

Port of Kingston

Kitsap County, WA

RESOLUTION NO. 11-03-2020

A Resolution of the Commission of the Port of Kingston

ADOPTING A REVISED PERSONNEL MANUAL

WHEREAS, the Port of Kingston believes that a Personnel Manual constitutes a valuable guide for employees of the Port; and

WHEREAS, the Port of Kingston desires to update its Personnel Manual to better reflect the policies and procedures of the Port of Kingston in regards to employment.

THEREFORE, BE IT RESOLVED by the Board of Commissioners for the Port of Kingston hereby as follows:

1. The Personnel Manual attached as Attachment A is hereby adopted by the Port as of the date of this Resolution.
2. This Personnel Manual shall take effect on December 1, 2020 (the "Effective Date") and shall replace and supersede the former personnel manual.
3. The Executive Director is directed to ensure that each employee receives a copy of this Personnel Manual prior to the Effective Date and acknowledges receipt of same.

Passed by the Board of Commissioners for the Port of Kingston, Kitsap County, Washington at a Regular Meeting held this 18th day of November 2020.

**PORT OF KINGSTON
KITSAP COUNTY, WA**

DocuSigned by:

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Steve Heacock, Chair


DocuSigned by:

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Mary McClure, Vice Chair

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Laura Gronnvoll, Secretary

ATTEST:

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Greg Englin, Executive Director

Port of Kingston Personnel Manual

(Effective Date December 1, 2020)

ACKNOWLEDGEMENT OF RECEIPT
OF
PERSONNEL MANUAL
AND
AT-WILL EMPLOYMENT

My signature below indicates that I have received a copy of and have read and understood the Port of Kingston Personnel Manual.

This Handbook explains what I may expect from the Port, as well as what will be expected of me. The Handbook is designed to familiarize me with the Port major policies and to answer common questions posed by employees. It cannot, however, anticipate every situation or answer every question about my employment. It is a summary of the Port's personnel policies, benefits and work rules. The Port operates with an "open door" policy, and I have been encouraged to ask questions if there are policies and procedures I don't understand.

I understand that my employment with the Port of Kingston is "at-will", which means that my employment may be terminated by the Port, at any time, with or without cause and with or without prior notice and, likewise, that I can choose to leave the Port's employment at any time, with or without prior notice.

The contents of this manual do not constitute a contract of employment between me and the Port for any definite term of employment or a guarantee of specific treatment in specific situations. I also understand that these policies may be changed from time to time by the Port Commission and that I will be notified of any changes.

Signature

Date

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Definitions – 1.00

The following definitions are for clarification of terms used in the Port Personnel Manual

Applicant	A person who makes formal application for a position.
At Will	Either the employer or employee may terminate employment at any time with or without cause.
Compensated Employment	Time that an employee is paid for by either working or taking paid leave.
Continuous Service	Employment without interruption except for authorized leaves of absence.
Disciplinary Action	Imposition of certain personnel actions (i.e. – reprimand, warning, suspension, dismissal, demotion, etc.).
Employer	Port of Kingston, also referred to as “The Port”.
Executive Director	The person designated by the Port Commission to carry out the Port’s policies and manage the day to day operations of the Port.
Grievance	An internal review process initiated by an employee to help provide solutions to the employee’s work-related concerns or problems.
Immediate Family	Spouse, legal child, mother, father, sibling (natural or adopted), grandparent, and grandchild.
In-House Assignment	To encourage promotional opportunities in a higher level position via lateral assignments / requests, the Executive Director may announce that a position will be filled by a Port of Kingston employee who may be qualified and interested. Such an action may not be advertised on the open market.
Layoff	Involuntary termination of an employee for reasons such as insufficient workload and/or funds.
Overtime	For non-exempt employees, work in excess of forty (40) hours in the Port’s designated work week, exclusive of mealtime or leave.

Regular Position - Full Time

A position requiring an employee to work thirty-two (32) or more hours each week, in a position that is designed to be year-round. At the determination of the Port, some Port benefits may be available subject to the terms, conditions, and limitations of each benefit program.

Regular Position - Part Time

A position requiring an employee to work less than thirty-two (32) hours each week, in a position that is designed to be year-round. Some Port benefits may be available subject to the terms, conditions, and limitations of each benefit program.

Resignation

An employee's voluntary action of terminating employment.

Seasonal Position

A position paid on an hourly basis where employees are called to work irregular schedules; these employees are not "Regular" Port employees. These positions are generally employed between April and October of each year.

Supervisor, Manager or Director

The individual to whom an employee is directly responsible.

Vacation

Scheduled workdays or hours that an employee, by pre-arrangement, continues to receive the regular rate of compensation without working the scheduled hours.

Work Week

For the purpose of calculating overtime hours, the Port defines its standardized work week as Sunday through Saturday.

Recruitment, Hiring, Assignment, and Termination – 2.00

The Port of Kingston acting by and through the Executive Director as authorized by the Port Commission reserves the sole and exclusive right to recruit, promote, reassign, discipline and terminate employees based on the need for work to be performed, availability of revenues, effective performance, the ability of employees to perform the essential functions of the position, and personal conduct of employees.

Recruitment – 2.10

Regular Employees – Except as provided otherwise in this Personnel Manual, the Port of Kingston will provide for recruitment of all regular employees through public advertisement in classified ads, Port website and bulletin board, or any other means as appropriate. Recruitment will be based upon the requirements of the position as defined in the position description and by the Department Manager/Supervisor. The position description and factors used in hiring will be available during the recruitment process.

The Port of Kingston is committed to providing promotion opportunities to employees who have demonstrated exemplary job progress and self-motivation. In an attempt to advise employees of internal job openings, bulletins will be routed via electronic mail or hard copy announcing job vacancies as appropriate. Employees who meet the minimum standards and are interested in being considered for posted positions should contact the department supervisor for application details and further information about the job. Positions posted are not necessarily reserved or held exclusively for internal promotion. The Port reserves the right to advertise and recruit the best qualified person in the appropriate labor market, as determined by the Executive Director.

Seasonal Employees – Consideration for job openings will be given to seasonal employees who have satisfactorily completed his/her prior assignments. Recruitment for new seasonal employees may be advertised in classified ads, posted on the Port website and bulletin board, or in any other location as appropriate. Recruitment for seasonal employees will include position descriptions and selection criteria.

The Port relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented and gathered during the employment process. Any misrepresentation, falsification or material omission

may result in the Port's exclusion of the applicant from further consideration for employment, or, if the person has been hired, termination of employment.

To ensure that individuals joining the Port are well qualified and have the potential to be productive and successful, the Port may check the employment references of all applicants. Every offer of employment is contingent upon the appropriate completion of a reference check.

Hiring – 2.20

Regular Employees – Hiring of regular employees will include initial screening of applications by the Department Manager/Supervisor and/or

Executive Director. After screening of applications, the most qualified candidates will be selected for interviews based upon established criteria, information contained in applications, and information obtained through reference checks. After the interview process, the Department Manager/Supervisor will forward their recommendations to the Executive Director for final approval.

Seasonal Employees – Hiring of seasonal employees will be made by the Department Manager/Supervisor in accordance with established selection criteria and the requirements of the position description. The Department Manager/Supervisor will interview qualified candidates for each seasonal position, if possible, using the selection criteria to screen submitted applications.

The Port is committed to full compliance with the Federal immigration laws. Therefore, the Port is required to verify the identity and legal ability to work of all individuals before they can begin work. In keeping with this obligation, each applicant must produce documentation that shows his or her identity and legal authority to work. Each applicant must also attest to his or her legal authority to work and identity on an I-9 Form provided by the Federal government. This verification form will be distributed by the Port and must be completed as soon as possible after an offer of employment is made. The form must be completed and returned to the Port more than three (3) business days after an individual is hired. All offers of hire and continued employment are conditioned on furnishing satisfactory evidence of identity and legal authority to work in the United States.

Assignment – 2.30

After an employee has been recruited and hired, the employee will be assigned employment responsibilities. The Executive Director will establish an appropriate time period after the hiring date for an evaluation of the employee. The Employee will be evaluated based upon actual performance of all of the specific duties outlined in the position description.

After the initial hiring, the employee may undergo on the job training with other employees and/or supervisor. The employee may be required to attend formal training classes.

At-Will Employment- 2.40

Due to the nature of the Port's business, the employment relationship is, and is intended to be, at-will. The "at-will" employment relationship between you and the Port means that employment at the Port is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will. This means that either you or the Port may terminate the

employment relationship at any time, with or without reason, or with or without advance notice.

There will be no agreement, express or implied, between you and the Port for any specific period of employment, nor for continuing or long-term employment in a specific position or at a specific rate of pay unless stated in writing and signed by the Port. No officer, agent, or anyone else at the Port has the authority to enter into any agreement contrary to the at-will relationship which cannot be altered except in writing and signed by both the Port and you. The Port is not bound by any oral promises concerning your length of employment.

Terms and conditions of employment with the Port may be modified at the sole discretion of the Port with or without cause and with or without notice. Examples of the type of terms and conditions of employment that are within the sole discretion of the Port include, but are not limited to, the following: promotions; demotions; transfers; hiring and discharge decisions; compensations; benefits; qualifications; disciplines; layoffs or recalls; job duties and responsibilities; reductions, cessations, or expansions of operations; sales, relocations, mergers, or consolidations of operations; determinations concerning the use of equipment, methods, or facilities; or any other terms and conditions that the Port may determine to be necessary for the safe, efficient, and economic operation of its business.

Termination – 2.50

Seasonal Employees – Seasonal employees will be terminated upon completion of their work season or as determined by the Department Manager/Supervisor, whichever is sooner. The Department Manager/Supervisor is authorized to terminate employees at any time for any reason, with or without notice, as the employment relationship is “at will”. Seasonal employees typically will not work more than six months in a year.

Regular Employees – The Executive Director is authorized to terminate employees at any time for any reason, with or without notice as the employment relationship is “at will”.

Regular employees may be terminated for any reason, including but not limited to, their position being eliminated by Commission action, their inability to perform the essential functions of their position with or without an accommodation, and/or their performance does not meet acceptable performance standards.

Also see Section 16.00, Employee Performance, for employee disciplinary action and termination

Equal Employment Opportunity – 2.60

The Port of Kingston is an equal opportunity employer and all employment decisions, including recruitment, hiring, assignments, termination, and offer of benefits of employment, will be made without consideration of race, religion, sex, sexual orientation, gender expression, gender identity, creed, national origin, age, marital status, disability, veteran's status or any other protected status. All employment requirements mandated by State and Federal regulations will be observed. This policy of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff, recall, termination, and dispute resolution.

All employees in the Port have the responsibility to follow and carry out the policy, according to the spirit and intent of the Port's equal employment commitment. Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. If you believe that you have been subjected to any form of unlawful discrimination, promptly report the facts of the incident or incidents, names of the individuals involved, and the names of any witnesses, the Port will promptly, thoroughly and objectively investigate all claims of discrimination and ensure that appropriate action will be taken. Any employee found to have engaged in any form of unlawful discrimination would be subject to disciplinary action up to and including termination. The Port will also take action to deter any future discrimination. No action will be taken against any employee in any manner for reporting or opposing any form of unlawful discrimination, including discrimination by a guest, vendor or another non-employee.

Americans with Disabilities Act – 2.70

The Americans with Disabilities Act ("ADA") is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities.

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

- They currently have a physical or mental condition that substantially limits their ability to normally conduct a major life function (walking, seeing, hearing, breathing, etc.);
- They have a history of such impairment; and/or,
- They are perceived to have such impairment.

The ADA also prohibits discrimination on the basis of an individual's relationship (parent, sibling, child, spouse/significant other, etc.) to someone with a disability.

Reasonable accommodation is available to employees and otherwise qualified applicants with known disabilities, as long as the accommodation doesn't cause undue hardship on the Port. Individuals protected by the ADA should discuss their need for possible accommodation with the Port. The applicant or employee should advise the Port what accommodations he or she believes are needed in order to perform the job. The Port will determine possible accommodations, if any. If accommodation is reasonable and will not impose undue hardship upon the Port, the Port will make the accommodation.

The Port also reserves its right to require an employee to undergo a fitness-for-duty medical examination, at the Port's expense, if the Port believes or suspects that the employee may not be able to perform the essential duties of the job or may not be able to perform the essential duties of the job without risk of harm to him or herself or others. In such an instance, the Port will so advise the employee, in writing, of the need for the examination. Depending on the situation, the Port reserves the right to suspend employment pending the results of the examination.

Employee Education - 3.00

Policy – 3.10

The Port of Kingston policy is to provide educational programs and assistance for employee training and development, and to provide financial assistance through reimbursement of educational costs for employees engaged in continuing education at accredited institutions. Educational benefits are provided contingent upon budgetary constraints and prior approval by the Executive Director based on benefit and relevance to the Port of Kingston.

Purpose – 3.20

To establish criteria for regular employees to receive training or education tuition assistance when the Executive Director determines such training or education is job related.

Job Related Short Courses or Seminars – 3.30

The Port will pay all costs for an employee to attend a short course or seminar, if the Executive Director determines the education or training is job related and the costs therefore are reasonable.

Continuing Education Leading to a Degree – 3.40

The Port may reimburse up to 50% of tuition for those employees who are engaged in undergraduate or graduate continuing education related to Port operations or the employee's current job duties. Generally, course schedule and workload must not

interfere with the employee's job duties. Except as determined otherwise by the Executive Director, to qualify for reimbursement, the employee must have been employed by the Port continuously for at least one year in advance of course enrollment. Tuition assistance may be available if the individual course or courses are related to Port operations or the employee's current job duties. Tuition assistance requires the approval of the Executive Director. Reimbursement at a rate greater than 50% may be approved by exception by the Executive Director.

Authorization for current tuition reimbursement is not a guarantee for future reimbursement.

The Port invests in tuition assistance to employees with the expectation that the investment will be returned through enhanced job performance. However, if an employee voluntarily separates from the Port's employment within twenty four (24) months of the last educational assistance payment, the employee may be required to repay any tuition assistance payments made during the last twenty four (24) months.

Payment for Reimbursement of Tuition – 3.50

The Port reimburses tuition to employees who were authorized tuition assistance when the employee presents proof of payment and evidence of satisfactory completion (a grade of “C” or better (2.0 or better on a 4 point scale), or “pass” if on a pass/fail basis). Request for reimbursement must be made within thirty (30) days of receipt of grades.

Class and Seminar Scheduling – 3.60

Employees are required to receive Department Manager or Executive Director approval to schedule class or seminar attendance. If class or seminar interferes with department workload, the employee’s Department Manager or Supervisor may not approve time off for attendance.

Employee Personnel Files – 4.00

Policy – 4.10

The Port of Kingston will maintain personnel files for employees and comply with the provisions of all laws which affect employees' rights to privacy.

Purpose – 4.20

To provide Port Management with necessary information for effective personnel administration and to protect employees' rights according to State and Federal guidelines.

Responsibility – 4.30

The Controller is charged with the responsibility for the maintenance of all personnel files.

Personnel Files – 4.40

Employee personnel files contain applications and performance evaluations, personnel action records, letters of commendation, educational assistance, and other information. The Executive Director may use documentation in the personnel files to support any personnel actions. Personnel files are the property of the Port, and employees may not add or remove any documents from their personnel file.

Access to information in Personnel Files – 4.50

Employees are authorized to review their own personnel files. With reasonable advance written notice, employees may review their own personnel files in the Port's Administration office, and in the presence of the Controller or designee. All other requests to review files will be in accordance with existing laws pertaining to disclosure of such records.

Changes in Personal Data – 4.60

Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following items, it is your responsibility to notify the Port of the change as quickly as possible:

- Name
- Marital status
- Address
- Telephone number
- Dependents

- Person to be notified in case of emergency
- Job related physical or other limitations which impact employment
- Guard card status and/or expiration
- Legal status
- Tax withholding
- Other information having a bearing on your employment.

Leaves of Absence with Pay – 5.00

Policy – 5.10

To provide employees leave of absence with pay as required by law or under Port approved circumstances.

Purpose – 5.20

To establish criteria used in authorizing leave of absence with pay and to identify parameters for the Port's classifications of absence with pay.

Bereavement Leave – 5.30

In the event of a death in the employees' immediate family, as defined in Section 1.00 Definitions, the Executive Director will grant the employee leave with pay not to exceed twenty-four (24) working hours. Leave in excess of twenty-four (24) hours is charged as vacation leave or leave without pay.

Court Appearances and Jury Duty – 5.40

It is the civic obligation of each employee to serve as a juror or witness if called. Compensation received from the court for mileage, meals, etc., while serving as a juror or witness is retained by the employee.

Employees must show and provide a copy of the jury duty summons to the Office Manager and Department Manager/Supervisor as soon as possible so that the Port may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Emergency – 5.50

Department Managers/Supervisors may grant reasonable leave with pay in an emergency for good cause shown. Leave permitted under this subsection is reserved solely for unforeseen circumstances not elsewhere provided for in these policies and is limited to three days. Leave will be charged as vacation leave. Requests for leave in excess of three days will be processed as regular vacation. In cases where the employee's vacation leave is exhausted, leave may be allowed without pay at the discretion of the Executive Director. Leave under this section is at the Port's discretion.

Paid Military Leave – 5.60

Employees who are members of the Washington national guard or the army, navy, air force, coast guard, or marine corps reserve of the United States or of any organized reserve or armed forces of the United States may take a paid military leave of absence from employment for a period not exceeding twenty-one (21) days during each year beginning October 1st and ending the following September 30th in order to report for required military duty, training or drills including those in the national guard or state active status. The employee shall be charged military leave only for days that he or she is scheduled to work for the Port.

This leave is in addition to sick or vacation leave accruals and shall not involve any loss of efficiency rating, privileges or pay.

Paid Sick, Vacation and Holiday Benefits – 5.70

The Port provides a variety of paid sick leave, vacation and holiday benefits as described in other sections of this personnel manual.

Continuation of Benefits during Paid Leave – 5.80

Employees who are on a paid leave of absence shall continue to receive benefits they were entitled to prior to the start of their leave, including the accrual of vacation, sick leave, holidays, retirement and health insurance benefits. Unless stated otherwise in these policies, an employee's benefits (including health insurance and leave accruals) will be suspended during any period of leave more than thirty (30) consecutive days. In certain cases, self-payment of insurance premiums may apply under COBRA.

Paid Family Medical Leave Act – 5.90

Employees in Washington who have worked at least 820 hours during the qualifying period (which is about the last year) may be entitled to leave, a partial wage replacement, and other benefits through Washington's Paid Family and Medical Leave (PFML) program. Paid Family and Medical Leave is funded by a small premium that is collected from your paycheck. Eligible employees receive up to twelve (12) weeks of medical or family leave, or a combined sixteen (16) weeks of medical and family leave. Eligible employees may receive an additional two (2) weeks of medical leave related to pregnancy complications. Leave under the PRML program runs concurrently with leave under the Family and Medical Leave Act.

Medical leave may be used for the employee's own serious health condition. Unless complications arise, ordinary health conditions – such as common cold or flu, earaches, upset stomach, minor ulcers, headaches (other than migraines), routine dental or orthodontia problems, and periodontal disease – do not qualify as serious health conditions.

Family leave may be used to care for a newborn or newly adopted child, or a family member with a serious health condition. Family leave may also be taken to be with a family member injured in military service or to deal with exigencies of military deployment. Family members include a spouse (including registered domestic partner), child (including step and foster, regardless of age), grandchild, sibling, parent (including in-law and loco parentis), and grandparents.

The employee must file a claim with the Employment Security Department. If the Employment Security Department approves the claim, it pays the benefits directly to the employee.

Leaves of Absence without Pay – 6.00

Policy – 6.10

To provide employees with a description of various leaves of absence without pay authorized under the law or under Port approved circumstances.

Purpose – 6.20

To establish criteria to use for authorized leaves of absence without pay and to identify the classifications whereby the Port would allow for leaves of absence without pay but for continuation of Port benefits to include health insurance, position seniority, and job security.

Spouses of Military Persons Leave – 6.30

During a period of military conflict, an employee who is the spouse or state registered domestic partner of a member of the armed forces of the United States, national guard or reserves who has worked an average of twenty (20) or more hours per workweek and who has been notified of an impending call or order to active duty or has been deployed is entitled to a total of fifteen (15) days of unpaid leave per deployment after: 1) the military spouse/state registered domestic partner has been notified of an impending call or order to active duty and before deployment or 2) when the military spouse is on leave from deployment.

To activate this leave, an employee must provide The Port with notice of his/her intent to take this leave within five (5) business days of receiving official notice of an impending call, order to active duty or leave from deployment.

An employee who takes a military spouse leave of absence may elect to substitute any accrued leaves to which he/she is entitled for any part of the leave provided under this section.

The Port shall maintain an employee's health coverage under the Port's group plans while on military spouse leave at the level and under the conditions the coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. If the employee is not eligible for any employer contribution to health coverage benefits under the employer policy during any period of leave, the Port shall allow the employee to continue, at the employee's expense, health insurance coverage including any spouse and dependent coverage, in accordance with state or federal law. The premium to be paid by the employee shall not exceed 102% of the applicable premium for the leave period.

Taking leave under this section will not result in the loss of any employment benefits accrued before the date on which the leave commenced.

Upon return to work, an employee who takes leave under this section will be restored to the same job or one of like status, pay and benefits.

Military Leave – 6.40

Federal and state law provide liberal time-off and reinstatement rights to military personnel. The Port will comply with all military leave entitlements provided under these laws. Please contact Controller for more information on this leave.

Domestic Violence Leave – 6.50

The Port supports the public interest in reducing domestic violence, sexual assault and stalking by enabling victims to maintain financial independence necessary to leave abusive situations, achieve safety, and minimize physical and emotional injuries. Eligible employees are those who are the victims of domestic violence, sexual assault and stalking and employees whose family members are victims. Eligible employees under this section may take reasonable periods of leave as authorized by law and may, at their option, utilize paid sick leave or unpaid leave.

Authorized purposes for leave include those listed in Section 7.50 (5) of this Manual. As a condition for taking this type of leave, an employee shall give the Port as much advance notice as possible. If advance notice is not possible, an employee or his/her designee shall give notice no later than the end of the first day the employee takes such leave. The Port may ask for verification that the leave is for an authorized purpose. The Port will maintain confidentiality of all information provided by the employee under this section.

Taking this leave will not result in the loss of any pay or benefits to the employee that accrued before the date on which the leave commenced. Upon return to work an employee will be restored to same job or one of like status, pay and benefits. To the extent allowed by law, the Port will maintain coverage under any health insurance plan for an employee who takes leave under this section for the duration of the leave and at the level and under the conditions coverage would have been provided if the employee had not taken the leave.

Pregnancy Disability Leave – 6.60

A pregnant employee is entitled to an unpaid leave of absence for the time that she is sick or temporarily disabled because of pregnancy or childbirth or complications therefrom. The employee must provide written verification from her treating health care provider certifying the actual period of disability. The employee may use accrued sick and vacation leave or utilize unpaid leave. Vacation and sick leave does not accrue during unpaid disability leave.

Upon return to work, an employee on pregnancy disability leave will be returned to her same job or one of like status, pay and benefits. Before returning to work, the

Port may require the employee to provide a certification from her health care provider releasing her to work and setting forth any limitations that may apply.

Extended Authorized Absences without Pay – 6.70

In extraordinary situations which do not adversely impact the Port's business, the Executive Director has authority to approve absence without pay to extend the leave period approved in other sections of this Personnel Manual. Such leave is within the sole discretion of the Port and will be determined on a case-by-case basis, taking into consideration such factors as the circumstances warrant, including but not limited to the purpose for the leave, the employee's seniority and position, the Port's needs, etc.

Leave without Pay Approval – 6.80

Periods of leave without pay must be approved, in advance when possible, by the Department Manager for periods up to forty hours. Periods of unpaid leave in excess of 40 hours must be approved, in advance, by the Executive Director, except in the case of the Executive Director who must receive approval of the Port Commission.

Suspension of Benefits during Unpaid Leave – 6.90

Except as required by law, an employee on unpaid leave shall not be entitled to any employee benefits (including but not limited to health insurance and leave accruals). However, if an employee desires to continue their health insurance during a period of unpaid leave, they may be able to continue such coverage by paying for the entire premium during such unpaid leave. Please contact the Controller for more information.

Sick Leave – 7.00

Policy – 7.10

It is the policy of the Port of Kingston to provide paid sick leave benefits to all eligible employees.

Purpose – 7.20

The purpose of policy 7.00 is to outline the guidelines for the accrual and use of sick leave.

Accrual, Rate of Pay and Carryover – 7.30

Paid sick leave begins to accrue at the start of employment. The accrual year for paid sick leave is the calendar year from January 1st through December 31st. Seasonal employees will accrue paid sick leave at a rate of one hour for every 40 hours worked. Regular full and part time employees will accrue paid sick leave at a rate of two hours for every 40 hours worked. There is no cap on the number of paid sick leave hours that may accrue in a year. Paid sick leave will be compensated at an employee's rate of pay, excluding overtime rates. Paid sick leave hours will not count towards the calculation of overtime.

Seasonal employees may carry over up to 40 hours of accrued but unused sick leave into the succeeding calendar year. All regular full and part time employees may carry over up to a maximum of 1,000 hours of accrued but unused sick leave into the succeeding calendar year.

Payroll – 7.40

Employees will be notified of their paid sick leave balances each month on their pay stub or direct deposit statement, including:

- Accrued paid sick leave since the last notification
- Used paid sick leave since the last notification
- Current balance of paid sick leave available for use
- Donations via shared leave program

Use of Sick Leave – 7.50

Employees may use sick leave for the following purposes:

1. An employee's mental or physical illness, injury or health condition;
2. Preventive care such as a medical, dental or optical appointment/or treatment;
3. Care for a family member with an illness, injury, health condition and/or

preventive care such as a medical/dental/optical appointment. "Family member" under this section means any of the following: (a) a child, including a biological, adopted, foster or stepchild or a child to whom the employee stands in loco parentis, is a legal guardian or de facto parent, regardless of the age or dependency status; (b) a biological, adoptive, de facto, or foster parent, stepparent or legal guardian of the 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; (c) a spouse, (d) registered domestic partner, (e) grandparent, (f) grandchild or (g) sibling;

4. Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons;
5. If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking. This includes:
 - a. Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employees and their family members, including, but not limited to, preparing for, or participating in any civil or criminal legal proceeding related to domestic violence, sexual assault or stalking.
 - b. Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault or stalking.
 - c. Attending health care treatment for a family member who is a victim.
 - d. Obtaining, or assisting a family member in obtaining services from a domestic violence shelter, a rape crisis center, or a social services program for relief from domestic violence, sexual assault or stalking.
 - e. Helping a family member to get mental health counseling.
 - f. Participating in safety planning; temporary or permanent relocation; or other actions to increase the safety from future events of domestic violence, sexual assault or stalking for the employee or a family member.

Unless directed by the employee to use other accrued paid time off as allowed by the Washington Family Care Act absences eligible for use of sick leave will be deducted from the employees accrued sick leave bank, except in the case of leave requested under the Domestic Violence Act, employees have the option to request the use of any other bank of accrued paid time off or may take the leave on an unpaid basis.

Partial Day Absences – 7.60

Non-exempt and Exempt Employees – Sick leave can be used in minimum increments of one hour.

Reasonable Notice and Verification – 7.70

To the extent possible, employees are to provide as much advance-notice as is possible of the need for time off under this section, provided the notice does not

interfere with the employee's use of paid sick leave. For absences extending three days, the Port may require verification that an employee's use of paid sick leave is for an authorized purpose; provided the verification does not result in an unreasonable burden or expense on the employee and does not exceed privacy or verification requirements otherwise established by law.

Advance Sick Leave– 7.80

After all available paid sick leave has been exhausted, and in an exceptional circumstance which does not adversely affect the needs of the Port, the Executive Director has the authority to grant advanced paid sick leave not to exceed forty (40) hours. Any such front-loaded sick leave is subject to Section 7 of this Personnel Manual.

Shared Leave – 7.90

The Executive Director may authorize employees to donate their accrued sick leave to another Port employee who requires leave for any purpose authorized under this section and which has caused the employee to take leave without pay or is likely to cause the employee to terminate his/her employment.

Employees may donate accrued sick leave for Shared Leave. To be eligible to donate leave, the employee must have at least 80 hours of accrued sick leave before donating. In no event shall a leave donation result in the donor employee reducing his/ her sick leave balance to less than 40 hours. The maximum amount of leave that may be donated to an eligible employee is 40 hours.

Employees may qualify for donated leave by working 12 months for at least 1,250 hours prior to their request for Shared Leave. Requests for Shared Leave should be made in writing to the Controller and the request will be reviewed by the Executive Director. If approved, the Controller will notify all eligible donors of the request and provide a Shared Leave donation form to all those employees who qualify to donate and wish to participate. Upon receipt of the donation forms, the Controller will transfer the leave from the donor to the recipient as needed. The names of both the donor and recipient will be kept confidential.

All donations of Shared Leave must be given voluntarily. Donations will be calculated on a dollar for dollar basis. The minimum amount of donation is one hour.

The employee receiving donated leave shall have exhausted all his/her accumulated, vacation, holiday and sick leave.

While an employee is using Shared Leave, he or she will continue to receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation, holiday or sick leave.

Abuse of Sick Leave – 7.100

Abuse of sick leave privileges may result in discipline, up to and including termination. An employee who is unable to report to work must notify their Department Manager/Supervisor of the absence as soon as possible. Abuse of these privileges may include but is not limited to failure to provide reasonable notice, when possible, as required in these policies; failure to provide a timely verification of the need for leave as described in Section 7.60 and providing any false statement regarding the need for leave under this section.

Unused Sick Leave – 7.110

Employees are not paid for unused sick leave at time of termination, resignation, retirement or other separation from employment; however, in the case of an employee being rehired within twelve months of separation, previously accrued unused paid sick leave shall be reinstated.

Retaliation Prohibited - 7.120

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave. If an employee feels they are being discriminated or retaliated against, the employee may contact the Controller at (360) 297-2545. If an employee is not satisfied with the Port's response, the employee may contact the Washington State Department of Labor & Industries at 1-866-219-7321, toll free.

Employees with questions about paid sick leave may contact the Controller.

**Port of Kingston
Application for Shared Leave
Manager / Supervisor Supplemental Information**

Name of the Employee Requesting Shared Leave: _____

Name of Supervisor: _____

Please answer the following questions, based on your knowledge of the situation:

1. Why is this employee requesting Shared Leave?

2. Has this employee ever abused the Port's leave policies in the past? If yes, please describe the problem and any action taken.

3. What other relevant facts should the Executive Director know before making a decision?

4. Do you feel this employee should be granted Shared Leave? Yes No
Why or why not?

Thank you for your response. Please forward this form along with the completed application for Shared Leave to the Controller

**Port of Kingston
Shared Leave Donation Form**

Name of Employee:

Type of leave and hours you would like to donate:

Vacation leave – number of hours _____
†

I authorize the Port of Kingston to deduct the above leave hours from my leave bank to be donated for the Shared Leave program.

Employee Signature

Date

Vacation Leave – 9.00

Policy – 9.10

It is the Policy of the Port to provide vacation leave to all regular employees so that each employee will have periods of time to separate themselves from their work environment. Vacation leave is also available to allow employees to take care of personal business that cannot otherwise be taken care of during normal time off.

Purpose – 9.20

Outline guidelines for the accrual and use of vacation leave.

Accrual Rates – 9.30

Employees will earn vacation leave in accordance with the following schedule. All hours are accrued for every one hundred and sixty (160) hours of compensated employment.

Temporary Part time employees	none
Regular Part time employees	8 hours
Regular employees	
Less than 9 months of service	8 hours
Over 9 months less than 3 years	9 hours
Over 3 years less than 6 years	10 hours
Over 6 years less than 9 years	11 hours
Over 9 years less than 12 years	12 hours
Over 12 years	13 hours

Sick Leave – 9.40

Sick leave may not be converted to vacation leave. An employee may use vacation or holiday leave for sick leave purposes when sick leave has been exhausted.

Requests for Vacation Leave – 9.50

To take vacation leave, employees must request leave, in writing, from their Department Manager. Requests for leave must be approved in advance by the Employing Official or designee.

If circumstances warrant, Employing Officials may waive advance notice. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. The Department Manager has the discretion to deny vacation leave in order to ensure that department functions. Approval should be provided in writing or on the Port SharePoint site.

can be fully carried out. If the Department Manager cannot accommodate requested vacation leave period within two weeks of requested time, the Department Manager is authorized to request hiring of temporary employees to cover requested leave period. Only the Executive Director can approve any hiring of temporary employees for coverage of vacation leave of regular employees.

Vacation Leave Carryover – 9.60

Employees may carry forward no more than one hundred and twenty (120) hours of unused vacation leave into the next year. All hours over one hundred and twenty (120) will be forfeited by the employee as of the 1st of January.

Partial Day Absences – 9.70

Non-Exempt Employees – Vacation leave can be used in minimum increments of one-quarter hour.

Exempt Employees – Vacation leave can be used in minimum increments of four (4) hours. If leave hours are unavailable, the employee's pay will be reduced, or the employee will be placed on leave without pay.

Vacation Leave Allowances – 9.80

Minimum Vacation Leave– 9.81

All regular full-time employees are encouraged to take at least two (2) weeks of vacation leave per year.

Maximum Vacation Leave – 9.82

Employees requesting more than two (2) contiguous weeks of vacation leave must have written approval from the Executive Director.

Cash Out of Vacation Hours – 9.90

All employees will be paid for unused vacation leave at the time of separation or retirement as provided herein, except "for cause" terminations where the employee is separated due to violations of Port policy, laws or regulations.

The Port may terminate an employment at any time "for cause." Cause shall include, without limitation: (i) an act of dishonesty related to his employment; (ii) commission of any willful or negligent act that results in financial or reputational harm to the Port; (iii) failure to follow any lawful directive of the Port or failure to perform his duties under this Agreement (provided that employee has been given notice and an opportunity to cure an alleged failure to perform any duties that are not emergency-related); (iv) commission of a felony or crime of moral turpitude; or (v) willful violation of the Port's policy or other willful misconduct. The foregoing evaluation of "cause" is solely for the purpose of determining an employee's right to vacation cash out upon departure and does not limit the Port's right to end or alter

the employment relationship with or without cause under the employment-at-will doctrine.

Payment is limited to accrual restrictions contained within these policies. Employees who are not applying for separation or retirement are eligible to apply for cash reimbursement for a portion of their accrued vacation leave.

Employees requesting cash out of vacation leave should forward their request to their Department Manager. The Department Manager will review the request and verify that the employee is eligible to apply for cash out based on the criteria listed herein as well as meeting minimum work performance standards as determined by the Port in its discretion. Once verified by the Department Manager, the request will then be forwarded to the Executive Director for approval.

Regular Full Time Employees – 9.91

Regular full-time employees are authorized to apply for cash reimbursement of up to forty (40) hours per year. Prior to application for reimbursement, employees must have taken a minimum of eighty (80) hours of leave since January 1st and must have a balance of at least forty (40) hours after converting vacation into cash payment.

Regular Part Time Employees – 9.92

Regular part time employees are authorized to apply for cash reimbursement of up to forty (40) hours per year. Prior to application for reimbursement, employees must have taken a minimum of forty (40) hours of leave since January 1st and must have a balance of at least twenty (20) hours after converting vacation into cash payment.

Special Pay – 10.00

Purpose – 10.10

To define different situations in which employees shall receive additional compensation.

Standby Pay – 10.20

While the Port of Kingston has a reasonable expectation that Managers and Supervisors will be available outside of their normal work hours for incidental issues and consultation not requiring on site response or extensive involvement beyond telephone conversation, there may be instances in which employees will be placed on standby status by Department Manager/Supervisor if they determine it is necessary to meet the demands of the department. This will be necessary to cover anticipated emergency situations, periods of possible high-volume workloads, or periods of possible regular staff departures.

Standby periods are “off duty” time periods where an employee is completely relieved from duty such that the employee can use the time effectively for the employee’s own purposes. Employees are entitled to spend such time at their sole discretion subject to the following:

- Employees on standby will be required to be available by telephone and to report to the work site within thirty (30) minutes of telephone call from the Department Manager and/or Supervisor unless a longer period is specifically approved by the Department Manager/Supervisor.
- Employees shall be in a condition to report to work (e.g. no consumption of alcohol).

Standby Pay Compensation Non-Exempt Employees – 10.21

During periods when a non-exempt employee is required to be on standby status, the employee will be compensated 25% of their hourly rate for each hour of standby, with a minimum of four hours and a maximum of 12 hours in any one day.

Standby Pay Compensation Exempt Employees – 10.22

Exempt employees will not receive compensation for being on standby status.

Call Out Pay – 10.30

Employees who are requested to report to work outside of their normal work schedule will receive call out pay in accordance with the following conditions.

Call Out Pay Minimum – 10.31

Call out pay will be for a minimum of two (2) hours and employees will be paid at their regular rate.

Call Out Pay over Regular 40 hour work week – 10.32

If the employee has otherwise worked forty (40) hours, call out pay will be for time and one half.

Call Out Pay under Regular 40 hour work week – 10.33

If the employee has not yet worked their full weekly regular hours, call out pay will be at regular time unless specifically approved as time and one half by the Department Manager/Supervisor.

Call Out Pay for Exempt Employees – 10.34

Exempt employees will not receive compensation for call outs. Special circumstances may be appropriate for overtime pay which must be approved by the Executive Director.

Call Out Pay for Non-Exempt Employees– 10.35

Call out pay will initiate when the employee reports to the Port, properly dressed, and ready to work. The on call pay period will end when the employee is released by the Manager/Supervisor.

Temporary Promotion Pay – 10.40

Each employee is expected to perform the duties of other positions in accordance with the requirements of their particular position description. If an employee's duties, workload and responsibilities are temporarily expanded, the Department Manager/Supervisor can request that the employee be assigned a higher pay level. The Port will temporarily pay the reassigned employee at the lowest level for the higher grade or the current grade level, whichever is higher. The temporary assignment to the higher position, its duration, and the increased pay must be approved by the Executive Director.

Shift Differential – 10.50

Additional pay for shift differential will be received by employees who work the hours between 9pm and 6am. If an employee is required to work “off shift” hours and is not normally required to work “off shift” hours, the employee will receive differential pay of seventy five cents (\$.75) additional per hour for each hour worked.

Shift Differential Pay Approval – 10.51

Shift differential pay must be approved by the Executive Director or Controller or Harbormaster prior to the employee working the “off shift” hours.

Legal Holidays – 11.00

Policy – 11.10

It is the policy of the Port to observe state and federal holidays in accordance with appropriate state and federal laws and regulations. Port policy also allows for employee compensation and opportunities to observe holidays while continuing to provide appropriate Port services to the public.

Purpose – 11.20

To define holidays and establish accrual rates for eligible employees.

Holidays Observed – 11.30

The Port Administration offices and the Maintenance department will be closed for the following legal holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

The Executive and Marina Operations Offices will be closed for the following holidays:

- New Year's Day
- Thanksgiving Day
- Christmas Day

Paid Holidays – 11.40

All regular full and part-time employees will be paid for the holiday based on their current work schedule. Employees who have a 5 – 8 hour work schedule will be eligible for 8 hours for the holiday. Employees who have a 4 – 10 hour work schedule will be eligible for 10 hours for the holiday. Part time employees will be eligible for payment proportionately based on their regular work schedule. For employees who work shifts that start on one day and end on another, the Holiday is paid based on the day your shift starts.

Authorization to Work the Holiday – 11.50

While Marina Operations personnel may be required to work certain holidays to cover normal business hours, non-essential personnel having a workload that would require them to work on a Holiday must request authorization to work, in writing, from the Executive Director.

Regular employees who are required to work on the holiday will be paid one and a half times their regular rate of pay for hours worked in addition to being paid for the holiday as noted in section 11.40. Holiday pay will not count towards the calculation of overtime.

Floating Paid Holiday – 11.60

In addition to the above Holidays, all Regular employees are entitled to one Personal Floating Holiday per calendar year accrued on January 1st of each year.

Floating Holiday Guidelines – 11.61

The holiday may be taken at any time during the calendar year, upon consultation with the employee's supervisor or other designated manager. The Port will apply the following guidelines to employee requests to use the paid floating holiday:

1. An employee seeking to use such leave must direct the request to his or her supervisor or manager at least five (5) business days in advance of the start of the anticipated leave.
2. The employee must state that the requested leave is for the purpose of using the floating paid holiday.
3. Supervisors and/or managers will grant timely leave requests under this category, unless the supervisor or manager determines, in the reasonable exercise of discretion and after considering all relevant available information, that the employee's absence on the day(s) requested would impose an undue hardship as defined by law and/or other administrative rule on the employer, or the employee's presence is necessary to maintain public safety. Whether an employee's presence is "necessary to maintain public safety" shall be determined by the supervisor or manager upon consideration of whether the employee would be required on the day in question to perform any essential function reasonably impacting public safety, and whether the employee can be reasonably replaced in the shift within the period of notice given.
4. If the supervisor or manager, after considering all relevant circumstances,

determines that the undue hardship or public safety exception applies, the

supervisor or manager shall promptly notify the employee in writing of the reasons and explanation for denying the leave request.

5. If unused during the calendar year, the floating holiday expires, and does not accrue from year to year.

Paid Holiday in Conjunction with Vacation and Sick Leave – 11.70

Paid Holiday will not run concurrent with vacation leave and/or sick leave; however, Paid Holiday may be used in conjunction with vacation or sick leave to extend the leave period.

Unpaid Holidays for Reasons of Faith, Conscience, or Religion – 11.80

All Port employees are entitled to take two unpaid holidays per calendar year for a reason of faith or conscience, or for an organized activity conducted under the auspices of a religious denomination, church, or religious organization. Should an employee wish to take these two unpaid holidays on specific days, the request will be allowed unless the employee's absence would impose an undue hardship on the Port or the employee is necessary to maintain public safety. Employees may use accrued paid vacation or the paid personal holiday should they wish to be paid for this holiday time.

Guidelines for Submission/Approval of Leave Requests – 11.81

The Port will apply the following guidelines to employee requests to use these holidays:

1. All employees are eligible to use these unpaid holidays.
2. An employee seeking to use such leave must direct the request to his or her supervisor or manager at least five (5) business days in advance of the start of the anticipated leave, when practicable.
3. The employee must state that the requested leave falls within the category of leave for a reason of faith, conscience, or religion, but the employee shall not be required to describe the specific purpose of the leave requested or the specific category of faith, conscience, or religious belief to which the employee ascribes.
4. The employee's supervisor or manager will grant timely leave requests under this category, unless the supervisor or manager determines, in the reasonable exercise of discretion and after considering all relevant available information, that the employee's absence on the day(s) requested would impose an undue hardship on the Port, as defined by law and/or other administrative rule, or the employee's presence is necessary to maintain public safety. Whether an employee's presence is "necessary to maintain public

safety” shall be determined by the supervisor or manager upon consideration of whether the employee would be required on the day in question to perform any essential function reasonably impacting public safety, and whether the employee can be reasonably replaced in the shift within the period of notice given.

5. If the supervisor or manager, after considering all relevant circumstances, determines that the undue hardship or public safety exception applies, the supervisor or manager shall promptly notify the employee in writing of the reasons and explanation for denying the leave request.
6. If unused within the calendar year, the leave expires, and does not accrue from year to year.

Overtime – 12.00

Policy – 12.10

The Port recognizes that non-exempt employees who work hours in excess of forty (40) in the Port's standardized work week will be granted overtime at a rate of one and a half (1.5) hours for each hour actually worked. Calculation of an employee's entitlement to overtime does not include hours taken by such employee as paid time off.

Generally, salaried exempt employees are expected to work the hours necessary to accomplish their regular job assignments. For extraordinary tasks, salaried exempt employees may be compensated for additional hours worked, if approved (in advance) by the Executive Director.

The Port reserves the right to require overtime when the need arises. Refusal to perform overtime work without a reasonable excuse may be cause for disciplinary action.

Overtime Approval – 12.20

Managers are responsible for approval of all overtime. Prior approval of a Manager is required before a non-exempt employee works overtime; however, if the Manager is not available, approval may be delegated to Supervisors. It is expected that the Manager authorizing such overtime work initial the time card for the amount of overtime authorized. Employees working overtime without approval may be subject to disciplinary action.

Wages, Salaries and Pay Disbursal – 13.00

Policy – 13.10

It is the policy of the Port to compensate its employees based on current job duties and other criteria which are evaluated annually. During budget deliberations each year, the Port Commission will consider adjustments to the pay range based on inflation or other market/economic criteria.

Time Cards – 13.20

In compliance with Federal and State laws, the Port will require every employee to accurately record all time worked so that the employee pay and benefits can be accurately calculated.

For the purposes of Port record keeping, time worked is defined as all the time actually spent on the job performing assigned duties.

All employees must accurately record their time spent on the job performing work. Employees should record their work day by allocating their time to the cost centers in which the work was performed. Time can be allocated in increments of 15 minutes or .25 of the hour.

It is the employee's responsibility to sign their time card to certify the accuracy of all time recorded. The supervisor or manager will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record by the supervisor, manager or payroll department, the employee will be notified of such change. If the employee disputes the change, he/she may address the changes with the Executive Director.

Failure to accurately report time may result in disciplinary action up to and including termination.

Pay Periods and Paydays– 13.30

Port of Kingston employees are paid twice monthly via direct deposit. All employees will be paid in accordance with the Port of Kingston published payroll schedule.

While the Port takes all reasonable steps to ensure that all employees receive the correct amount of pay in each paycheck, that no improper deductions from wages and salaries are made, and that employees are paid promptly on each scheduled payday, errors may occur.

In the unlikely event that there is an error in the amount of pay, the employee

should promptly bring the discrepancy to the attention of the Controller or Harbormaster, so that corrections can be made with the next regularly scheduled pay day following the reported error. If the employee remains unsatisfied with the deduction or explanation of the discrepancy, the employee may contact the Executive Director for a final determination.

Pay Disbursal – 13.40

The Port of Kingston will make payments to the following organizations on behalf of its employees. Payments will be based on payroll deductions in accordance with the established pay periods.

Deferred Compensation Plan – 13.41

The Washington State Department of Retirement Systems offers a deferred compensation plan which allows employees to defer a portion of their income before taxes and accumulate earnings on a tax deferred basis until separation from service. There is a minimum monthly deferral amount of \$30.00. Maximum deferral is determined by state regulation. Contact the Controller or visit www.drs.wa.gov to obtain information about the deferred compensation program.

Garnishments – 13.42

The Port of Kingston is required by law to abide by any “Writ of Garnishment” filed against any employee of the Port. These amounts will be deducted and submitted as determined by law.

Supplemental Insurance – 13.43

The Port of Kingston offers several Supplemental Insurance programs to regular employees of the Port. The Port will deduct and submit any monthly premiums to the carriers as authorized by the employee.

Employee Benefits – 14.00

Policy – 14.10

It is the policy of the Port to provide eligible employees with a competitive benefit package as part of the Port's total compensation program. The Port reserves the right to alter this benefit package at any time. The Personnel Manual contains only a summary of benefits, the actual content of the referenced benefit programs will govern the scope of the benefits provided. Thus, the following summaries are subject to change depending on the benefit programs and policies in force at a particular time.

Retirement Plan – 14.20

The Port of Kingston is affiliated with the State of Washington Department of Retirement System. Benefits of this system are available to all eligible employees of the Port. Both the employee and the Port make contributions into this retirement plan. Contribution rates are determined by the specific plans.

Worker's Compensation Insurance – 14.30

All Port employees are covered by the Department of Labor and Industries for on the job injury. Employees who sustain work-related injuries or illnesses are required to inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately and that procedures established in the Emergency Safety and Operations Manual (ESOP) be followed. Labor and Industries assigns class codes based on the employee's job description and annually updates the rate used to figure the premium owed.

Deferred Compensation – 14.40

Deferred compensation is administered through Washington State Retirement Systems. Contribution into this program is optional. Employees are allowed to defer a portion of their income before taxes and accumulate earnings on a tax deferred basis. There is a minimum monthly deferral amount of \$30 per month. Maximum deferral is determined by the Plan. Contact the Controller to receive Plan information.

Supplemental Insurance – 14.50

The Port works with several companies to offer supplement insurance plans to employees. The employee pays the premiums for these plans. Contact the Controller to find out which plans are offered.

Specific Policies and Programs – 14.60

This Handbook describes the current benefit plans maintained by the Port. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

The Port reserves the right to modify its benefit programs at any time. We will keep you informed of any changes.

Employee Complaint and Grievance Policy – 15.00

Policy – 15.10

It is the Policy of the Port of Kingston to provide employees with internal review processes in order to provide the employee a better understanding of work performance and solutions to work related concerns, problems, complaints, or grievances.

Informal Process – 15.20

The Port encourages employees to resolve work related concerns informally with their Supervisor and/or Department Manager.

Formal Process – 15.30

The Port will provide employees with fair and consistent processes for timely review and resolution of their work related concerns, problems, complaints or grievances.

Employee Performance – 16.00

Policy – 16.10

It is the Policy of the Port of Kingston to provide guidelines for employee evaluations, discipline and termination.

Purpose – 16.20

The Purpose of the policy is to foster effective employer/employee relationships through responsible management practices by providing employees with fair and reasonable expectations regarding performance related issues. The purpose of this policy is not to create a contract, promise or expectation for employees of specific treatment in specific circumstances. This policy is also not intended to alter the nature of at-will employment relationship which provides an employee can be terminated with or without cause at any time for any reason.

Employee Discipline – 16.30

The Port attempts at all times to operate its business in the most efficient, economical and orderly manner possible, consistent with established rules and regulations. Disciplinary action may be necessary for a variety of reasons, including but not limited to the Port's interest in maintaining safe, efficient and professional operations.

All employees are subject to disciplinary action up to and including termination. Disciplinary action up to and including termination may be warranted under the following circumstances including, but not limited to:

- Use, possession, or sale of unlawful drugs or alcohol while on company premises or while on duty or reporting to work under the influence of alcohol or any unlawful drugs.
- Violation of a lawful duty
- Being involved in more than 2 damage claims or accidents in any twelve-month period
- Insubordination
- Breach of policies
- Conviction of a misdemeanor or felony.
- Excessive absenteeism or tardiness, including a pattern of absenteeism or tardiness.
- Misconduct
- Misuse of religious, political, or fraternal influence
- Accepting fees, gifts, or other valuable items not consistent with Port policies or directives
- Abuse of sick leave as described in Section 7.00 of this policy manual
- Theft, stealing, or unauthorized removal of property belonging to the Port, or

another employee or patron.

- Dishonesty
- Performing work other than Port work on Port time
- Actions that misrepresent Port policies or procedures
- Harassing or intimidating another person in violation of any Port policy or any applicable law
- Failure to satisfactorily perform the employee's assigned duties and/or responsibilities
- Job abandonment.
- Sleeping or malingering on the job.
- Unprofessional conduct, such as gambling or use of vulgar language, while on the Port's time or property.
- Unauthorized use of company equipment, time, materials or facilities.
- Failure to observe safety regulations.
- Abuse, defacement or destruction of property belonging to the Port or customers.
- Threatening, intimidating or coercing other employees.
- Fighting or provoking a fight on company time or property.
- Disrespect or discourtesy to supervisors or guests.
- Falsifying, altering, destroying or willfully omitting information from any time card or company record (including employment applications).

The above list is not an exhaustive list of prohibitive conduct. Further, nothing in this policy changes the employment-at-will status of all employees, which permits you or the Port to terminate your employment for any reason at any time, with or without cause and with or without advance notice, and which also permits the Port to impose discipline including termination, demotion, transfer, suspension, or other discipline in its sole discretion as it determines appropriate.

The degree of discipline depends on the severity of the infraction as determined in the sole discretion of the Executive Director after the facts and circumstances are evaluated.

Forms of Discipline – 16.40

Although employment with the Port is based on mutual consent and both the employee and the Port have the right to terminate employment at will, with or without cause, the Port may, depending on the circumstances, utilize a variety of disciplinary actions in any specific situation. Examples of disciplinary actions that the Port may choose to utilize in any specific situation are as follows:

Verbal Reprimand – 16.41

Verbal reprimands would typically be used only for first time infractions of a minor degree.

The employee will be informed when a Department Manager/Supervisor is administering a verbal reprimand as disciplinary action in order to give the employee an opportunity to correct the condition. A notation that a verbal reprimand is given will be made for the employee's personnel file.

Written Reprimand – 16.42

A written reprimand is a signed, written statement issued by the Department Manager/Supervisor which is placed in the employee's file. The Executive Director will be notified of this action. A meeting is typically held by the Department Manager/Supervisor to advise the employee of the written reprimand and to discuss corrective action and disciplinary measures. The employee is provided a copy of the written reprimand and is expected to acknowledge receipt.

Suspension – 16.43

A suspension is unpaid time off from work.

The Executive Director is authorized to administer suspension without pay for up to thirty (30) days.

Disciplinary suspension will be issued in writing including the reason and duration of suspension and placed in the employee's file. The employee is provided a copy of the suspension and is expected to acknowledge receipt.

Demotion (in position or wage/salary) – 16.44

The Executive Director is authorized to demote an employee in position and/or wage/salary.

A disciplinary demotion will be issued in writing including the reason for the demotion and will be placed in the employee's file. The employee is provided a copy of the demotion and is expected to acknowledge receipt.

Discharge – 16.45

The Executive Director has the authority and discretion to discharge an employee.

Discharge will be issued in writing including the reason for the discharge and will be placed in the employee's file. The employee is provided a copy of the discharge and is expected to acknowledge receipt.

Work Performance Evaluations – 17.00

Purpose – 17.10

To provide effective and productive evaluations of employee performance by their immediate supervisor. Oral evaluations are a part of regular supervisory duties while written evaluations will be conducted in a formal manner that provides for an in-depth review by the supervisor and a clear opportunity for employee feedback. The use of regular and constructive oral evaluations, together with formal written evaluations will be used to encourage continued excellent performance and to help correct less than satisfactory performance.

Evaluations – 17.20

Each regular employee may receive a written annual evaluation at year end to reflect performance from January through December. The standard Port evaluation form will be used which reflects factors that are common to all Port employees, factors common to employees within each department, and factors specifically derived from the employee's position description and areas of responsibilities.

The supervisor will utilize the form, together with oral discussions, to evaluate the employee and allow for employee feedback during the evaluation period. The evaluation form allows for additional written comments by the supervisor and for acknowledgment by the employee. Written comments should include any appropriate comments as determined by the supervisor and should specifically list performance that has exceeded a satisfactory level and/or actions the employee must take to improve performance for the next rating period. Recommended actions may include specific training classes and/or on-the-job training required to improve performance and/or help the employee in their current position or for future advancement.

Use of Evaluations – 17.30

The employee evaluation forms will be made a part of the employee record and will be used by the Port in determining the type and frequency of training; both formal and on-the-job training. The forms will also be used to assist the Port in evaluating employees being considered for internal promotions within the Port of Kingston organization. Evaluation forms may be used to determine employee pay adjustments. Information in the employee evaluations is available to the employee for use in references at the employee's request. Evaluation information may be considered in determining appropriate disciplinary action for violations as discussed in Section 16.00 Employee Performance.

Special Evaluations – 17.40

Special evaluations may be submitted by the responsible supervisor on employees who have made particular progress on areas of special concern or when performance has significantly changed, either better or worse. The employee should be notified, in writing, that a special evaluation is being prepared. The employee will receive a copy of the special evaluation and will be provided an opportunity to comment.

Anti-Discrimination and Harassment – 18.00

Policy – 18.10

The Port of Kingston is strongly committed to providing its employees a work environment free from any form of discrimination or harassment on the basis of race, color, religion, sex, gender, national origin, age, sexual orientation, gender expression, gender identity, disability or any other protected status. In addition to this goal, all individuals making application for employment or conducting business with the Port must be allowed to do so in an environment free from such discrimination or harassment.

It is the firm and express policy of the Port of Kingston that any form of discrimination or harassment on the basis of race, color, religion, sex, gender, national origin, age, sexual orientation, gender expression, gender identity, disability, or any other protected status by or against Port employees shall not be tolerated under any circumstances. Port Managers and Supervisors are admonished to do all within their power to ensure that such discrimination or harassment is prevented, insofar as is possible, and where it does occur, that it is remedied with appropriate disciplinary action taken against any Port employee who engages in such discrimination or harassment. The Port encourages the prompt reporting of instances of such discrimination or harassment and will ensure that reporting employees' rights are protected.

Definitions – 18.20

Harassment – 18.21

Verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, gender, national origin, age, sexual orientation, gender expression, gender identity or disability, or of his/her relatives, friends, or associates, and that:

1. has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
2. has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. otherwise adversely affects an individual's employment opportunities. (Equal Employment Opportunity Commission Guidelines)

Harassment includes, but is not limited to: remarks, gestures, or physical contact, display or circulation of written materials or pictures derogatory to another employee because of the criteria referenced above.

Sexual Harassment – 18.22

“Unwelcome sexual advances, requests for sexual favors, and 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 an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the 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” (Equal Opportunity Commission Guidelines).

Sexual Orientation, Gender Expression or Gender Identity Harassment – 18.23

Prohibited conduct may include but is not limited to:

1. Asking unwelcome personal questions about an individual’s sexual orientation, gender expression or gender identity, transgender status or sex assigned at birth;
2. Intentionally causing distress to an individual by disclosing the individual’s sexual orientation, gender expression or gender identity, transgender status or sex assigned at birth against his/her wishes;
3. Using offensive names, slurs, jokes or terminology regarding an individual’s sexual orientation, gender expression or gender identity;
4. Deliberately misusing an individual’s preferred name, form of address or gender-related pronoun;
5. Posting offensive pictures or sending offensive electronic or other communications;
6. Unwelcome physical contact.

Discrimination – 18.24

Discrimination includes but is not limited to the provision of different employment opportunities, benefits, or privileges; the creation of different working conditions; the use of different evaluative standards in employment, or different methods or standards of service to Port customers or clients, if the reason for the different treatment is, in whole or in part, based on the person’s protected status.

Discrimination also includes failing to provide a reasonable accommodation for a known disability, when requested, provided the accommodation does not result in an undue hardship for the Port.

Procedures – 18.30

Harassment on the basis of race, color, religion, sex, gender, national origin, age, sexual orientation, gender expression, gender identity, disability, or any other protected status may be an unlawful activity which is prohibited as a form of discrimination under Title VII of the Civil Rights Act of 1964 and the Washington State Law Against Discrimination. Any employee who engages in such activity shall be subject to disciplinary action.

Employees who are the victims, or are otherwise aware, of discrimination or harassment by or against an employee should immediately contact his/her manager, supervisor, Executive Director or Controller. If the complaint involves someone in the employee's direct line of supervision, the employee should first contact the Executive Director or Controller. The report may be made personally or in writing and should be made as soon as possible after the incident while the facts and supporting witness statements are readily available.

Any employee who is subjected to any form of discrimination or harassment, and who feels comfortable doing so, is encouraged to directly and immediately inform the offending person that the conduct is offensive and must stop.

In addition, any manager or supervisor who receives a report of potential harassment or is otherwise aware of possible harassment must report the situation immediately to the Executive Director or Controller. This includes management personnel at all levels, including those persons serving temporarily as managers or supervisors. "Immediately" means that the manager or supervisor will act swiftly to report the situation, generally within one (1) business day of becoming aware of the situation. If a complaint or report is made, the employee making the complaint or report will provide the Port with all relevant information to assist the Port in properly resolving this matter.

The Port will investigate all complaints or reports of discrimination or harassment promptly and in a discreet manner. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while still being able to effectively complete the investigation. Documentation generated in the investigation, with the exception of disciplinary memos, of any discrimination or harassment complaint will be maintained in files separate from any employee's personnel file.

It is each employee's duty to cooperate fully in any discrimination or harassment investigation and to provide full and honest disclosure to anyone acting on behalf of the Port in investigating allegations of discrimination or harassment.

The Port will not retaliate against nor condone retaliation against any person for reporting discrimination or harassment or for cooperating in a discrimination or harassment investigation.

Alcohol & Drug Free Workplace Policy – 19.00

Policy – 19.10

The Port of Kingston is committed to achieving an alcohol and drug-free workplace. The objective of this policy is to provide Port employees with a safe, drug-free workplace, to promote high standards of employee health, and to carry out the Port's basic responsibility to serve the public safely and without undue interruption. Alcohol and other drug abuse are a significant public health problem and have a detrimental effect on the business community in terms of increased medical claims, medical disability costs, decreased productivity, injuries, theft and absenteeism. Accordingly, the Port has the right and obligation to maintain a safe, healthy and productive working environment and to protect the Port's property, operations and reputation.

Applicability – 19.20

This policy applies to all employees of the Port and all employees who report to work must be in a condition fit to perform their duties, unimpaired due to the use of alcohol or other drugs or intoxicants.

Violations – 19.30

The use, purchase, sale, transfer, delivery, possession or being under any influence of alcohol, illegal drugs or intoxicants on Port property, at Port worksites (including Port vehicles) or while engaged in Port business is a violation of this drug free workplace policy and may result in discipline up to and including termination. Law enforcement officials will be notified whenever illegal substances are found.

Notification of Conviction – 19.40

In accordance with the Drug Free Workplace Act of 1988, any employee who is convicted of a criminal drug violation in the workplace must notify the Port in writing within five (5) calendar days of the conviction. The Port will take appropriate responsive action within thirty (30) days of notification and with the appropriate federal agency.

Prescription or Over-the-Counter Medication – 19.50

The legal use of prescription or over-the-counter medications is not prohibited. However, employees should not report to work or should request an accommodation if they are taking prescription or over-the-counter medications that might affect their ability to perform their duties in a safe and effective manner. If the prescription or over-the-counter medications could impair an employee's safety or work performance, the employee needs to make such use known to an appropriate Port representative. While using medication, it may be necessary to temporarily reassign an employee to non-hazardous work or allow the employee to take leave.

Management may request that the employee obtain a medical authorization letter from the prescribing physician verifying the employee's need for the medication and verify that the employee will be able to safely perform his/her normally assigned duties while taking it.

Assistance – 19.60

The Port values its employees and recognizes the need for a balanced approach to achieving an alcohol and drug-free workplace. The Port will assist any employee who voluntarily admits to a problem with substance abuse and requests such help. The Port will provide information regarding health insurance and leave benefits available to that employee for purposes of treatment. If an employee voluntarily seeks a drug/alcohol evaluation by a qualified professional and is required to enter a rehabilitation or treatment program, a return-to-work agreement may be considered. However, nothing in this policy prohibits the employee from being disciplined or discharged for policy violations and/or performance problems.

Confidentiality – 19.70

The Port will maintain confidentiality of all records and information concerning alcohol and drug dependencies in the same manner as it maintains other medical information. Access to this information is limited to those with a legitimate need to know in compliance with relevant laws and management policies.

Reasonable Suspicion – 19.80

No supervisor shall undertake action under this policy regarding the suspected use of drugs or alcohol unless there is a reasonable suspicion that the employee is under the influence of drugs or alcohol during working hours sufficient to adversely affect the employee's performance of job duties. "Reasonable suspicion" means an articulated belief based on specific facts and reasonable inference drawn from those facts that an employee is under the influence of drugs or alcohol. Circumstances which may constitute a basis for determining a reasonable suspicion include, but are not limited to:

- A pattern of abnormal or erratic behavior (e.g., a significant change in the quantity or quality of work, unusual mistakes or errors of judgment, unusual absenteeism);
- A work-related accident, in combination with other factors;
- The direct observation of the employee's use of drugs or alcohol;
- The employee's possession of drugs or alcohol on Port premises;
- The noticeable presence of physical symptoms of drug or alcohol use (e.g., glassy, blurry or bloodshot eyes, hand tremors, flushed or swollen face, the odor of alcohol or drugs on the breath, slurred speech, poor coordination);
- Written or oral report from a supervisor, co-employee or non-employee based on personal knowledge that an employee may have violated the Drug Free workplace policy.

In the event that management has a reasonable, articulated suspicion that an employee is impaired by the use of alcohol or drugs, that employee will be relieved of duties and the incident will be immediately investigated. In such instances where reasonable suspicion has been established through prompt investigation, the Port reserves the right to conduct drug testing through a qualified independent testing facility. The employee's refusal to submit to such testing following reasonable suspicion will be deemed to be a violation of this policy.

Whistleblower Policy – 20.00

Policy – 20.10

The Port of Kingston policy is to encourage reporting by its employees of improper governmental action taken by Port of Kingston officers or employees and to protect Port of Kingston employees who have reported improper governmental actions in accordance with Port policies and procedures.

Definitions – 20.20

Improper Governmental Action- Any action by a Port of Kingston officer or employee that occurs in the performance of official duties, whether or not the action is within the scope of responsibilities, and is:

1. In violation of any federal, state, or local law or rule;
2. Is substantial and specific danger to the public health or safety;
3. Is a gross waste of public funds.

Improper governmental action does not include personnel actions, including but not limited to: employee grievance, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violation of labor agreements or reprimands.

Retaliatory Action – Any adverse change in the terms and conditions of any employee's employment.

Emergency – A circumstance, that if not immediately addressed, will cause damage to persons or property.

Reporting – 20.30

Employees who become aware of improper governmental actions should raise the issue with their Department Manager as provided herein. The Department Manager must request the employee to submit a written report stating in detail the basis for the employee's belief that an improper governmental action had occurred.

Department Managers are responsible for taking prompt action to properly investigate a report of improper governmental action. The reporting of an employee's name will be kept confidential to the extent possible under the law unless the employee authorizes the disclosure of their identity in writing. Once an

investigation is completed, the employee will be advised of a summary of the results

of the investigation. Personnel action taken as a result of the investigation will be kept confidential to the extent permitted by law.

The Department Manager is required to inform the Executive Director of actions being reviewed. The Department Manager will recommend, if appropriate, any personnel action to the Executive Director.

Retaliation – 20.40

Port of Kingston officials and employees are prohibited from taking retaliatory action against an employee who has reported an improper governmental action in accordance with these policies and procedures. Employees who believe they have been retaliated against for reporting an improper governmental action should advise the Executive Director who will take appropriate action to investigate and address complaints of retaliation.

If the Executive Director does not satisfactorily resolve an employee's complaint that retaliation has occurred, the employee shall obtain protection by providing a written notice to the Port Commission that:

1. specifies the alleged retaliatory action;
2. specifies the relief requested.

The employee shall provide a copy of their written charge to the Port Commission, with a copy to the Executive Director no later than thirty (30) days after the occurrence of the retaliatory action. The Port Commission shall respond within thirty (30) days to the charge of retaliatory action.

After receiving the response from the Port Commission or if there is no action from the Port Commission within thirty (30) days after the delivery of the charge, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for the hearing to the Executive Director within the earlier of either fifteen (15) days of delivery of the Port of Kingston response to the charge of retaliatory action, or forty-five (45) days of the delivery of the charge of retaliation to the Port Commission for response.

Upon receipt of request for hearing, the Executive Director will apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

Office of Administrative Hearings
PO Box 42488,
919 Lakeridge Way SW, 2nd floor
Olympia, WA 98504-2488
(360) 664-8717

Employees having questions about the procedures for reporting improper governmental action are encouraged to contact the Executive Director.

Violations – 20.50

Violations of this policy and these procedures (i.e., retaliation) will result in appropriate disciplinary action, up to and including dismissal.

Travel Time – 21.00

Policy – 21.10

It is the policy of the Port to allow for travel time for employees engaged in Port related business outside their normal duties and responsibilities.

Special Tasks – 21.20

Employees who are directed to participate in special tasks will also be expected to charge their additional travel time to their regular work hours. If necessary, the Department Manager/Supervisor will request payment of overtime pay in conjunction with the special task. The overtime pay request will be submitted to the Executive Director for approval.

Voluntary Tasks – 21.30

Travel time in connection with voluntary tasks will generally not be compensated.

Preventing Workplace Violence – 22.00

Policy – 22.10

The Port of Kingston believes that all employees should be treated with dignity and respect. We strive to assure a safe environment for our employees and the public. Acts of violence, threats of violence and/or physical intimidation between employees or with customers will not be tolerated. This includes, but is not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, or any other act, which, in management's opinion, is inappropriate to the workplace.

Reporting – 22.20

Employees who feel they have been subjected to any of the behaviors listed above, or who observe or have knowledge of any violation of this policy should immediately report the incident to their supervisor, manager, Executive Director or other Human Resources representative. Complaints will be responded to promptly and investigated.

If an employee reasonably believes an imminent threat to the safety of themselves or others exists, the employee should call “911” and contact the proper law enforcement authorities without first coordinating with management.

Violation of Policy – 22.30

Violation of this policy will result in disciplinary action, up to and including immediate termination.

Appearance and Dress Code – 23.00

Policy – 23.10

The Port of Kingston considers it very important that employees are well groomed, neat and appropriately dressed for their job function and, while we trust each employee's common sense and good judgment, a dress code must be followed that is appropriate for the work environment. Appropriate dress and hygiene are important in promoting a positive image to our customers. Whether or not an employee's appearance is appropriate for the work environment of the Port of Kingston shall be determined by the Executive Director or his designee.

General Clothing – 23.20

Dress standards vary by department. However, it is expected that all employees will wear clothing that is neat, clean, and free of holes and or tears. Employees shall not wear buttons, labels, tags or hats/caps bearing the names of third parties or containing messages, the sole exception being labels of the clothing manufacturer for that particular piece of apparel. Employees who appear for work inappropriately dressed may be sent home and will not be compensated for time away from work. Repeated violation of this policy may result in disciplinary action, up to and including termination.

Administrative Staff – 23.21

We have adopted a Business Casual Dress as our dress standard Monday through Thursday. Denim blue jeans may only be worn on Friday or if job duties require the employee to work in conditions where it is appropriate. All shirts and tops must cover both chest and midsection (stomach). Undergarments must not be exposed in any way. A reasonable standard of dress rules out sweatpants, shorts, exercise clothing, tank tops, halter-tops or any extreme in dress.

Operations and Maintenance Staff – 23.22

Employees performing in these positions will be issued shirts, sweatshirts, a hat and a jacket. Each employee will wear their own trousers. Shorts are allowed in warm weather conditions if they are walking style shorts (knee length). Cut off shorts, short shorts and pants or shorts that hang lower than the hips are not considered professional attire and are prohibited.

Employees must wear shoes that cover the entire foot, toes to heel, and are appropriate for outdoor work.

Tattoos – 23.30

Tattoos must not be offensive or distracting. The Port of Kingston asks that the employee make every effort to conceal their tattoos with clothing whenever possible to maintain professionalism. Exceptions may be made for markings with religious or cultural significance.

Accommodation – 23.40

Religious Accommodation – 23.41

A religious accommodation can be made for sincerely held religious beliefs or practices to make an exception to the Appearance and Dress Code, unless it would pose an undue hardship regarding safety, security or health concerns.

Medical Accommodation – 23.42

To request a medical exemption, the employee shall provide the supervisor with the following: 1) A doctor's note from the employee's personal physician stating the employee needs medical exemption from shaving; and 2) A completed Authorization for Release of Medical Information. The employee's supervisor shall forward the doctor's note and the completed Authorization for Release of Medical Information to the employee's Department Manager.

Employee Recognition – 24.00

Policy – 24.10

The Port of Kingston may expend funds for the purpose of employee recognition, subject to budgetary authority.

Purpose – 24.20

To establish guidelines under which the Port of Kingston funds can be used for the purpose of employee recognition in accordance with RCW 41.60.150 and IRS Publication 15-B.

Employee Recognition – 24.30

1. Employee and team accomplishments should be regularly recognized.
2. Employee tenure should be recognized.
3. Retiree contributions to the Port should be acknowledged.

Continuous Service Awards – 24.40

The Port will recognize years of service for all salaried and wage employees through the Continuous Service Awards program.

1. Service awards will be given after five (5) years of service, and thereafter at five (5) year intervals.
2. Awards shall be in the form of a check, after payroll taxes are deducted.
3. Awards shall be based on cumulative years of service as follows:
 - a. 5 years - \$100
 - b. 10 year - \$125
 - c. 15 years - \$150
 - d. 20 years and every 5 years thereafter- \$200
4. Service awards shall be presented regularly at Port sponsored awards ceremonies or employee appreciation events. All staff shall be invited.

Employee Recognition Events – 24.50

The Port's Executive Director may schedule awards ceremonies or employee appreciation events.

1. The cost of awards ceremonies or employee appreciation events shall be reasonably proportionate to the employee contribution being recognized.

However, the average cost for food, beverages, decorations, and related costs shall not exceed \$35 per Port staff attendee. No Port funds shall be spent on alcoholic beverages.

2. Total program costs shall not exceed \$6,000 per year.

Computers and Information Technology Resources – 25.00

Policy – 25.10

This policy applies to all information technology resources owned or leased by Port of Kingston, used on or accessed from Port of Kingston premises, and/or used for Port of Kingston business. This policy also applies to all information technology activities using any technical services such as: computers, internet, e-mail, intranet, phone system, and other information technology equipment and resources.

Information Technology Resources (ITR) are defined as any and all desktop and portable computing devices, software, fax machines, network data resources, internet access, copy machines, telephones, cell phones, smart phones, pagers and voice mail, electronic mail, information and data in the ITR system.

Employee Use of ITR for Business Purposes – 25.20

Port of Kingston encourages employees to make maximum use of ITR for accomplishing the business of Port of Kingston.

ITR are provided to employees for use in the performance of their work. The equipment and data remain at all times the property of the Port of Kingston. ITR information is not private. ITR information is subject to search by Port of Kingston, public disclosure, state audit and record retention requirements.

Employee Use of ITR for Minimal Personal or Non-Business Purposes – 25.30

Prohibited uses of Port of Kingston ITR include:

- Use of an employee's private or commercial business, benefit, or gain.
- Playing games on Port of Kingston's computers and other technical resources.
- Employee promoting or soliciting for any non-Port of Kingston business or activities, including:
 - Commercial activities.
 - Religious causes.
 - Political causes and campaigns, including federal or state legislative proposals or ballot measures.

- Support for outside organizations or charities, unless permitted by law and authorized specifically by the Executive Director, such as United Way.
- Other personal causes or activities not related to Port of Kingston business.
- Using ITR for any offensive content as defined in the Personnel Manual.

Employee will confer with the IT Manager in order to delete and/or prevent unwanted solicitations.

Employees may make minimal (occasional but limited) personal use of ITR if all of the following conditions are met:

- The use is brief and does not disrupt or distract from Port of Kingston business due to volume, frequency, or timing.
- The use is on the employee's own time (breaks, lunch, before and after work), not work time.
- The use does not interfere with the performance of the employee's official duties.
- There is no marginal cost to the Port of Kingston.
- The use does not compromise the security or integrity of Port of Kingston information or software.
- There are no commercial, solicitation, or illegal activities.

If the permissibility of use is unclear, the employee must request supervisory approval before using the ITR.

E-Mail – 25.40

E-mail is for Business Use. Port of Kingston's electronic mail system is primarily for official business. Non-business messages may be sent to specific individuals, but employees are asked to limit business time spent on messages that do not have a business purpose.

E-mail is Not Private. Port of Kingston expects employees to honor the password protection system and not to read other people's e-mail. Everyone should understand, though, that e-mail is not private or confidential. Any message sent can be forwarded on to anyone else on the system. Even after the e-mail has been deleted, it can still be possible to retrieve it and read it. Also, all messages are Port of Kingston records and are the property of Port of Kingston. For these reasons, the e-mail system should not be used for any

information considered personal or private.

E-mail Decorum and Content. When employees use the e-mail system, they should keep in mind they are using Port of Kingston property. All e-mail and electronic documents are not private and are subject to public disclosure and/or audit. As a result, comments must be appropriate to the business setting. Please take special care to use a civil and respectful professional tone in electronic communications and avoid jokes or comments that would be inconsistent with our policies prohibiting discrimination and harassment (for instance, jokes aimed at a particular gender, race, religion, disability, or sexual orientation).

Right to Audit Employee Use – 25.50

Port of Kingston reserves the right to audit ITR use or information at any time in order to ensure compliance with policies, to investigate questionable activities that could be harmful to the organization, to assist departments in evaluating performance, productivity, or cost issues and concerns and to identify ITR system issues.

Port of Kingston will audit in a manner to safeguard confidential, privileged, or private employee or citizen information contained in the system as defined by laws regulating public disclosure. Passwords do not imply complete privacy.

Executive Director or Controller Implements Security Measures for ITR Use – 25.60

The Executive Director or Controller develops and implements policies and procedures for maintaining the security of ITR.

In implementing and monitoring use of ITR, the Executive Department's authorized personnel may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages.

The Executive Department requires employees to disclose their password to any specifically authorized Executive Department employee upon request.

Authorization Required for Specialized Use – 25.70

Port of Kingston requires approval from the Department Head or his/her designee and/or the Executive Director or Controller for use of other than assigned hardware, software and data files.

Non-Port of Kingston employees use ITR only if engaged by the Port of Kingston to perform Port of Kingston business, whether volunteer or paid; and authorized by the Executive Director or his/her delegate and/or the Controller to use ITR for this purpose.

Employees are not allowed to remove any Port of Kingston computer or computer equipment, including laptops, from Port of Kingston premises without express permission from the Executive Director. This includes taking a Port of Kingston computer home to perform Port of Kingston-related work. If an employee is provided permission by the Executive Director to take a Port of Kingston computer home or off Port of Kingston premises to perform Port of Kingston work, non-exempt employees will be required to document the amount of time spent working on the computer away from Port of Kingston, including the amount of time spent performing Port of Kingston-related business and any personal use of the computer.

Employees/Users Protect Confidential Information – 25.80

Employees must use ITR to protect confidential Port of Kingston business information transmitted or stored in the system. Employees are advised to use passwords to protect files, access new voice mail or e-mail in private, close confidential screens before leaving work stations and use the following heading to identify work-related, confidential Port of Kingston documents: “Confidential and/or privileged.”

Security Procedures – 25.90

In using ITR, employees follow the security procedures below:

- Never provide a password to anyone outside Port of Kingston unless approved in writing by the Executive Director or Controller.
- Never access any ITR using another employee’s password, except that a department head may authorize or direct disclosure and use of an employee’s password by another employee in situations deemed a business necessity.
- Never encrypt voice mail, e-mail, or any files or data stored or exchanged on Port of Kingston systems either by password or some other form of encryption unless with express approval of department head or his/her delegate. Confidential and/or privileged documents are an exception.

Misuse of ITR – 25.100

Port of Kingston prohibits misuse of ITR, including but not limited to:

- Use which interferes with employee productivity of self or others.
- Use which interferes with the operation of Port of Kingston's information technology resources.
- Masking user's identity or misrepresenting information and/or communicating as someone other than user.
- Unauthorized use of another employee's password.
- The access of libraries, emails, files, data, programs, and directories that are not related directly to work duties or which the employee is not authorized to access.
- Unauthorized review, duplication, encryption, interception, dissemination, removal, installation, damage or alteration of files, passwords, computer systems or programs, or other property of Port of Kingston.
- Improper and/or careless use of information obtained from ITR.
- Use of personal software on Port of Kingston's ITR without authorization.
- Copying Port of Kingston software for personal use.
- Connecting personal electronic devices to Port of Kingston's wireless network including, but not limited to, laptops, smart phones, PDAs, Blackberrys, etc.
- Degrading or "diluting" bandwidth by streaming nonauthorized audio, video or web services that serve to cause slowdowns on Port of Kingston's wireless network.

IT Manager Approves All Software – 25.110

The Executive Director or Controller or his/her delegate approves all software used on Port of Kingston ITR. Employees must request prior approval from the Executive Director or Controller or his/her delegate to install any software on any ITR.

The Executive Director or Controller or his/her delegate will review the proposed software to ensure it:

- Is compatible with business use.
- Can be adequately supported.
- Can be managed on the Port of Kingston systems.

- Does not introduce computer viruses.
- Meets its obligations under any applicable software licenses and copyright laws.

The Executive Director or Controller or his/her delegate may immediately remove software installed on Port of Kingston computers that does not conform to this policy.

Compliance with Software Licensing Requirements – 25.120

The Executive Director or Controller or his/her designee only installs and uses software on the Port of Kingston's computer systems:

- When registered through the procedure above, and,
- As licensed or authorized by the software's publisher.

Internet for Business Use – 25.130

The Executive Director, or his/her designee, assigns all IT uses to employees. Resources provided will be appropriate and necessary for the employee's assigned duties.

The Executive Director authorizes internet access to:

- Employees who need this informational tool for carrying out their work.
- Encourage employees to make full use of the internet for this purpose.
- Websites that are approved by the Department Head and/or his designee.

Employees must use Internet in accordance with policy. Unacceptable uses include:

- Intentional distribution of unsolicited advertising.
- Intentional propagation of computer worms and viruses.
- Using the network to make unauthorized entry to any other machine accessible via the network.

- Using Port of Kingston Internet access to retrieve private and/or confidential information or resources unless express permission has been granted by the owners or holders of rights to those resources or information.

Washington's Public Record Act – 25.140

For the purpose of Washington's Public Record Act, a public record includes any electronic record containing information relating to the conduct of the Port government or the performance of any City governmental or proprietary function prepared, owned, used, or retained by the Port, including any Port employee, regardless of physical form or characteristics.

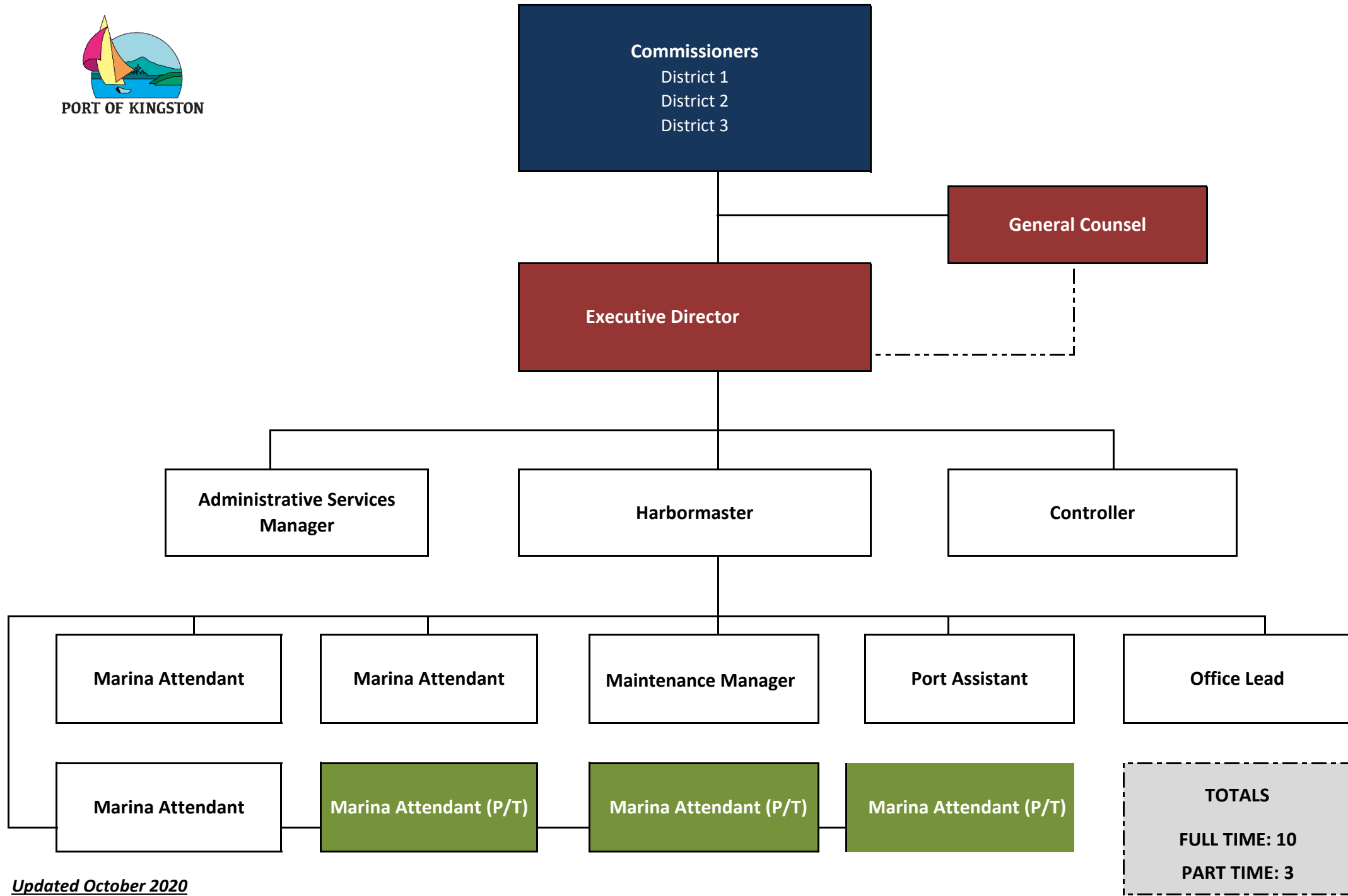
Electronic records could be located on a public employee's personal ITR if the record is within the public employee's scope of employment. Employees are, therefore, generally prohibited from using personal ITR for the Port's business. In the case of a public record request for records that may be located on personal ITR, the Port may require its employees to search for (and, if applicable, product) public records on their personal ITR and submit reasonably detailed, nonconclusory affidavits that attest to the nature and extent of their search.

Executive Director's Authority – 26.00

Policy – 26.10

The Executive Director has the authority to make exceptions to the policies or procedures provided for within this manual.

Organizational Chart



Updated October 2020



Telecommuting Policy

1.0 SUBJECT TITLE: Telecommuting Policy

2.0 PURPOSE: To establish a policy and procedures to encourage, where appropriate, the use of telecommuting (also known as Telework) in order to attract and retain a diverse and talented work force, reduce costs, encourage affordable traffic mitigation, improve productivity among employees, better address work and family demands, and further goals of local, state, and national policies and regulations such as the Stay Home-Stay Healthy Order, the Clean Air Act and the Commute Trip Reduction law. The Port of Kingston supports telecommuting as an alternative work arrangement and allows supervisors to implement telecommuting arrangements, where appropriate, for eligible employees.

3.0 ORGANIZATIONS AFFECTED: Applicable to all Executive employees.

4.0 REFERENCES: None.

5.0 DEFINITIONS:

5.1 "Telecommuting" means working one or more days each work week from home instead of commuting to their centrally located worksite.

5.2 "Voluntary" means employees choose to request a telecommuting arrangement.

6.0 POLICIES:

6.1 Program Agreement and Goals

6.1.1 The telecommuting policy shall supersede all prior and/or existing telecommuting or telework policies.

6.1.2 The telecommuting policy shall apply to all employees in the Executive Branch.

6.1.3 The Executive Director is allowed to implement telecommuting arrangements, where appropriate, for eligible employees in recognition of the positive personal and management impacts of such arrangements, including reduced commuter stress and traffic congestion, and increased workplace flexibility. Telecommuting can both serve the needs of the Port of Kingston and its clients and grant a greater degree of personal freedom to employees.

6.1.4 Telecommuting is not appropriate for all employees. No employee is entitled to, or guaranteed the opportunity to, telecommute. Offering the opportunity to work at home is a management option, based on the discretion of the employee's immediate supervisor and Executive Director. An employee's participation is strictly voluntary. All telecommuting agreements must meet the criteria in this policy and may be terminated at any time by either the employee or the immediate supervisor (although it is recommended that two weeks' notice be given if possible).

6.1.5 The policy applies to voluntary telecommuting. The policy does not apply in situations related to telecommuting offered as a result of providing reasonable accommodation for qualified individuals with a disability.

6.1.6 The Port of Kingston will incur the cost for any expenses they approve for telecommuting agreements.

6.1.7 Expenses for telecommuting agreements require the approval of the Executive Director. The Executive Director may allow division, section or unit managers the authority to approve minimal telecommuting expenses and should set spending limits accordingly.

6.1.8 Implementation and termination of telecommuting agreements within individual agencies will be at the discretion of the employee's immediate supervisor and Executive Director.

6.1.9 If a telecommuting agreement is terminated or refused, requests for reconsideration may be submitted to the Executive Director.

6.1.10 An employee wishing to request a telecommuting arrangement shall submit a written request to their immediate supervisor. A telecommuting arrangement must be mutually agreed upon by the employee, the employee's immediate supervisor and Executive Director. Any changes to the written arrangement must also be documented in writing and approved by the employee's immediate supervisor and Executive Director.

6.1.11 Immediate supervisors should consult with their information and technology representatives in advance if an employee requires remote access or technology support in order to telecommute.

6.1.12 Immediate supervisors and Executive Director must set-up telecommuting agreements so that they expire on a routine basis, such as every three or six months (up to a maximum of 12 months). At the expiration of a telecommuting agreement, the employee would have the option to request renewal of the arrangement by filling out another telecommuting application. This process allows immediate supervisors and employees to evaluate and adjust telecommuting arrangements to meet their workload needs.

6.1.13 After an employee begins a telecommuting arrangement, supervisors should conduct periodic reviews with the employee to evaluate the success of the arrangement. It is recommended that a first-time telecommuter would be reviewed during the first 45 days, at the end of three months, at the end of six months and after one year.

6.1.14 Should a conflict arise between two or more employees concerning a telecommuting arrangement, the employee's immediate supervisor shall have final authority to resolve the matter.

6.1.15 Employees may, at the discretion of their immediate supervisor, be called to work on their regular telecommuting workday during their regular work hours to meet workload requirements.

6.1.16 If an employee is telecommuting and during the workday they come in to work, the time traveling from the employee's home to the centrally located worksite must be treated as "job site" to "job site" travel, and the employee's travel time must be counted as hours worked and compensated accordingly. Whenever possible, when telecommuting employees are requested to report to work, they should be so notified by the end of the work day prior to the day they are requested to report to work. In such cases, travel time between home and the work is treated as regular commuting time and is not counted as hours worked and compensated.

6.1.17 The duties, obligations and responsibilities of an employee who telecommutes are the same as employees at the regular worksite.

6.1.18 A set procedure and schedule for regular communication between a telecommuting employee, staff and customers must be identified in the telecommuting agreement. Fair Labor Standards Act (FLSA)-exempt employees must indicate the hours they will be available to be reached by staff and customers. For non-exempt employees, the telecommuting agreement must indicate the hours the employee will be on work status as well as be available to be reached by staff and customers. Supervisors may also outline specific job assignments and expectations of the telecommuting employee. Work schedule variations are subject to supervisor approval.

6.1.19 For non-exempt employees covered by the provisions of the Fair Labor Standards Act, any hours beyond their normal work schedule must be authorized in advance by the employee's supervisor.

6.1.20 In order to utilize sick leave on a telecommuting workday, employees must contact their immediate supervisor as early as possible.

6.1.21 Employees who telecommute are expected to be working at their home during their telecommuting work schedule. Personal leave time normally scheduled during a telecommuting employee's scheduled workday must be arranged in the

same manner with their immediate supervisor as employees at the regular worksite.

6.1.22 Employees on a telecommuting schedule will continue to accrue vacation and sick leave benefits at the same rate as an employee who is not working a telecommuting arrangement. For non-exempt employees who are covered by the provisions of the Fair Labor Standards Act, vacation and sick leave benefits shall be expended on an hour-for-hour basis. The telecommuting employee's salary, retirement and benefits also remain unchanged.

6.1.23 Telecommuting shall not be used as a substitute for dependent or childcare unless the need for telework qualifies under the Families First Coronavirus Response Act (FFCRA) sections 3102 and 5102(a).6

6.1.24 Employees who telecommute will be covered by worker's compensation for all job-related injuries occurring at their home during their defined work period. The employee is responsible for maintaining a safe and ergonomic working environment, including the work area, bathroom, and other areas that may be necessary for working during the telecommuting arrangement. Worker's compensation will not apply to non-job-related injuries that occur in the home. The employee also remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. The Port of Kingston will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises.

6.1.25 In the event of a job-related incident, accident or injury during telecommuting hours, the employee shall report the incident to their supervisor as soon as possible and follow established procedures to report and investigate workplace incidents, accidents or injuries.

6.1.26 The employee must allow home office inspections conducted by the Port or representatives of the Port if a job-related incident, accident or injury has occurred.

6.1.27 Telecommuting employees shall not hold business meetings with internal or external clients, customers or colleagues at their residence.

6.1.28 Employees shall not conduct any unauthorized external (non-port) work during their telecommuting work schedule.

6.1.29 The employee shall participate in any port-sponsored telecommuting and/or technology training as requested by the employee's supervisor.

6.1.30 The employee shall participate in any port evaluation of telecommuting.

6.2 Telecommuting Eligibility:

6.2.1 An employee's work must be of a nature that face-to-face interaction with internal or external customers or project workgroups is minimal and the employee's tasks can be performed successfully away from the office.

6.2.2 The need for specialized material or equipment in order to telecommute should be minimal. Employees interested in telecommuting must already have a safe and ergonomic home office environment and the primary materials and equipment needed at their home in order to telecommute.

6.2.3 Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work well alone.

6.2.4 The employee communicates effectively with supervisors, co-workers, support staff and clients.

6.2.5 The employee operates computer or other equipment independently, to the degree that will be required to work from their home.

6.2.6 The employee must be performing currently at an overall satisfactory level or above in their position.

6.3 Hardware, Software and Supplies

6.3.1 Although the need for specialized material or equipment in order to telecommute should be minimal, the port may provide equipment (hardware and software) and services (such as technical support) if it is approved in advance by the employee's immediate supervisor and Executive Director. The Executive Director may allow supervisors the authority to approve minimal telecommuting expenses and should set spending limits accordingly.

6.3.2 General office supplies (such as paper and pens) will be provided by the port. Out-of-pocket expenses for supplies normally available regular worksite will not be reimbursed.

6.3.3 Employees who telecommute from home are subject to the same internal port policies regarding the use of port provided equipment (hardware and software) and services as that of employees at the regular worksite.

6.3.4 Employees who telecommute shall not allow anyone, except port employees, to use port provided equipment (including hardware and software) and services.

6.3.5 **HARDWARE:** New or existing personal computer equipment may be provided on an as-needed basis to employees by the port if approved in advance by the employee's immediate supervisor and division manager. Telecommuting expenses beyond the minimum spending limit set up by Executive Director will also require advance approval by the Executive Director. This equipment may consist of a personal computer, modem and related supplies. All supplies must be returned to the port as soon as the telecommuting arrangement is no longer valid or if the equipment will no longer be needed by the employee to do their work. The port will provide routine maintenance and repairs for port equipment if the equipment is returned to the employee's regular worksite. Routine maintenance and repairs for port provided equipment that cannot be returned in a cost effective manner to

the centrally located worksite may be conducted at an employee's home if it is approved in advance by the employee's immediate supervisor and is agreeable with the applicable technology support staff person.

6.3.7 Office furniture will not be provided to employees who telecommute.

6.3.8 SOFTWARE: Employees must conform to the port's software standards and will consult with their IT support staff to ensure that the software needed conforms to the port's software policies.

6.3.9 Remote access to the port's network may be provided to the employee at the discretion of the employee's immediate supervisor. Remote access may also be updated periodically to the employee at the discretion of the employee's immediate supervisor. If the port's remote access system includes internet access or other dial-in services, the employee may only use the port provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who telecommute from home are subject to the same internal port policies regarding the use of port provided equipment and services as that of employees at the centrally located worksite.

6.3.10 The port will not purchase or reimburse employees for the cost of an internet service provider or internet use. If the port's remote access system includes internet access or other dial-in services, the employee may only use the port provided internet access or other dial-in services in a manner consistent with that of employees at the regular worksite. Employees who telecommute from home are subject to the same internal port policies regarding the use of port provided equipment and services as that of employees at the centrally located worksite.

6.3.11 The port will not provide or reimburse employees for software that is commercially available for installment on an employee's personal computer.

6.3.12 The port may purchase or reimburse employees for software that is installed on port provided equipment if approved in advance by the employee's immediate supervisor and Executive Director. Telecommuting expenses beyond the minimum spending limit set up by Executive Director will also require advance approval by the Executive Director.

6.3.13 Port information stored on an employee's personal computer may be subject to public disclosure requirements.

6.4 Telephones:

6.4.2 Port employees will use port issued cellular phones for making local and long-distance calls. If the employee does not have a port issued cellular phone, the port may reimburse an employee on a case-by-case basis for business related long-distance telephone expenses incurred at the employee's home on telecommuting days if approved in advance by the employee's immediate supervisor and Executive

Director . Telecommuting expenses beyond the minimum spending limit set up by Executive Director will also require advance approval by the Executive Director. Long distance charges for remote access to the port's network is permissible if approved in advance by the employee's immediate supervisor and Executive Director. Telecommuting expenses beyond the minimum standard set up by Executive Director will also require advance approval by the Executive Director. Reimbursement will require an itemized copy of the employee's telephone bill.

6.4.3 The port will not reimburse the employee for local telephone calls or service.

6.5 Confidential Information:

6.5.1 The employee will maintain the confidentiality of port information and documents, prevent unauthorized access to any port system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the port.

7.0 PROCEDURES:

Action By	Action
Employee	7.1 Makes a written request and submits it to immediate supervisor.
Immediate Supervisor	7.2 Reviews request. 7.2.1 May request a written analysis of work tasks from employee. 7.2.2 May deny agreement, or any equipment or service expenses requested. 7.2.3 If agreement is acceptable, forwards agreement for approval to Executive Director.
Executive Director	7.3 Reviews request. 7.3.1 May deny agreement, or any equipment or service expenses requested. If denies, provides reason for denial to employee's immediate supervisor. 7.3.2 If agreement is acceptable and expenses are under the minimum spending limit set up by the Executive Director, signs agreement and returns to immediate supervisor. 7.3.3 If agreement is acceptable but expenses are over the minimum spending limit set up by the Executive Director.
Executive Assistant	7.4 Denies or grants equipment or service expenses. If denied, provides the immediate supervisor written explanation of why the expenses are not approved. 7.5 Informs employee in writing of denial or granting of request for telecommuting arrangement and equipment and

service expenses if applicable, including date the arrangement will be implemented and date it will end. If denied, provides the employee with a written explanation of why the request has been denied.

8.0 RESPONSIBILITIES:

8.1 Employees who telecommute or plan to telecommute are responsible for:

8.1.1 Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.

8.1.2 Initiating a written request if they are interested in entering into a telecommuting agreement.

8.1.3 Reporting to their immediate supervisor as early as possible if they are unable to work on a telecommuting day.

8.1.4 Establishing and maintaining an adequate, safe and ergonomic workspace in their home.

8.1.5 Maintaining appropriate care and security of any port equipment used at the employee's home. Employees who telecommute from home are subject to the same internal port policies regarding the use of port provided equipment (hardware and software) and services as that of employees at the regular worksite. Employees shall return all port provided equipment promptly upon completion of their telecommuting agreement. Employees are responsible for maintenance and repair of their own equipment.

8.1.6 Maintaining the confidentiality of port information and documents, preventing unauthorized access to any port system or information, and disposing of work related documents in a manner that will not jeopardize the interests of the port.

8.1.7 Any injuries to third parties and/or members of the employee's family on the employee's premises during the employee's telecommuting work period.

8.1.8 Abiding by all of the terms of King Port's telecommuting policy.

8.2 Immediate Supervisor is responsible for:

8.2.1 Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.

8.2.2 Reviewing employee requests for telecommuting, denying requests or forwarding eligible requests to division manager for approval.

8.2.3 Providing written notice granting or denying requests and written notice for termination of agreements to employees.

8.2.4 Communicating to the employee performance expectations and monitoring accomplishment of those expectations.

8.2.5 Abiding by all of the terms of the Port of Kingston telecommuting policy.

8.4 Executive Director is responsible for:

8.4.1 Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.

8.4.2 Allowing division, section or unit managers to approve minimal telecommuting expenses based on specific dollar limit per employee per year.

8.4.3 Granting or denying employee requests for equipment and service expenses that exceed the minimum standards set up by the department director. If they deny an employee's request, a reason must be provided to the employee's supervisor, so the supervisor may forward the reason to the employee.

8.4.4 Monitoring policy use by division managers to ensure that the policy is being applied consistently.

8.4.5 Setting up additional procedures for division managers should the director choose to review or track telecommuting agreements with their employees.

8.4.6 Abiding by all of the terms of the Port of Kingston telecommuting policy.

9.0 APPENDICES: Telecommuting Application



Telecommuting Application

Employee Name _____ Employee Title _____

Supervisor Name _____ Hire Date _____

PROPOSED WORK SCHEDULE

IN-OFFICE HOURS	Monday	Tuesday	Wednesday	Thursday	Friday
TELECOMMUTING HOURS	Monday	Tuesday	Wednesday	Thursday	Friday

Please answer the following questions:

1. Describe the type of work and specific tasks you propose to complete at home:

2. How will performance be assessed, and productivity be measured? What tracking method will you use to report work completed at home?

I have read the Port of Kingston Telecommuting Policy and my supervisor and I agree that I have met all eligibility criteria and requirements. I agree to abide by all of the participation guidelines in the telecommuting policy document. I understand this agreement will expire in one year from the date signed and can be terminated at any time.

Employee Signature

Date

Executive Director Signature

Date

PORT OF KINGSTON

PET / SERVICE ANIMAL POLICY

No pets are allowed in the workplace. Pursuant to the Americans with Disabilities Act (ADA) and Washington's Law Against Discrimination (WLAD), the Port allows only service animals in the workplace.

A service animal is a dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Employee should identify all service animals to the Port. Service animals are working animals, not pets. The work or task performed by the service animal must be directly related to the individual's disability. Under RCW 49.60.214, it is a civil infraction for any person to misrepresent an animal as a service animal.

A service animal must be under the control of its handler. Service animals cannot wander around, socialize, eat at the table, be fed, defecate or urinate inside, bark excessively, be disruptive, run to or jump on people, or act aggressively toward people. The Port can refuse to allow the service animal in the workplace if the service animal poses an immediate or reasonably foreseeable risk or danger to people or property.

Diversity, Equity and Inclusion Policy

The Port of Kingston is committed to fostering, cultivating and preserving a culture of diversity, equity and inclusion.

Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

The Port of Kingston diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Work/life balance through flexible work schedules to accommodate employees' varying needs.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

All employees of The Port of Kingston have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from a supervisor or an HR representative.



Policy Regarding Pandemic Flu

Purpose

The Port of Kingston strives to provide a safe and healthy workplace for all employees. This pandemic flu policy outlines our overall response to a pandemic flu outbreak and our emergency-preparedness and business continuity plan. It outlines specific steps the Port of Kingston takes to safeguard employees' health and well-being during a pandemic while ensuring the Port's ability to maintain essential operations and continue providing essential services to our customers. In addition, it provides guidance on how we intend to respond to specific operational and human resource issues in the event of a pandemic.

Pandemic Flu Defined

According to the federal Centers for Disease Control, the Occupational Safety and Health Administration, and other organizations that monitor public health threats, influenza or flu is caused by a variety of influenza A viruses. These viruses can cause different diseases: avian (or bird) flu, H1N1 (swine flu), pandemic influenza COVID - 19, and seasonal flu for example.

Pandemic influenza can occur when mutating flu viruses become transmissible to humans, who generally lack any natural immunity to fight off the viruses' adverse health effects. Because infected humans are so contagious, they become the primary vehicle for pandemic influenza's spread. The more humans who become contagious, the more widespread the disease becomes and the more rapid the spread is. Generally, pandemic influenza occurs in waves, with each new group of infected people in turn infecting others. Each such wave of infection can last as long as eight weeks, resulting in steadily increasing numbers of infections, and the disease itself can take 12 months to 18 months to run its course through the population. Subsequently, the viruses sparking pandemic influenza "settle" and thereafter can cause a type of seasonal flu (also known as "human flu") that produces the symptoms and illness many of us experience during annual "flu season."

Pandemic influenza poses the most serious global threats to public health and our economy. It conceivably can cost billions of dollars in productivity losses resulting from absenteeism, payouts of sick leave or workers' compensation, and lost sales; disrupt transportation and communication services on which we all depend; and impede delivery of necessary goods and services. Inability to predict when such a disease might strike and with what severity makes it incumbent on the Port to consider how our business might be affected and to articulate what needs to be done to respond to an outbreak.

Identification of Essential Personnel

The Port has identified and designated as essential personnel certain employees whose jobs are vitally important to our continued operation in emergencies. We expect only designated essential personnel to be available for work during an influenza pandemic. We acknowledge, however, that even essential personnel might become ill and unavailable to work or not be able to reach our worksite because of conditions beyond their own or our control. Consequently, the Port and its subsidiaries, affiliates, and industry partners have

devised and agreed on back-up arrangements under which designated personnel in locations outside our respective areas are trained and equipped to fulfill the duties of unavailable essential employees. In addition, we have equipped our most essential personnel with all the resources, including computers, cell phones, and back-up generators, that essential employees need to work remotely during emergencies.

Essential Personnel:

1. Executive Director
2. Controller
3. Harbormaster
4. Maintenance Manager
5. Administrative Services Manager

Remote Work Locations

The Port acknowledges that during an influenza pandemic, local, state, or federal authorities might prohibit or severely curtail individuals' access to and use of public services and public transportation; close or prevent access to buildings or public highways; isolate or quarantine buildings' occupants; and prevent inter- or intrastate delivery of goods and services. We cannot predict and have no control over such authorities' actions and acknowledge our legal duty to comply with outside authorities' directives.

We are prepared to continue key “bare bones” operations from a number of remote work locations, including employees home offices. We have equipment available for necessary off-site telecommuting operations.

Infection-Control Measures

The Port takes a number of steps to minimize to the extent practicable exposure to and spread of infection in the workplace, which is an ideal site for contagion because of workers' close proximity to one another. As appropriate, The Port recommends measures that employees can take to protect themselves outside the workplace and encourages all workers to discuss their specific needs with a family physician or other appropriate health or wellness professional.

Ill employees: The Port expects employees who contract the flu or COVID-19 or have been exposed to infected family members or others with whom employees have been in contact to stay home and seek medical attention as necessary and appropriate. The Port expects such workers to notify us as soon as possible of exposure or illness.

Port staff regularly inspects the workplace for signs of heating, air conditioning, or other equipment in need of replacement or repair and ensures proper cleaning and waste-removal. The Port approves the installation or use wherever possible of improved equipment or cleaning methods to guard against the spread of infection in the workplace.

Employee Leave and Pay In the event of pandemic influenza

Employee(s) unable to report to work will be granted the option of utilizing any accrued sick leave. If no accrued sick leave is available, the Executive Director shall have the option of approving the use of other leave available or an alternative work schedule (e.g. telecommute or flex schedules). The employee shall have the option to be on unpaid leave during periods of absence.

The Executive Director is responsible to ensure all essential services and operations are being performed and may require temporary re-assignment of duties of those employees who have reported to work or to require employees to report to work to perform reassigned duties.

Closure of Port of Kingston facilities may be made in response to emergencies relating to pandemics and natural disaster (including but not limited to fires, earthquakes, landslides, windstorms, snow/ice storms) and related hazards (see inclement weather policy) that prevents the opening or continued operations of Port facilities and requires the suspension of services therein. In the event of such a closure, employees will be paid for their entire scheduled workday and will not be required to use leave.

Leave due to pandemic flu closure will not count as time worked for purposes of overtime calculation for the week.

The Port monitors emergency conditions daily to determine how long closures must continue and, following consultation with outside authorities, advises employees when to expect to return to work. In the event that Port facilities are required to remain closed for periods in excess of one business day, the employing official may assign employees to alternative worksites or implement alternative work arrangements for the affected pay period (e.g. telecommute or flex schedules).

In the event of a pandemic, under declaration of emergency measures only, the Executive Director may make a determination to approve paid time off up to 8 weeks without any loss of accrued sick or paid time off leave to employees by written notice.

Emergency-Contact Information

Announcements of delayed opening and closures will be provided on the Port's Web Site and through notification to Port Staff through Emergency Contact Information. Employees are required to notify their immediate supervisor of any change to emergency-contact information within two weeks of the change. The Port verifies employees' emergency contact information yearly. Supervisors are required to maintain in the workplace and at home an up-to-date emergency-contact list Port staff.

Special needs and accommodations: The Port is required by law to notify first responders about employees with medical conditions that could be compromised because of an influenza pandemic. The Port urges such employees to confidentially self-identify to their immediate supervisor so that we are aware of and can prepare for you to receive any special medical expertise you might require if you become severely ill on the job. Your immediate supervisor maintains the confidentiality of any information you provide, making it available solely on a need-to-know basis and only when needed by emergency-responders.

Communications

Outside authorities: The Port and its Emergency Operations Team partner with local, state, and federal emergency-response and health agencies to ensure legal compliance with emergency-response protocols to which the Port is subject and to coordinate efforts to maintain safety and security in and outside the workplace.