-provided equipment with two anti-theft devices and the equipment is stolen, management retains full discretion allowed under applicable law to decline to replace the equipment. Violations of this policy may also result in corrective action, up to and including termination.

Mobile Devices

If you are connected to the organization's server, understand that making this connection via a mobile device may compromise the privacy of certain sensitive information. Confidential electronic information, including personally identifiable information, must be protected to prevent it from being exposed if the device on which the information was accessed is lost or stolen. In order to protect this information, the organization retains the right to delete data and applications from any device that contains the organization's information. ***This right to delete such information may be exercised remotely or onsite if the organization determines such action is warranted to protect confidential, sensitive, or proprietary information. Please understand that in downloading any such information to a personal mobile device, you are consenting to the organization's ability to delete this information at any time.*** This policy covers mobile devices such as smart phones, tablets, laptops, and any similar devices. Please ensure that you regularly sync any personal data (e.g., applications, information, photos) to another device/computer for safekeeping, as the wipe command does not differentiate between business and personal information.

Mobile devices should be set to lock after every two (2) minutes for security reasons. A PIN-based lockout is required, and the PIN for company-owned devices must be given to the IT department. Employees are not permitted to use, maintain, or access personal social media accounts on such devices.

Any loss or theft of a device or equipment that was provided by the company, or that contains company information, must be immediately reported to Port Manager.

Use of Internet, Virtual Private Network, and Commercial Online Systems

Although the Port of Brookings Harbor recognizes that the Internet may have useful applications to our business, you may not engage in Internet use without prior written approval from the Port of Brookings Harbor and unless a specific business purpose requires such use. Absent such approval, you may not access the Internet using our computer systems at any time or for any reason.

Also, management approval is required before anyone can post any work-related information, or any information while on duty, on commercial online systems, the VPN, or the Internet. Any material not owned by the Port of Brookings Harbor that will be posted must have received all proper copyright and trademark permissions from its originators prior to approval. For newly generated material, an employee should obtain copyright and trademark designations, as appropriate, prior to posting any content; the posted content should include copyright and trademark notices. Absent prior approval to act as our official representative from the Port of Brookings Harbor, you must include the following disclaimer with any information you post: "Views expressed by the author do not necessarily represent those of the Port of Brookings Harbor."

Notwithstanding the above, the Port of Brookings Harbor will not construe or apply this policy in a manner that improperly prevents team members from communicating with each other about wages, hours, or other terms and conditions of employment.

Social Media and Networking

Social networking websites and online communities, such as Twitter, LinkedIn, Facebook, Instagram, TikTok, and Flickr are increasingly used and can be accessed by individuals not only from computer systems, but also from smart phones. These tools have value because they can be used to market the Port of Brookings Harbor products and share information; employees may also use these systems as a quick communication and networking tool to complete projects. It is not the intent of this policy to unduly limit employees' access to these conduits, however, guidelines and expectations surrounding their use are necessary.

Only employees who have been authorized to post on social media sites on the Port of Brookings Harbor's behalf may use social media as part of their official duties. The Port of Brookings Harbor's confidentiality policy applies to the use of social media sites by employees while at work or otherwise using the organization's technology.

- Employees should understand and abide by all relevant company policies, such as the confidentiality policy and the policy against discrimination, harassment, and retaliation, and ensure that their personal social media activities and postings are consistent with these policies.

- Employees must not post confidential information about the Port of Brookings Harbor, its affiliates, employees, customers, or vendors and must adhere to all confidentiality requirements listed in the confidentiality policy and set forth under local, state and federal law.
- Employees should refrain from using social media while on work time or on company equipment, unless it is work-related, as authorized by their supervisor.
- Employees may not use company email addresses to register on social networks, blogs or other online tools utilized for personal use.
- Employees should never use or reference their formal position when writing in an unofficial capacity.

When any employee is using organization-provided computers or cell phones or is representing the organization via social networking activity, that individual is expected to represent the organization in a professional and positive light. The Port of Brookings Harbor wishes to use social networking exclusively to its advantage, preventing and minimizing any negative outcomes. This includes ensuring that all employees will be free from harassment and unprofessional behavior when utilizing or consuming social media; therefore, employees authorized to use it must abide by all applicable laws (including copyright) and ethical considerations.

Business Use

Employees may use social networking websites to conduct organizational business, as long as such use is authorized and complies with the organization's policies. Company logos or other organizational information must conform to pre-approved marketing concepts and standards. We do not endorse making business references on behalf of others on sites such as LinkedIn.

In the case that a social media account is set up for business purposes, the organization has the right to review, edit, and delete content associated with the account. The organization will have access to information associated with the account such as the username and password, and any content associated with the account will be considered the property of the organization. If an employee separates from the Port of Brookings Harbor, the organization has the right to assume control of this account.

Monitoring

While the organization does not routinely monitor social networking sites, other employers, organizations, and individuals do monitor and share information found on social networking websites. Again, posted information is public information.

Protection

Social networking sites collect profile information for advertising opportunities and criminal reasons. Phishing (email messages asking for username and passwords, etc.) and spamming are two downsides. Never click on links asking for personal or confidential information. Heed security warnings and pop-ups. Use of these sites may mean more SPAM sent to your email account. If possible, disable the ability of others to post HTML comments to your home page. When accessing these sites, use caution when you see a posting or link that looks suspicious;

when in doubt, delete it. Viruses and spyware may damage the organization's operating system, compromise data, or expose your privacy and that of others you communicate with via email and social media sites.

Be aware that others may piece together personal information for identity theft purposes. Be prudent in making comments or posts that reveal your or others' travel plans or divulge other safety-sensitive or private information.

Prohibited Conduct

Behavior and judgment in an electronic environment should mimic behavior in a physical setting. Employees are expressly prohibited from posting content that is malicious, abusive, threatening, intimidating, coercing, profane, disruptive, discriminatory, or harassing. Defamatory statements are prohibited and employees should be aware they are personally responsible for the legal consequences of such statements.

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

Telephone Usage

The Port of Brookings Harbor realizes that employees must occasionally make and receive personal telephone calls at work. Such calls must be kept to a minimum and should impact your work as little as possible. Unauthorized use of the telephone, including charging long distance calls to the organization, may result in corrective action, up to and including termination.

Voicemail System

The voicemail system at the Port of Brookings Harbor is the property of the organization and is provided for use in conducting company business. All communications and information transmitted by, received from, or stored in this system are organization records and property of the Port of Brookings Harbor. The voicemail system is to be used for business only; use of the system for personal purposes is prohibited. You are not authorized to retrieve or listen to any voicemail messages that are not sent to you. Any exception to this policy must be provided in the form of prior written approval from your supervisor.

Cell Phones

Where job or business needs necessitate immediate access to an employee, the organization may provide/require a business cell phone for work-related communications. This phone is provided for business use only. Business cell phones are not to be used for purposes not related to work. Keep in mind that cell phone internet usage, phone records, voicemail, and text messages are not private and may be accessed. If an organization-provided phone is used for personal business, any phone charges incurred by an employee related to the personal usage will be the sole responsibility of the employee.

Personal calls during the workday using personal cell phones can be distracting to others and can interfere with employee productivity. Use of a personal phone for any reason should therefore be limited to breaks and lunches.

Any use of a cell phone while driving may present an unsafe condition for the driver, other employees, and the general public. The organization prohibits the use of cell phones while

driving, except when hands-free accessories are used and all applicable laws are followed. In cases where a cell phone call is necessary, employees must adhere to all federal, state, and local rules and regulations regarding such to help ensure the safe operation of both organization-owned and private vehicles. If an employee is using a cell phone while driving and has an accident, any costs, fees, and fines shall be solely the responsibility of the employee.

IT Security Policy

The Port of Brookings Harbor adopted the IT security policy in June 2021. You are urged to consult this reference in addition to the above policy.

PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which the Port of Brookings Harbor can continuously monitor the effectiveness of organizational operations and employee performance, all employees will receive regularly scheduled formal performance evaluations (at least annually).

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

- ensure that employees know their individual performance against established performance standards;
- determine how well the organization is doing in assisting employees with work performance and meeting goals;
- ensure communication and two-way feedback;
- provide a consistent, objective, and fair method of making compensation decisions;
- provide a tool for career planning; and
- provide a permanent record of employee performance and organizational contributions.

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

- reasonable employee training;
- assigning, directing, controlling, and reviewing employee work;
- assisting employees in correcting deficiencies; and
- objectively evaluating employee performance during the evaluation period.

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

- inquire about your performance periodically;
- accept additional responsibilities and show initiative;
- review opportunities for advancement within the organization;
- ask for assistance in developing a goal-oriented path for advancement within the department or organization; and
- learn about training available to assist you in improving your skills or qualify you for a promotion or lateral transfer.

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

CORRECTIVE ACTION

Everyone benefits when we work together and conduct ourselves in a manner that reflects the best interests of both the organization and its employees. It is the philosophy of the Port of Brookings Harbor to address performance deficiencies and address violations of policies and work rules in order to correct situations and avoid repetition.

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

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

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

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

- termination, which will be documented in your personnel file.

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

Counseling, verbal warnings, and written warnings may be undertaken by a supervisor without prior approval from the Port Manager. However, the Port Manager must be informed by the supervisor of any such actions taken. Suspension with or without pay, demotion, and discharge require prior approval from the Port Manager before the action is taken.

COMPENSATION

PAY ADMINISTRATION

The Port of Brookings Harbor values high quality work from its employees and is committed to compensating employees for their efforts and results. It is our intent to provide a competitive compensation package that will attract, retain, and motivate employees. It is also our intent that policies and pay practices be administered consistently throughout the organization to ensure internal equity is achieved.

Your pay as a new employee is established based on the pay level of current employees performing work of comparable character and based upon bona fide factors related to the position in question, which may include previous experience, education, a seniority system, a merit system, a system that measures earnings by quantity or quality of production (including piece-rate work), workplace location, travel (if regular and necessary for the employee), and training. This policy will be administered and interpreted in accordance with applicable federal and state laws and regulations.

Pay Increases

It is the Port of Brookings Harbor's policy to reward you with increases in pay for dedication in your work, extra effort, and contributory performance. Management does not award increases on an automatic basis. Recommended increases are not effective until approved by both the next level of management and Port Manager.

Because information about your rate of pay and any increases is sensitive and personal, we ask that you exercise discretion and care regarding the discussion of these matters.

PAY PRACTICES

Paydays

Pay periods cover two weeks, beginning on Monday and ending Sunday of the following week. You will be paid every two weeks, generally on Friday, for the pay period that ends on the previous Sunday. The Port of Brookings Harbor's workweek begins on Monday at 12:00 a.m. and ends on Sunday at 11:59 p.m. If a particular payday falls on a banking or organizational holiday, employees normally will be paid on the last business day before the holiday. If you do not receive your direct deposit or paycheck, notify the Port Manager or Director of Finance and Accounting immediately. Employees should review their paychecks and the wage statements for errors. If you find a possible error, report it to the Port Manager or Director of Finance and Accounting immediately.

Payroll Deductions

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

Pay Advances

Pay advances are not provided by the organization. Employees are encouraged to find other appropriate resources for any financial difficulties.

Delivery of Paychecks

Your paycheck will be hand-delivered to you each payday or put in your designated in-box, unless you elect direct deposit; paychecks will not be delivered to anyone else without your written request.

Method of Payment

A statement showing gross earnings, deductions, and net salary will accompany each paycheck (or notice of direct deposit). Employees have the choice between direct deposit and payment by check. A pay statement will be provided regardless of whether the employee is paid by check or direct deposit.

Employee Withholding Allowance Certificates (Form W-4)

You are required to furnish the organization with an Employee Withholding Exemption Certificate (W-4) at the time of hire. You may file a new W-4 form any time. When you submit an updated Form W-4, the organization will implement the desired changes by the start of the first payroll period ending on or after the 30th day from the submission date. We encourage employees to seek independent tax advice if they have questions about withholding amounts.

Time Records for Non-Exempt Employees

The time sheet is a record of time worked. It provides a record of time spent on the job, indicating the exact time you worked. Each non-exempt employee will be issued an ADP badge number. This number is specific to you and should be used to record your time. Employees should record on a daily basis all actual time worked, including the starting and stopping times of each workday, and all time away from work, including the starting and stopping times of unpaid meal periods leave, vacation days, and company holidays. Nonexempt employees are required to record all hours worked, including any hours worked outside of their normal schedule. Non-exempt employee pay is calculated from this record.

Time sheets should be reviewed carefully for completeness and accuracy as they will be used to calculate pay. Supervisors will review and initial time sheets each pay period. If an error needs to be corrected, the time sheet should be taken to the Port Manager or Director of Finance and Accounting for appropriate action. All manual entries or corrections must be made, reviewed, and initialed by the supervisor or other appropriate management member. Time sheets should be reviewed, signed, and turned in at the end of the pay period. Your signature on the time sheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time sheet. Willfully falsifying a time sheet will be grounds for corrective action, up to and including termination.

Falsifying time entries, including by working off the clock, is strictly prohibited. If you falsify your time entries or work off the clock, you will be subject to discipline, up to and including termination. Supervisors and managers are prohibited from falsifying your time entries or requiring or encouraging you to falsify your time entries or work off the clock. You should immediately report to the Port Manager, the Director of Finance and Accounting, or any other management representative with whom you feel comfortable speaking, any supervisor or manager who falsifies your time entries or encourages or requires you to falsify your time entries or to work off the clock.

Time Records for Exempt Employees

Employees classified as exempt do not fill out time sheets and no deduction of pay will be made for hours worked fewer than eight hours per day, unless authorized by law. However, because the Port of Brookings Harbor does have vacation and sick leave benefits programs, if you have earned time in these bank(s), you must use this time first (from whichever benefit applies) to cover any time off that is less than your normal workday, as permitted by law. Salary will not be reduced for absences of less than a full day, except as permitted by law, if the employee has no available accrued leave. Employees are not required to use accrued leave for absences occasioned by jury service. The Port of Brookings Harbor prohibits deductions from an exempt salaried employee's pay except as required or permitted by applicable law.

Dispute Resolution Process for Paycheck Errors

If you have any questions regarding your pay or feel a manager or supervisor has made a change to your pay that you do not believe is accurate, please contact the Port Manager, the Director of Finance and Accounting, or any other management representative with whom you feel comfortable speaking.

Final Paycheck

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

HOURS OF WORK AND WORK SCHEDULES

Organization Hours

The general Port Office, RV Park Office, and Port Shop hours at the Port of Brookings Harbor are 8:00 a.m. to 5:00 p.m., Monday through Friday.

Specific workday and workweek schedules for each employee will be determined from time-to-time by the appropriate manager, based on the organization's needs. We will attempt to notify you of any changes in workdays or workweek schedules two weeks prior to the effective date of change. Management reserves the right to modify schedules consistent with the needs of the organization.

The normal workday is 8 hours. The total hours in a normal workweek are 40, Monday through Sunday. If you are a non-exempt employee, you must not begin work before your scheduled starting time or continue working beyond the scheduled stopping time without explicit advance approval from your supervisor.

Overtime

You may occasionally be required to work overtime. Overtime hours will be paid to non-exempt employees at one and one-half times the regular rate of pay for all hours worked in excess of

40 in a regular workweek, or as otherwise required by law. Overtime pay is based on hours actually worked. For example, hours attributable to paid time off will not be considered when computing overtime. Your department supervisor must approve any overtime hours in advance or else you may face corrective action, up to and including termination.

If you believe that you have not been compensated for all hours worked, including overtime pay you believe you are owed, you must immediately report your concerns to the Port Manager, the Director of Finance and Accounting, or any other management representative with whom you feel comfortable speaking. Supervisors and managers are prohibited from requiring or encouraging nonexempt employees to underreport any overtime hours worked. You are obligated to immediately report to the Port Manager, the Director of Finance and Accounting, or any other management representative with whom you feel comfortable speaking, any supervisor or manager who requires or encourages you to under-report your hours worked.

Meal and Rest Periods

Meal and rest periods will be provided for you according to any applicable state laws and regulations. Supervisors will review these and establish schedules.

All non-exempt employees are required to take the following breaks in a normal workday:

- Two 10-minute rest breaks. Employees must take one paid 10-minute rest period (up to 15 minutes permitted) for each 4-hour work segment (e.g., each morning and each afternoon shift). Rest breaks are to be taken as near as possible to the midpoint of each work segment. For shifts longer than 8 hours, additional breaks may be required.
- One 30-minute meal break. Employees are required to take one unpaid meal break lasting 30 minutes (up to one hour permitted) if the work period is six consecutive hours or more. The meal break is to be taken between the third and fifth hours worked.

Non-exempt employees only: Meal breaks and rest periods are intended to provide nonexempt employees an opportunity away from work. Nonexempt employees are relieved of all duties and are not permitted to perform any work during meal breaks or rest periods unless there is prior approval from a supervisor, which may be granted on the rare occasion when exceptional and unanticipated circumstances prevent the employee from taking an uninterrupted meal period. In these situations, the entire meal period will be paid time. If an employee performs any work during a meal period, the employee must record the entire period as time worked on their time report.

Employees are expected to ensure that they take their required breaks during their shift. If they are unable to do so for any reason, they must notify their supervisor by the end of the work day. Employees who fail to take their meal breaks or rest breaks as required, or who take longer meal or rest breaks than permitted, may be subject to discipline, up to and including discharge.

Lactation

The Port of Brookings Harbor promotes and supports the practice and need for employees to express breast milk on its premises during the workday.

Until their babies are older than 18 months of age, employees may take reasonable rest periods to express breast milk. Nursing breaks may be taken concurrently with regular meal and rest breaks,

although additional reasonable break time will be made available, as needed. Management and employees will work together to find mutually agreeable hours of work and breaks that support the continuation of expressing breast milk.

If an employee perceives or observes adverse treatment with respect to the expression of breast milk, a supervisor/manager should be informed immediately. Such treatment is prohibited and will not be tolerated.

The Port of Brookings Harbor will provide a clean, private space with an electrical outlet, within the office building, to express breast milk. This space may vary according to available empty rooms. Check with the Port Manager. Hand washing facilities and a refrigerator will also be available at all sites and appropriate signage for privacy will be supplied.

Employees will be responsible for the storage of the expressed milk. The milk, if stored in the refrigerator provided, must be clearly labeled with the employee's name. To ensure the safety of stored breast milk, it is recommended that the container used to store the milk be sealed in a plastic bag to prevent contamination.

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.

Inclement Weather and Emergency Closures

Emergencies such as severe weather, fires, power failures, earthquakes, and other natural disasters can disrupt organizational operations. In extreme cases, these circumstances may require the closing of our office.

In the event that the Port of Brookings Harbor makes the decision to close the office prior to the start of the business day, the closure will be announced via an organization-wide email from the Port Manager. A closure message will also be recorded on the Port of Brookings Harbor's general voice message line. It is the responsibility of each employee to check email and call the voice message line (or other point of contact) for an update, if there is any doubt regarding office operations.

If a decision is made to close the office after the business day has already begun, the closure message will also be announced via email (or other method).

Exempt employees will be paid for all absences (full-day or partial day) related to emergency closures.

Non-exempt employees generally will not be paid for time away from work due to office closure unless the time qualifies for sick time. Additionally, with supervisory approval, available vacation may be used. Non-exempt employees who have reported to work before the decision to close is made will be paid for time worked, or a minimum of two hours, whichever is greater.

TELEWORK OR TELECOMMUTE

The Port of Brookings Harbor generally does not allow employees to telework or telecommute. If you think you may need a reasonable accommodation, please follow the request procedure outlined in the Workplace Accommodations policy.

EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT

The Port of Brookings Harbor will reimburse employees for all actual and reasonable business-related expenses incurred while performing job responsibilities, subject to the guidelines and procedures set forth in this policy. All such expenses must be pre-approved by the employee's supervisor before payment will be made.

Expense Reimbursement Procedure and Reports

Expense reimbursements will not be paid unless and/or until an expense report and all itemized receipts or, if lost, a note with a description of the business activity and expense are provided to the accounting department. Expense reports and all supporting documentation is due to the Port Manager within five days following the end of the month in which the expense is incurred.

The Port of Brookings Harbor will reimburse an employee for reimbursable expenses promptly following the date on which the employee submits a completed expense report that includes all required approvals and substantiating documentation, but in any event no later than December 31 of the calendar year following the calendar year in which the expense is incurred.

Mileage Reimbursement

While in the course and scope of duties on behalf of the Port of Brookings Harbor, employees, with their supervisor's approval, may use their vehicle for business purposes. While driving on behalf of the Port of Brookings Harbor, employees are required to follow all law, rules, and regulations and to drive courteously. Coverage provided by the Port of Brookings Harbor for damages to the employee's own vehicle is secondary to any other collectible coverage. Employees using a personal vehicle for business purposes should ensure that their automobile insurance covers business travel and are encouraged to have comprehensive and collision coverage on vehicles used for the Port of Brookings Harbor business.

When you use your own vehicle for organization business and with your supervisor's approval, you will be reimbursed for organization-related business travel at the current IRS determined rate per mile. However, the Port of Brookings Harbor will not reimburse employees for expenses not necessary for business purposes, such as parking tickets, vehicle repairs and maintenance, fines for moving violations, and vehicle towing charges.

In order to receive reimbursement for mileage expenses, an expense report must be completed and signed and dated by you, initialed by your supervisor, and submitted to the Accounting Department for processing according to policy. If you have questions about expense reports and mileage allowances, please ask your supervisor or Port Manager.

Overnight Travel and Meal Expense Reimbursement

If an employee is traveling overnight on a work-related activity, the employee may expense lodging in a reasonably-priced hotel, food, beverage, and any other incidental expenses that are reasonable, necessary, and business-related. Employees seeking reimbursement for lodging expenses must submit an itemized hotel receipt or statement that indicates that full payment has been made and contains the name and location of the hotel or other lodging; the date or dates of the employee's stay; and separately-stated charges for lodging, meals, telephone, and other expenses.

Meal Reimbursement Limits

The Port of Brookings Harbor will not reimburse more than the following amounts for any meal unless approved in advance by Port Manager; these maximums are inclusive of gratuity.

Breakfast	\$15.00
Lunch	\$15.00
Dinner	\$30.00

Employees must provide receipts or other appropriate substantiating documentation for each meal taken throughout the trip.

Exceeding Meal Reimbursement Limits

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

Alcoholic Beverages

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

Transportation Expense Reimbursement

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

Spouse/Guest Expense Reimbursement

The Port of Brookings Harbor will not pay for expenses incurred by or for an employee's spouse, guest, or significant other.

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

Section 409A of the Internal Revenue Code

Reimbursements under this policy are intended to comply with Code Section 409A and applicable guidance issued thereunder or an exemption from the application of Section 409A.

Accordingly, all provisions of this policy shall be construed and administered in accordance with Section 409A. The amount of reimbursements provided under this policy in any calendar year

shall not affect the amount of reimbursements provided during any other calendar year and the right to reimbursements hereunder cannot be liquidated or exchanged for any other benefit.

Notwithstanding any provision of this policy, the Port of Brookings Harbor shall not be liable to any employee for any taxes or penalties imposed under Section 409A on any reimbursements hereunder.

PAY EQUITY

The Port of Brookings Harbor strives to ensure all employees receive an equitable total compensation package based on a variety of job-related factors, including position, job performance, education, and experience. From time-to-time, employees performing work of comparable character may have different compensation levels. Any such differences will be based on one or more of the following factors: seniority, merit, quantity or quality of work, workplace location, regular and necessary travel, education, training, experience, and any combination of those factors.

Employees who believe they are not being compensated fairly are encouraged to discuss the matter with the Port Manager to obtain clarification. Employees will not be retaliated against or otherwise discriminated against for inquiring about pay equity in good faith, or because they have filed a complaint, testified, or may testify in an investigation or proceeding to enforce the Oregon pay equity requirements. If you believe you have been retaliated against or otherwise negatively impacted for any such activity, you must immediately report the matter to the Port Manager or any other management representative with whom you feel comfortable speaking.

This policy will be interpreted and applied in accordance with the Oregon Pay Equity Act and its implementing regulations that may be adopted and amended from time to time.



BENEFITS

PURPOSE AND POLICY

The Port of Brookings Harbor strives to provide the most 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 your behalf, the total cost of providing the benefit program is a significant supplement to your pay and should be viewed as additional compensation.

Policies, provisions, and procedures that govern the organization'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 your new-hire introductory period, but in most cases eligibility to use these benefits will not occur until you obtain regular employee status or meet other conditions of employment specified in this Handbook or contained in the benefit policy/plan booklets.

Benefit Pro-ration and Employee Cost Sharing

If you are a regular part-time employee, your benefits are prorated based upon the number of hours you work. Essentially, you accrue sick leave benefits at a lower rate than a full-time employee because your accrual rate is based on fewer hours.

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

Benefit Design and Modification

The Port of Brookings Harbor has the right and the sole and exclusive discretion to design plan provisions and to add, eliminate, or otherwise modify the benefits and their respective plan documents. Such addition, elimination, or modification may occur at any time with or without notice, subject to applicable law. Consider that changes to benefits may occur at the Port of Brookings Harbor's discretion prior to making a decision based on current benefit offerings.

Benefit Plan Documents

You'll receive summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of any conflict between these documents or this Handbook and the actual terms of the applicable plan document, the terms of the applicable plan documents will govern. These official documents are available from the Director of Finance and Accounting for your review. We ask that you refer any questions about this information to the Director of Finance and Accounting.

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 our business situation or economic conditions. We encourage you to be thoughtful about relying solely on these benefits, given that they are subject to change. 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.

HEALTH INSURANCE BENEFIT

The Port of Brookings Harbor currently provides health insurance coverage for all employees and their dependents if they are otherwise eligible to participate in the plan. You will be provided with information about the plan at the time you become eligible to participate. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the Director of Finance and Accounting.

Eligibility

This benefit is provided for all regular full-time employees. If otherwise eligible, you may begin to participate in the plan after you have completed 60 days of continuous employment. Insurance plan coverage begins on the first day of the month following completion of 60 days of employment. Part-time, temporary, and on-call employees are generally not eligible to participate in the health insurance plan.

Plan Enrollment

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

The organization pays the full monthly premium for enrolled employees.

Coverage for dependents of employees is also available; however, you are responsible for the full cost of the monthly premium associated with this coverage. See Director of Finance and Accounting for information.

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

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

Premium Cost

Specific types of coverage and benefit payment schedules are described in the organization's health care plan booklet that is available to all eligible employees. At the time of eligibility and during open enrollment each year, you will be informed of how much the organization will

contribute toward your monthly premiums if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are subject to change, usually based on increased costs to provide medical services and the amount of services our employees require.

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

Termination of Coverage

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the option of extending your health plan coverage for a period of time under the continuation coverage provided for by state law. Eligibility can be lost if certain “qualifying events” occur that would otherwise cause your or a dependent’s group health coverage to terminate. Examples of qualifying events include termination of employment, a reduction in hours, death of the covered employee, divorce, entitlement to benefits under Medicare, and a qualified beneficiary losing dependent child status.

You, your spouse, and dependents may continue group health insurance for up to nine months at your own expense if you were enrolled in the plan for at least three months. However, continuation does not occur automatically. You must elect coverage within 30 days, or you and any dependent will lose the right to state continuation coverage. Payment of the premium must then occur within 30 days for coverage to continue. You and any covered dependent(s) will receive information about the provisions of the law when you first enroll in benefits and again if a qualifying event occurs.

Portability/Conversion of Health Plan

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

DENTAL INSURANCE BENEFIT

The Port of Brookings Harbor provides a dental insurance plan for employees.

Eligibility

Full-time employees regularly scheduled to work 30 hours or more per week are eligible for dental insurance coverage on the first day of the month after 60 days of employment. Part-time, temporary, and on-call employees are not eligible to participate in dental insurance.

Cost

At the time of eligibility and during open enrollment each year, you will be notified of how much the organization will contribute toward monthly premiums.

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

OTHER INSURANCE BENEFITS

Group Life Insurance

We provide group life insurance coverage for eligible employees. Full-time employees who are regularly scheduled to work 30 hours per week or more become eligible for this coverage on the first day of the month after 60 days of employment. The amount of insurance coverage is equal to your base annual salary with a \$50,000 maximum.

Short-Term Disability

The Port of Brookings Harbor provides a group short-term disability plan. Full-time employees who are regularly scheduled to work 30 hours or more per week become eligible for this plan on the first day of the month after 60 days of employment. The Port of Brookings Harbor pays the full premium.

Premium Only 125 Plan

The Port of Brookings Harbor provides a Premium Only 125 Plan that allows eligible employees to pay their share of elected group medical or dental coverage on a pre-tax basis. Details will be provided to employees in advance of eligibility (first day of the month after 60 days of employment).

VACATION BENEFIT

All full-time employees are eligible for vacation based on the schedule below. All accruals begin on the first day of regular employment, but employees are not eligible to use vacation time until the introductory period of 60 days has been successfully completed. The accrual is based on the first day of regular employment and continuing with the anniversary date of employment.

You will earn vacation benefits according to the following schedule:

<u>Length of Employment</u>	<u>Accrual Rate</u>
First year	.0385 hour/per hour worked
Second year	.0577 hour/per hour worked
Third and fourth year	.0769 hour/per hour worked
Fifth year and beyond	.0962 hour/per hour worked

Eligible employees who want to use vacation time should request time off as early as possible so that arrangements for coverage can be made. Requests for vacation time are to be made via ADP Employee Access or made in writing and submitted to your supervisor. However, requests may be denied if management is unable to have the employee's requested time off covered. If more than one employee in a department asks for the same time off and gives the required advance notice, length of service within the department will be considered in granting the requests. In all

cases, management retains the maximum discretion allowed by law to decide whether to grant requests for time off.

All vacation will be paid at the employee's regular rate of base pay, including applicable shift differentials.

For purposes of this policy, an employee's vacation leave years is based on the employee's date of hire anniversary. Eligible employees carry over a maximum of 100 hours of accrued and unused vacation time from one leave year to the next. An employee who has more than 100 hours of accrued and unused vacation time at the end of their leave year may exercise any of the following options:

- Carry over hours to the next leave year's vacation leave bank, not to exceed 100 hours.
- Cash out hours at 100 percent of face value.

The election of these option(s) must take place one month prior to the end of the employee's leave year. Review your vacation balance before that time. After review, inform the Director of Finance and Accounting of the option(s) you have chosen. This review of unused vacation hours is the employee's responsibility. Any unused vacation hours exceeding 100 hours at the end of the employee's year will be automatically forfeited; only 100 hours may be carried over.

Vacation accrual will be paid out at separation in accordance with this policy and any applicable law.

SICK LEAVE BENEFIT

The Port of Brookings Harbor provides paid sick leave to all employees in accordance with the Oregon paid sick leave law, which this policy is intended to comply with and will be interpreted in accordance with. For any questions about sick leave, please contact the Director of Finance and Accounting.

Sick leave may be used for any reason allowed under the Oregon paid sick leave law, including:

- An employee's absence resulting from:
 - the employee's mental or physical illness, injury, or health condition;
 - the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or
 - the employee's need to obtain preventative health care.
- An absence to allow an employee:
 - to provide care for a family member with a mental or physical illness, injury, or health condition;
 - to provide care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or

- to provide care for a family member who needs preventative health care.
- For any purposes allowed under OFLA, including serious health condition leave, bereavement leave, parental leave, or sick child leave, regardless of whether the employee is eligible for OFLA leave and regardless of whether the company is a “covered employer” under OFLA.
- For any purpose allowed under Oregon’s domestic violence, harassment, sexual assault, or stalking law as described in ORS 659A.272.
- In the event of a public health emergency, including:
 - Closure of the employee's place of business, or the school or place of care of the employee's child, by order of a public official due to a public health emergency;
 - A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others, such that the employee must provide self-care or care for the family member; or
 - The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.

The Port of Brookings Harbor does allow employees to donate sick time to other employees.

Consistent with state law, for purposes of sick leave, “family member” includes an employee’s spouse, same-gender domestic partner, or registered domestic partner; former spouse or domestic partner; custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, stepparent, parent-in-law, a parent of an employee’s same-gender domestic partner, de facto parent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood *in loco parentis* when the employee was a minor child; an employee’s grandparent or grandchild; a sibling; or a person with whom the employee is or was in a relationship of *in loco parentis*. “Family member” also includes a biological, adopted, foster child, or stepchild, or a child to whom the employee stands *in loco parentis*, is a legal guardian, or is a de facto parent, regardless of age or dependency status; of an employee, or the child of an employee’s same-gender domestic partner.

Eligibility and Accumulation

All employees are eligible to use sick leave as soon as the employee becomes eligible (60 days after hire date) based on the following:

- Full-time employees who have completed one year of employment:

Employees with one year of employment and that are regularly scheduled to work 30 or more hours a week will be assigned and made available 40 hours of sick leave benefits at the beginning of each year.

- Full-time employees employed for less than a full year:

New regular full-time employees will receive sick leave on a pro rata basis equal to the percentage of the calendar year left at date of hire.

For full-time employees employed for less than a full year, the number of hours of sick leave benefits will be assigned on pro rata basis equal to the percentage of the calendar year left at date of hire. For example, if an employee starts work on July 1, their sick leave balance will be front-loaded with one-half of the annual 40 hours of paid sick leave, or 20 sick leave hours. As soon as the employee becomes eligible (60 days after hire date), these hours will be made available for use. On the first day of the immediately subsequent year, the new employee will be assigned and made available 40 hours of sick leave benefits at the beginning of each year.

- **Part-time employees:**

Employees that are regularly scheduled to work less than 30 hours a week will accumulate sick leave benefits at the rate of 1 hour per 30 hours worked. As soon as the employee becomes eligible (60 days after hire date), these hours will be made available for use. Sick time may be used as it is accrued moving forward.

All sick leave time will be paid at the employee's regular rate of base pay, including applicable shift differentials.

Full-time employees that are regularly scheduled to work 30 or more hours a week may accumulate unused sick leave time until the employee has accrued a total of 720 hours' worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Part-time employees that are regularly scheduled to work less than 30 hours a week may accumulate unused sick leave time until the employee has accrued a total of 80 hours' worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual sick leave benefits will be suspended until the employee has reduced the balance below the limit.

No payment will be made for any unused or accrued sick leave hours upon separation.

Retaliation Prohibited

An employee may not be discriminated or retaliated against for lawful exercise of paid sick leave rights. Employees will not be disciplined for lawful use of paid sick leave. If an employee in good faith believes that he or she has been discriminated or retaliated against under this policy or applicable law, the employee must immediately report the matter to the Port Manager or any other management representative with whom you feel comfortable speaking. Any employee who discriminates or retaliates against another employee for his or her lawful exercise of paid sick leave rights, may be subject to disciplinary action, up to and including termination of employment.

PAID HOLIDAY BENEFIT

The Port of Brookings Harbor observes the following holidays each year and our offices are officially closed on these days:

New Year's Day
Martin Luther King Jr. Day
President's Day
Memorial Day
Juneteenth
Independence Day
Labor Day
Veterans Day (Nov. 11)
Thanksgiving Day
Day after Thanksgiving
Christmas Day

Employees will receive a schedule each year showing the date each of these holidays will be observed. These holidays or any additional time observed, such as Christmas Eve or New Year's Eve, will be determined each year at management's discretion.

Eligibility

Full-time employees regularly scheduled to work 30 hours or more per week will be paid for the above holidays. Part-time employees regularly scheduled to work between 20 and 30 hours will receive a prorated amount of paid time based on their regularly scheduled time. For instance, a part-time employee regularly scheduled to work 20 hours per week would receive 4 hours of holiday pay because 50 percent of a full-time schedule is worked.

VETERANS DAY HOLIDAY

Eligible employees have the option of taking Veterans Day off by requesting it as a holiday during any year it falls on a scheduled work day. This time will be paid as described in the Paid Holiday Benefit section of this Handbook.

Establishing Eligibility

Employees are eligible if they fall within specific parameters outlined by law. Generally, an individual is eligible if he or she has served on active duty for at least 178 consecutive days and received an honorable discharge, and/or received a disability rating, and/or was in a combat zone during active duty of any length. Please inquire about additional qualifying circumstances. We may request that you provide documents establishing your eligibility.

Request Procedure

You must notify your manager or supervisor of your request at least 21 calendar days prior to the holiday. Your manager or supervisor will respond to your request no less than 14 calendar days prior to the holiday.

Employer Response

Due to situations where providing time off would create a significant economic or operational disruption, or undue hardship would occur, the decision may be made not to allow anyone to take the day off or to allow the day off for only the minimum amount of employees. If a veteran does not receive time off for Veterans Day, the employee may choose, with supervisory approval, a single day off within the year after the Veterans Day on which the employee worked as a replacement for Veterans Day to honor the employee's service.

OTHER BENEFITS

Simplified Employee Pension (SEP) IRA Plan

An employee is eligible to participate in the Simplified Employee Pension IRA plan if he or she is an eligible employee under the terms of the plan.

In general, an eligible employee is an individual who meets all the following requirements:

- minimum of 21 years of age
- been employed with Port of Brookings Harbor in at least one of the last five years
- received at least \$650 in compensation from the employer during the year (in 2021 and 2022)

Contributions to the SEP-IRA are fully funded by the Port of Brookings Harbor through the designated financial institution. The Port of Brookings Harbor reserves the right to change the designated financial institution used for the SEP-IRA at any time, without notice.

Contribution limits may vary from year to year. See the Port Manager for current maximum limits.

All eligible employees receive 10 percent of their salary (subject to an annual compensation limit), funded by Port of Brookings Harbor. You will be provided more detailed information upon eligibility.

LEAVES OF ABSENCE

LEAVE OF ABSENCE POLICY

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

Bereavement Leave Disability and Pregnancy Accommodation Leave [Non-FMLA]
Civic Duty Military Leave Leave to Donate Bone Marrow
Personal Leave Crime Victims' Leave Domestic Violence Leave
Any other leave protected by law

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

BEREAVEMENT LEAVE

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

- Spouse/Domestic Partner
- Biological, Adoptive, Foster, or Stepchild
- Parent/Parent-in-law
- Grandparent/Grandchild
- Sibling/Sibling-in-law
- Another Person of "In Loco Parentis" Relation
- Any other relative residing in the same house or person acting in the capacity of an immediate family member

Leave to attend the funeral of a non-immediate family member with whom you had an especially close relationship may also be granted at the discretion of management.

This leave may be taken to attend the funeral or alternative of the family member, to make arrangements necessitated by the death of a family member, or to grieve the death of a family member. The leave must be completed within 60 days after the date on which you received notice of the death of your family member.

Length of Leave

The length of leave you may be granted for bereavement is situational and may be decided based upon the unique circumstances of your need. At a minimum, you are allowed to take up to three consecutive regularly scheduled working days away from work for a bereavement leave for immediate family members. If you need additional time off for any bereavement purpose, you

may ask your supervisor's approval, or you may use earned vacation pay or apply for an unpaid personal leave of absence.

Request Procedure

You are expected to give as much notice as possible of the need for time-off so that arrangements can be made to cover your absence. You are required to at least provide oral notice within 24 hours of taking leave, but someone else can do this on your behalf, if necessary. You must provide written notice of the request for time off no later than three days after returning to work.

Pay While on Leave

You will continue to receive regular pay (based on straight-time work hours missed up to eight hours a day for up to three days, which is the maximum company-paid absence allowed for bereavement leave under this policy.

Status of Benefits

Company-paid bereavement leave won't affect your eligibility for benefits or the continuation of benefit accruals. If you are granted additional time off, the effect of the additional leave on your benefits will be determined by our personal leave policy and the applicable benefit plan.

CIVIC DUTY LEAVE

Jury or Witness Duty Leave

Employees subpoenaed to serve as witnesses or for jury duty may obtain a protected leave of absence. If we feel that your absence would cause an undue hardship to you or the organization, we may instead request, with your agreement, that jury duty be postponed. You are not required to use accrued leave for time spent in responding to a summons for jury duty. You are allowed to take leave without pay for time spent by the employee in responding to a summons for jury duty. Or you may choose to use your accrued paid vacation available for voluntary service as a witness or for court appearances you must make as part of your own legal proceedings or lawsuit.

Length of Leave

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

Request Procedure

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

Pay While on Leave

You will be compensated for the difference between the civic pay received and your regular rate of pay for up to two weeks if you are a non-exempt employee; after that period, you may utilize accrued 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 any jury fees received in connection with their service.

Status of Benefits

Benefits are not affected by jury or witness duty leaves.

Voting Leave

We encourage all employees to vote and to take advantage of polling hours before or after work. However, if you are unable to vote outside of business hours, we will work to accommodate you in arranging a time for you to vote.

Request Procedure

You must notify your manager or supervisor before election day if you 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 you have earned hours of vacation or personal time that you can use for that purpose.

CRIME VICTIMS' LEAVE

If you or a member of your immediate family suffers financial, social, psychological, or physical harm as a result of a personal felony you may be entitled to take protected leave from work to attend criminal proceedings.

Eligibility

You will be eligible to take crime victims' leave if you have worked an average of more than 25 hours per week for the organization for at least 180 days immediately before the leave would begin.

Length of Leave

The amount and length of leave time you may take is limited to that which does not create significant difficulty and expense (undue hardship) to the organization. If the organization must limit your leave due to undue hardship, you may notify the prosecuting attorney in the criminal proceeding, who is required to notify the court. The court will then take your work schedule into consideration when scheduling the criminal proceedings.

Request Procedure

You must provide your manager or supervisor with reasonable notice of your intention to take crime victims' leave, and provide copies of any notices of scheduled criminal proceedings that you receive from a law enforcement agency. We will treat such documentation as confidential information.

Pay While on Leave

Crime victims' leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid (vacation/sick/personal) time available to them. Exempt employees working partial days or partial weeks will be paid in full for the entire day or week. Accrued paid time off may be used first.

Status of Benefits

Benefits are not affected by crime victims' leave.

DOMESTIC VIOLENCE LEAVE

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

Eligibility

All Port of Brookings Harbor employees are eligible to take domestic violence leave.

Reasons for Leave

Reasons for taking leave under this policy include the employee's (or the employee's minor child's or dependent's) need to:

- seek legal or law enforcement assistance or remedies including involvement in a judicial action or proceeding;
- 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 to take steps to secure an existing home.

Length of Leave

The amount of leave taken will be reasonable and that which does not create a significant difficulty and expense (undue hardship) for the organization.

Request Procedure

An employee accessing this leave provision needs to provide reasonable advance notice to a manager or supervisor of the employee's intention to take leave under the policy, unless giving advance notice is not feasible. We understand that instances of violence are usually not predictable, and these requests may be made with little forewarning. We will treat any information you share as confidentially as possible.

Safety Measures

Employees who are victims of domestic violence, harassment, sexual assault, 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 the organization.

Pay While on Leave

Crime victims' leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid (vacation/sick/personal) time available to them. Exempt employees working

partial days or partial weeks will be paid in full for the entire day or week. Accrued paid time off may be used first.

Status of Benefits

Benefits are not affected by domestic violence leave.

FAMILY AND MEDICAL LEAVE (FMLA & OFLA)

Due to the Port of Brooking Harbor's size (below 25 employees), the organization is not covered by the Federal Family and Medical Leave Act or the Oregon Family Leave Act. Employees are therefore not eligible for either type of leave. Notice will be provided to employees if this changes.

OREGON'S PAID FAMILY AND MEDICAL LEAVE INSURANCE (PFMLI & PLO)

Oregon's Paid Family and Medical Leave Insurance ("PFMLI") program, also known as Paid Leave Oregon, ("PLO") is a mandatory statewide insurance program that provides qualifying employees with state wage replacement benefits for time off from work that is needed to give or receive care, or for purposes related to domestic violence, sexual assault, stalking, or harassment. These benefits are funded by premiums deducted from employees' wages beginning January 1, 2023 and are administered by the Oregon Employment Department ("OED"). Your premium contribution will be reflected on your paystub.

OED will provide state paid leave benefits to eligible employees for leaves from work related to qualifying events beginning on September 3, 2023. These are partial "wage replacement" benefits, with a maximum weekly benefit amount based on the individual's average wages from the previous year. Minimum and maximum amounts are based on the state average weekly wage, which will be updated every year on July 1st. Eligible employees may take up to 12 weeks of PFMLI leave per year. In some pregnancy-related situations, eligible employees may be able to take up to two more weeks, for a total of 14 weeks.

Detailed information is available at <https://paidleave.oregon.gov/Pages/default.aspx>. You can also call PLO at 833-854-0166 (toll-free) or email PLO at paidleave@oregon.gov with any questions. Below is some additional information about what you can expect, and how those benefits will work with your existing leave and benefits through the Company.

Eligible Employees

To qualify for wage replacement benefits under PFMLI, an employee must have earned at least \$1,000 in wages in Oregon in the relevant base year and contributed to PFMLI through paycheck deductions. Whether an employee qualifies for PFMLI leave, and the weekly benefit amount, will be determined by OED when an employee applies.

Qualifying Events

There are three categories of qualifying events, and each may require documentation to support the need for leave:

1. Family Leave – For an employee:
 - a. To bond with a new child within the first 12 months after birth, adoption, or foster placement. This leave may be extended by an additional two (2) weeks for the birth parent where needed for pregnancy issues or childbirth recovery, for a total of 14 weeks; or
 - b. To care for a family member experiencing a serious health condition.
2. Medical Leave – For an employee to care for their own serious health condition.
3. Safe Leave – As provided for in ORS 659A.272, for survivors of sexual assault, domestic violence, harassment, or stalking to obtain legal or law enforcement assistance, seek medical treatment to recover from injuries, obtain counseling or support services, to relocate or take other steps to secure the health and safety of themselves or their dependent child(ren).

A family member is defined in this program as:

- The employee’s spouse or domestic partner;
- The employee’s child or the child’s spouse or domestic partner;
- The employee’s parent or the parent’s spouse or domestic partner;
- The employee’s sibling or stepsibling or their spouse or domestic partner;
- The employee’s grandparent or the grandparent’s spouse or domestic partner;
- The employee’s grandchild or grandchild’s spouse or domestic partner; or
- Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Applying for Benefits and Notice to the Company

If you are eligible and believe you have a qualifying event, you should notify Office Manager at 541-469-2218 or Port office and apply directly to the OED for benefits. If the need for leave is foreseeable, you should provide notice at least thirty (30) days prior to beginning leave. If an emergency prevents prior notice, then you must provide verbal notice within 24 hours and written notice within 3 days of starting PFMLI leave.

Continuation of Health Benefits

An eligible employee’s existing health benefits will continue for the duration of the employee’s PFMLI leave, as if the employee had continued in employment continuously during the period of leave.

Job Protection and Return to Work

Employees taking PFMLI will be entitled to job protection (i.e. reinstatement) if they have been employed for at least 90 calendar days. If the position held by an eligible employee when the employee’s leave started no longer exists, the employee may be restored to a different position with similar job duties and the same employment benefits and pay at the Company’s discretion and based on business necessity.

Interplay with Other Leaves

Employees cannot receive PFMLI wage replacement benefits at the same time that they are receiving workers’ compensation or unemployment insurance benefits.

[Paid Leave Oregon provides a helpful chart discussing the overlap between paid leave benefits and FMLA, OFLA, and Oregon Sick Leave: https://paidleave.oregon.gov/Documents/Paid-Leave-OFLA-FMLA-Chart-EN.pdf.](https://paidleave.oregon.gov/Documents/Paid-Leave-OFLA-FMLA-Chart-EN.pdf) Due to the Port of Brookings Harbor's size (below 25 employees), the organization is not covered by the Federal Family and Medical Leave Act or the Oregon Family Leave Act. Employees are therefore not eligible for FMLA or OFLA.

Retaliation Prohibited

Retaliation for applying for or taking PFMLI leave is prohibited. Any and all concerns about potential retaliation should be reported to Office Manager at 541-469-2218.

LEAVE TO DONATE BONE MARROW

Eligibility

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

Length of Leave

An employee may take accrued paid leave to undergo a medical procedure to donate bone marrow. Such leave shall not exceed the amount of accrued leave or 40 work hours, whichever is less. In extenuating circumstances, approval to take more time off (paid or unpaid) may be granted by a supervisor or manager.

Request Procedure

You must notify your manager or supervisor as soon as is practicable after you become aware that you will be donating bone marrow. You are expected to provide a copy of the doctor's verification of the purpose and length of leave requested for bone marrow donation. If there is a medical determination that you do not qualify as a bone marrow donor, the paid leave of absence used before that determination was made will not be affected.

Status of Benefits

Benefits are not affected by this leave.

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 any other leave policy. A personal leave of absence is granted at our discretion and is normally granted to protect the length of service and benefit rights of an employee whose service might otherwise be terminated.

Eligibility

You become eligible for a personal leave of absence after 12 months of service. All earned paid leave must be exhausted first. If you want to take a personal leave of absence, you must make arrangements with your supervisor.

Length of Leave

A personal leave of absence starts on the first regular workday following the last day worked. The maximum leave allowed under this policy is 60 days.

Request Procedure

A written request, using the Leave of Absence Request Form, should be submitted at least one week (five working days) before personal leave will begin, except in emergencies. Leave requests must include an expected date of return. If you do not return after three days of that date and no extension has been requested, we'll assume you have resigned.

Pay While on Leave

Personal leaves of absence are without pay.

Status of Benefits

Insurance coverage will **not** be maintained for you while on a personal leave of absence of more than 30 days; leaves longer than 30 days may require continuation of benefits through state continuation provisions or COBRA. You may continue insurance coverage by paying the full premium by the first of each month. Benefits do not accrue during this type of leave of absence, but are instead retained at the same level.

Reinstatement

The organization will attempt to reinstate individuals returning from a personal leave of absence, but no guarantees are made. While you are on a personal leave of absence, you are required to check in with your supervisor on a regular basis to inform us of your status and to notify us of any change in personal data. You may be required to present a doctor's release before being reinstated if the leave was medically-related.

UNIFORMED SERVICES LEAVE AND RE-EMPLOYMENT

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

Eligibility

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

Length of Leave

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

Request Procedure

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

Pay While on Leave

Military leaves are without pay unless you elect to utilize vacation benefits earned before the commencement of the leave.

Status of Benefits

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

Reinstatement

If you are returning from a USERRA leave, you generally must report to work or request reemployment within prescribed time limits, which are based on the length of the leave as follows:

1 to 30 days: You are expected to report to work on the first regularly scheduled work day following the completion of your service and an eight-hour rest period. You will most likely be reinstated to a position you would have held had you not taken leave or to the same position you held prior to the leave.

31 to 180 days: You should submit an application for reemployment no later than 14 days after an honorable release from service unless it is impossible or unreasonable through no fault of your own. You will generally be reinstated to the position you would have attained if continuously employed, so long as you are qualified for the job or can become qualified after reasonable efforts by the Port of Brookings Harbor or to the same position you held prior to leave. In some cases, reinstatement may be made to a position of like seniority, status, and pay to either of the aforementioned positions or to their nearest approximation.

181 days or longer: You must apply for reemployment no later than 90 days after the completion of satisfactory service, absent extenuating circumstances. You will generally be reinstated to the position you would have attained if continuously employed, so long as you are qualified for the job or can become qualified after reasonable efforts by the Port of Brookings Harbor or to the same position you held prior to leave. In some cases, reinstatement may be made to a position of like seniority, status, and pay to either of the aforementioned positions or to their nearest approximation.

For service of 31 days or more, the Port of Brookings Harbor will request that you provide documentation to verify your rights to reemployment, including your separation papers.

Veterans who have suffered a service-connected injury or illness and are hospitalized or convalescing have up to two years following completion of military service to return to their jobs or apply for reemployment, depending on the length of recovery time required. If an employee is unable to comply with the reporting schedule in this policy through no fault of their own or if they are injured or recovering from an injury and need an accommodation for specific circumstances beyond their control, they should speak with the Port Manager as soon as possible to determine if they are eligible for a reasonable accommodation or additional time to apply for reemployment. Failure to file an application within the required time periods may otherwise result in a loss of the right to reemployment.

OREGON PUBLIC EMPLOYEE TEMPORARY ACTIVE DUTY LEAVE

Employees who have worked for the Port of Brookings Harbor for six months are entitled to military service leave with pay not to exceed 15 calendar days in any one training year for annual active duty for training as a member of the National Guard, National Guard Reserves, or any reserve component of the U.S. Armed Forces, or the U.S. Public Health Services.

A “training year” means the federal fiscal year (October 1 through September 30) for any unit of the National Guard or a reserve component. Such leaves are granted without loss of other leave and without impairment of other pay, rights, or benefits, provided the employee receives bona fide orders to training duty for a temporary period and provided they return to their position immediately upon expiration of the period of ordered duty as provided for under ORS 408.290.

OREGON MILITARY FAMILY LEAVE

Due to the size of the Port of Brookings Harbor (below 25 employees), the organization is not covered by the Oregon Military Family Leave Act. Employees are therefore not eligible for this leave type. Notice will be provided to employees if this eligibility changes.



HEALTH AND SAFETY

EMPLOYEE HEALTH AND SAFETY

The Port of Brookings Harbor is committed to providing our employees with a safe and healthful work environment. To accomplish this goal, both management and employees must make diligent efforts to promote safety within applicable laws and standards. For further reference, the Port of Brookings Harbor adopted the health and safety policy in 2019.

We develop and implement safety rules and regulations through our managers and supervisors. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. We also educate employees about workplace hazards and the proper and safe methods to use in performing job tasks.

You are expected to give your full skill and attention to the performance of your duties, using the highest standard of care and good judgment. You are also expected to always follow safety rules and regulations, including using appropriate protective clothing, shoes, and equipment, attending all mandatory training sessions offered, and following directions of warning signs, signals, and supervisory personnel.

All job-related injuries or illnesses are to be reported to your supervisor immediately, regardless of severity. In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an injury or illness may preclude or delay the payment of any benefits to you. No one will be retaliated against for filing a workers' compensation claim in good faith.

Safety rules may be issued or modified from time-to-time and will be effective immediately upon communication. Rules will be distributed to you and posted on the employee bulletin board.

If a workplace injury or illness occurs, you are required to:

1. take remedial first aid actions; seek emergency care if necessary;
2. report the injury or illness as soon as possible;
3. fill out the report form and workers' compensation form; and
4. review the incident with our Safety/Security & Environmental Coordinator.

Early Return to Work Program

Our Return to Work program provides guidelines for returning you to work as early as possible after you have suffered an on-the-job-injury or job-related illness. The program is not intended to be a substitute for a reasonable accommodation when an injured or ill employee also qualifies as an individual with a disability.

The Return to Work program consists of a team effort by supervisors, employees, and their treating physicians, management, and our workers' compensation insurance carrier. All team members will take an active role in returning an employee to productive work. Through this team

effort, we hope to help our employees recover and return to full employment as soon as their medical condition permits.

If you are injured on the job and your doctor determines that you are able to perform modified work, the organization will attempt to provide such a job until you are able to resume your regular duties, except where provided as an accommodation for a permanent disability. All modified work is temporary and may be offered at any location or on any shift. If you are offered a modified position that has been medically approved, failure to report at the designated time and place may affect time loss compensation.

Smoking in the Workplace

The Port of Brookings Harbor is a non-smoking facility. This includes the use of electronic cigarettes and vaping devices. Places outside the office may be designated as smoking areas; smoking is limited to these areas. Please do not smoke or vape within 10 feet of any entrance, exit, window, or air intake device. If any employee has a concern about the areas designated, that individual should speak with the appropriate supervisor.

Employee Right to Know/Hazard Communication Program

The Port of Brookings Harbor provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this information you can help prevent injuries and illnesses from chemical exposure. If you have any questions regarding chemical hazards, do not delay in asking your supervisor or our Safety/Security & Environmental Coordinator.

The following safety precautions have been taken to prevent injuries and illnesses from chemical exposure:

Container Labeling

The Operation Lead or the Safety/Security & Environmental Coordinator will verify that all containers received for use will:

- be clearly labeled as to the contents with a product identifier;
- note the appropriate hazard warning with a precautionary statement, pictogram, hazard statement, and supplemental information; and
- list the manufacturer/supplier's name, address, and emergency phone number.

It is our policy that no container will be released for use until the above data is verified.

The supervisor in each section will ensure that all secondary containers have either an extra copy of the original manufacturer's label or a generic label that has identification and hazard warning blocks. For help with labeling, see the Operation Lead or the Safety/Security & Environmental Coordinator.

Safety Data Sheets (SDS)

Copies of safety data sheets for all hazardous chemicals that employees of the organization may be exposed to will be kept in the Port Office and/or Port Shop. Safety data sheets will be available to all employees in their work areas for review during each work shift. Never use a

chemical or associated machinery if its safety data sheet is not available; you should immediately contact the Operation Lead or the Safety/Security & Environmental Coordinator before using the chemical or the machine containing it.

Employee Information and Training

Before starting work, you will attend a health and safety orientation and receive information and training about the following:

- an overview of the requirements contained in the Globally Harmonized Hazard Communication System;
- chemicals present in your workplace operations;
- location and availability of our written hazard communication program;
- physical and health effects of the hazardous chemicals;
- methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area; and
- how to reduce or prevent exposure to these hazardous chemicals through the use of control/work practices and personal protective equipment.

After attending the training class, you will sign a form to verify that you attended, received our written materials, and understand our policies on hazard communication.

Prior to a new hazardous chemical being introduced into any section of this organization, each employee of that section will be given information as outlined above. The Operation Lead or the Safety/Security & Environmental Coordinator is responsible for ensuring that Safety Data Sheets (SDS) on new chemicals are available.

Substance and Alcohol

The objective of this policy is to provide a workplace and environment that are free from the effects of substance abuse. Furthermore, the Port of Brookings Harbor has a responsibility to our employees, to those who use or come into contact with our services, and to the general public to ensure safe operating and working conditions. To satisfy our drug-free workplace objective and meet these responsibilities, we have established a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances. Accordingly, we have adopted this substance and alcohol policy.

The following conditions and activities are expressly prohibited on our premises or property or during work time or while representing us in any work-related fashion and will lead to corrective action, up to and including termination:

- manufacturing, selling, attempting to sell, using, distributing or possessing alcohol or other controlled or substances that impair job performance or pose a hazard when use or possession occurs (as a government employer this includes marijuana); and

- reporting for or being at work while impaired by the use of alcohol, drugs, or controlled substances.

If your doctor prescribes over the counter or pharmaceutical drugs, you are responsible for determining if you are able to maintain work performance standards, including safety. If you are not, you are to contact your immediate supervisor or Port Manager before returning work.

If you have a problem with substance or alcohol use and wish to undertake rehabilitation, you may be granted a leave of absence for this purpose. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this or any other policy. If you need assistance in seeking this help, you may talk to the Port Manager. No one will be discriminated against for undertaking rehabilitation.

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

The following definitions apply:

Reasonable suspicion is defined as an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances that can constitute a basis for determining “reasonable cause” may include, but are not limited to:

- a pattern of abnormal or erratic behavior;
- information provided by a reliable and credible source;
- direct observation of drug or alcohol use;
- presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
- unexplained significant deterioration in individual job performance;
- unexplained or suspicious absenteeism or tardiness;
- employee admissions regarding drug or alcohol use;
- unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity; and
- causing or contributing to an accident that seriously damages organization property or results in an injury requiring offsite medical attention.

Controlled Substances include, but are not limited to, any substance listed in Schedules I through V of the Federal Controlled Substances Act, including marijuana that is otherwise lawful to use under Oregon or any other state’s law.

Over-the-counter drugs are defined as those that are generally available without a prescription from a medical doctor.

Prescription drugs are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

Any employee who is found to be in violation of this policy and who refuses to submit to testing, or refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination.

WORKPLACE VIOLENCE

Weapon-Free Workplace

To ensure that the Port of Brookings Harbor maintains a workplace safe and free of violence for all employees, the company prohibits the possession or use of dangerous weapons on company property. A work environment that is safe and comfortable enhances employee satisfaction with work as well as employee productivity.

All Port of Brookings Harbor workers are subject to this provision, including contract workers and temporary employees. A license to carry the weapon on company property does not supersede company policy. Any employee in violation of this policy will be subject to disciplinary action, up to and including termination.

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

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

“Company property” is defined as all company-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, and parking lots under the company’s ownership or control. This policy applies to company-sponsored events and all company-owned or leased vehicles and all vehicles that come onto company property.

“Dangerous weapons” include firearms, explosives, knives (other than folding pocket-knife), and other weapons, items, and materials that might be considered dangerous or that could cause harm. If you have a question whether something may be considered a dangerous weapon in violation, you must ask your supervisor prior to bringing the item onto company property. Employees are responsible for making sure that any item possessed by the employee is not prohibited.

The Port of Brookings Harbor reserves the right, at its discretion, and to the full extent allowed by law, to search at any time all company-owned or leased vehicles and property, and all

vehicles, plus packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

This policy is administered and enforced by the Port Manager. Anyone with questions or concerns should contact the Port Manager.

EMERGENCY PREPAREDNESS

The Port of Brookings Harbor may be subject to major disruptions as a result of occurrences beyond the control of the organization. All employees should exercise good judgment in responding to these events as the situation necessitates. The Port of Brookings Harbor will try to provide emergency and limited services during periods of disruptions. The Port Manager shall make the determination to close the organization, suspend activities, or make the organization available for community support.

In the event of potential or actual disruptions that may be weather-related or a result of a catastrophic event such as an earthquake, fire, explosion, or public health emergency, contact your immediate supervisor or the Port Manager.

Compensation of employees will be determined in accordance with all applicable laws and regulations when individual facilities or activities are closed as a result of emergency conditions. Employees not compensated during an emergency-related closure may be able to use available sick or vacation time.

Should a threat to company property or an employee be received, it should be reported immediately to your immediate supervisor or the Port Manager.



EMPLOYMENT SEPARATION

SEPARATION FROM EMPLOYMENT

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

Resignation

Employment with us is at-will, which means you are free to resign at any time, with or without cause or notice. However, in order to achieve an orderly transition, we would appreciate receiving notification of your resignation at least 10 working days before the intended date of departure. For supervisors and management-level personnel, at least 30 days' notice of a resignation is required.

Job Abandonment

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

Job Elimination; Reduction in Work Hours

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

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

Evaluation of these factors is at our discretion. When we conclude that all the factors are substantially equal, we will reduce the hours of or lay off the employee with the shortest term of service. An immediate supervisor/manager will personally notify employees of a layoff. After explaining the layoff procedure, you will be given a letter describing the conditions of the layoff,

such as the effects on benefits, the possibility of reemployment, procedures, and any outplacement services.

If practicable at the time of layoff or upon an employee being placed in an inactive status, we may provide limited reemployment rights for a period of eight weeks. The order of recall will be determined using the above factors. An offer of reemployment may be made orally or in writing to the last address reflected in your personnel records. It is your obligation to keep us informed of any changes to your telephone number, email address, and physical address. The offer will identify the available job and the date you are to report to work. If you are not rehired during the period specified, your reemployment rights end; if you decline reemployment or fail to report on the date specified in an offer, you generally waive any reemployment privileges.

Discharge

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

The organization has a corrective action policy found on page 33 in this Handbook that describes action management may take, at its discretion, to correct performance deficiencies or policy violations prior to discharging employees. The decision to discharge employees is based not only on the seriousness of the current performance infraction or policy violation, but also on the individual's overall performance and conduct record and length of service.

We also believe that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal dispute resolution procedure found on page 13 of this Handbook for that purpose. You are encouraged to use this procedure to resolve any issues you may have that cannot be resolved by consulting with your supervisor.

Exit Interview

An exit interview may be arranged to give you an opportunity to share information before leaving the organization. It also allows us to solicit your opinions about our organization and any suggestions you may have for its improvement. We encourage all employees invited to participate in an exit interview when they separate from employment to do so, and we value all opinions and suggestions we receive in the process.

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

Return of Organization Property

Upon separation from employment, either voluntarily or otherwise, you must return all organizational property in your possession. Such property may include credit cards, organization vehicles, keys, ID cards, pagers, tools, software, electronic devices, uniforms, this Handbook, and any other items in your possession that belong to the organization.

Employee's Notes

The Port of Brookings Harbor

HANDBOOK RECEIPT ACKNOWLEDGMENT FORM

As an employee of the Port of Brookings Harbor, I acknowledge the following:

I have been provided a copy of the Employee Handbook. I understand that the Handbook contains important information about the Port of Brookings Harbor's policies, work rules, and my benefits. I have both read and understood the information in the Handbook and to ask my supervisor and/or Port Manager for clarification of any information I do not understand.

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

The Port Manager is the only person authorized to make changes to the Handbook and all such changes must be in writing to be valid. Any changes to the content will be communicated to employees via official notices.

I understand that, unless stated otherwise in an employment contract, my employment relationship with the organization is "at-will" and either the organization or I can end the relationship at any time, with or without reason or notice. The Port Manager 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 organization plans, and other information. **I understand this information is critical to the success of the Port of Brookings Harbor and I agree not to disseminate or use it outside of the organization, even in the event of my separation, either voluntary or involuntary.**

Non-exempt employees only: I understand that I am required to take a rest break of 10 minutes (up to 15 minutes permitted) for each four-hour work segment (e.g., each morning and each afternoon shift) that I work and that such breaks are to be taken as near as possible to the midpoint of each work segment. For shifts longer than eight hours, additional breaks may be required. I further understand that I am required to take an unpaid meal break of at least 30 minutes (up to one hour permitted) for every six-hour shift I work. The meal break is to be taken between the third and fifth hours worked. Meal breaks and rest periods are intended to provide nonexempt employees an opportunity away from work. Nonexempt employees are relieved of all duties and are not permitted to perform any work during meal breaks or rest periods unless there is prior approval from a supervisor, which may be granted on the rare occasion when exceptional and unanticipated circumstances prevent the employee from taking an uninterrupted meal period. If I perform any work during my meal period, I will record the entire period as time worked on my time report. I will not return work-related phone calls or email messages during my lunch period, and if work-related interruptions are common, I understand that I may be required to leave my work area during my meal period.

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.

Employee Signature

Date

Print Employee's Name