

AGENDA
PORT OF SIUSLAW COMMISSION MEETING
Wednesday, 17 December 2014
Port Office, 100 Harbor Street,
Lane County, Florence, OR 97439

CALL TO ORDER

7:00 pm

APPROVAL OF THE AGENDA

APPROVAL OF MINUTES

Regular Meeting on 19 November 2014

REMARKS FROM CITIZENS/GROUPS

Use Sign-in Sheet on Counter...Limited to 5 minutes per speaker (15 minutes total)

REMONSTRANCE FROM THE COMMISSION

FINANCIALS

Financial Statements: Ratify Bills Paid in November \$74,788.28

OLD BUSINESS

1. Resolution 12-17-14A In Support of Florence Community Arts Committee

NEW BUSINESS

1. Resolution 12-17-14B Adopting a Communications and Software Policy
2. Resolution 12-17-14C Adopting a Social Media and Port Website Policy
3. Review Personnel Policy Proposed Revisions

REPORTS President, Commission, Manager

Committee Reports

SCHEDULED MEETINGS

- Thursday, 8 January 2015, Strategic Business Plan Work Session, 9:00am
- Wednesday, 21 January 2015, Regular Commission Meeting, 7:00pm
- Wednesday, 18 February 2015, Regular Commission Meeting, 7:00pm

MINUTES

PORT OF SIUSLAW COMMISSION MEETING

Wednesday, 19 November 2014, 7:00pm

Port Office, 100 Harbor St, Florence OR 97439

ATTENDANCE:

Commission: Commissioner Ron Caputo (Caputo), Commissioner Nancy Rickard (Rickard), Commissioner Jay Cable (Cable), Commissioner Terry Duman (Duman), Commissioner Bill Fleenor (Fleenor);

Staff: Port Manager Robert Forsythe (Forsythe); Recording Secretary Dina McClure (McClure); Media: Alan Campbell

Audience: Jay Nefcy, Dwight Coon, David Huntington, Harlen Springer, Jeff Hale, Betty Edgerton

Commission President Caputo called the meeting to order at 7:00pm.

APPROVAL OF THE AGENDA: There were no changes to the agenda.

PRESENTATION: Harlen Springer, with the Florence Regional Arts Alliance (FRAA), had paper handouts for the board. Springer said he would be presenting three issues: 1) What do arts have to do with economic vitality? 2) What does FRAA have to do with arts and economic vitality? 3) How can the port and FRAA work together? Springer said it is proven that art brings additional money into a community and we need to attract cultural, artistic, and creative tourists. Springer said FRAA's vision is to make Florence an ultimate destination for the arts. Pictures of public art in Lake Oswego were distributed as well as handouts explaining how pedestals are built to support the art. Springer suggested adding artwork to the boardwalk fence and painting a mural on the blue building by the boat ramp. Springer said collaboration with local organizations to accomplish community goals and promoting a scenic and unique visitor destination are opportunities listed in the port's five year Strategic Business Plan. Springer asked for a resolution from the board to partner and financially assist FRAA for the public art program. Fleenor said the port could be supportive but is not able to financially contribute due to big projects ahead. The board suggested FRAA contact other entities such as the cities of Florence, Toledo, and Bandon. Betty Edgerton (FRAA Vice President), from the audience, requested the port's resolution be more of a partnership than just support in order to help with getting grants. The board said they would discuss the resolution at an upcoming meeting when they review the Strategic Business Plan and budget.

APPROVAL OF MINUTES: On the Motion, made by Fleenor, and seconded by Cable, the board voted unanimously to approve the Minutes from the Regular Meeting on 17 September 2014.

FINANCIALS: Fleenor made a Motion to ratify the bills paid in September of \$87,923.83 and in October of \$120,212.54 with comments. Cable seconded. Fleenor asked, and the board agreed, to add a Profit & Loss Previous Year Comparison

report to the monthly financials. Fleenor said fuel sales should cover fuel expenses and asked for a cost analysis. Duman stressed the importance of providing a fuel service even if other revenue sources are needed to cover the expense. Fleenor expressed concern about using other revenue sources and said the port's financial status is in a "spiraling down trend". Forsythe disagreed and said revenues are increasing and the auditor is happy with the port's financial status. Fleenor said the port's finances are treading water and the port is not managing its assets to be sustainable long term. Forsythe said improvements and expansions have been made in addition to end of year profits. Fleenor asked why the grants and loans are on last year's Profit & Loss report. McClure said the auditors recommended putting all finances into one fund. Fleenor was pleased to see high occupancy numbers in the campground and marina. Cable said fishing was good and the entire community saw positive numbers this year. **The board voted in favor of approving the September and October financials.**

OLD BUSINESS

1. **Discuss Dredging History:** Duman asked what dates the soundings were taken since winter tides make a difference in water depth. Forsythe said they were taken in November. (Discussion progressed to the next order of business)
2. **Resolution 11-19-14A Authorizing an OSMB Grant and Appropriating Funds:** Rickard said she attended a recent meeting with the Southern Ports Coalition and is in favor of moving forward with the dredging permit process. Rickard said permit cost will increase if the port passes up the opportunity to use grant funds. There were questions regarding the numbers on the resolution and McClure clarified the five year dredging permit would cost \$37,500 (\$28,125 being funded by the grant and \$9,375 funded by the port). Duman referred to the soundings report and said dredging is not needed. McClure showed a report from staff that showed a 4' to 10' water depth at low tide in the west marina. Duman asked how much it would cost to dredge. Forsythe said the board needs to decide on the grant for the dredging permit. McClure said dredging will be an item of discussion at the upcoming Strategic Business Plan meeting. Fleenor said approving the resolution is staying ahead of the problem in case dredging is needed in the future. Duman said having different soundings over a period of time would be more informative. **On the Motion made by Fleenor, and seconded by Rickard, the board voted four in favor (Fleenor, Rickard, Cable, Caputo) and one not in favor (Duman).**

NEW BUSINESS

1. **Schedule Work Session for Strategic Business Plan Review:** The board scheduled a special meeting for Saturday, January 10th at 10am at the port office. This meeting will be open to the public.

REPORTS

Rickard attended a meeting in Bandon where the Southern Ports Coalition discussed using a state owned dredge. Rickard expressed concern that certain ports have offered their staff to operate it. Forsythe said the Coalition is in the process of drafting an intergovernmental agreement (IGA). Forsythe said the Coastal Caucus worked hard to get \$5M to purchase a dredge to share between the southern ports. Forsythe said he's concerned with who is in charge of operation, storage, transporting, and liability. Forsythe said he'd feel more comfortable if the state is in charge of it. Forsythe said he would share the IGA with the board when it becomes available.

Rickard said she attended the ODOT meeting for the bridge repair. Rickard said some businesses are concerned they will experience down time during construction. Rickard said the meeting was well attended and another meeting will be scheduled in March.

Rickard said the next Siuslaw Watershed Council will be December 3rd in Mapleton.

Caputo attended Lane Area Council Transportation meeting via conference call.

Caputo said the city has approved the conditional use permit for STEP's fish cleaning station and construction will start soon.

Caputo said he wrote a letter to ODFW regarding the lack of attendance of law enforcement. Caputo is concerned with the large amount of fish violation reports.

Duman asked the status of the floating restroom. Forsythe said the city declined the conditional use permit. Forsythe decided not to appeal the decision. He plans to re-apply with an upriver location.

President Caputo adjourned the regular meeting at 8:10pm to enter into Executive Session per ORS 192.220(2)(e).

President

Port of Siuslaw
Balance Sheet
As of November 30, 2014

	<u>Nov 30, 14</u>
ASSETS	
Current Assets	
Checking/Savings	
1001 · SB Checking - General Fund	50,176.45
1003 · SB SAV - Capital Reserve	70,014.94
1005 · SB MMA - General Fund	360,316.78
1050 · SB MMA - ICM	5,038.41
1070 · Petty Cash	700.00
Total Checking/Savings	<u>486,246.58</u>
Other Current Assets	
1220 · Accounts Receivable	9,678.30
1499 · Undeposited Funds	112.78
Total Other Current Assets	<u>9,791.08</u>
Total Current Assets	<u>496,037.66</u>
TOTAL ASSETS	<u>496,037.66</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · *Accounts Payable	27,996.89
Total Accounts Payable	<u>27,996.89</u>
Credit Cards	
2021 · Port Credit Card 1	2,755.44
Total Credit Cards	<u>2,755.44</u>
Other Current Liabilities	
2030 · Deposits Held	8,790.00
2040 · Gift Certificates	-327.00
2045 · Unearned CG Revenue (Hercules)	88,349.90
Total Other Current Liabilities	<u>96,812.90</u>
Total Current Liabilities	<u>127,565.23</u>
Total Liabilities	127,565.23
Equity	
3000 · Opening Bal Equity	104,709.66
3900 · *Retained Earnings	51,740.66
Net Income	212,022.11
Total Equity	<u>368,472.43</u>
TOTAL LIABILITIES & EQUITY	<u>496,037.66</u>

9:58 AM

12/12/14

Accrual Basis

Port of Siuslaw
Profit & Loss Budget Performance
November 2014

	Nov 14	Budget	% of Budget	Jul - Nov 14	YTD Budget	% of Budget	Annual Budget
Income							
4100 · Available Beginning Cash	0.00	0.00	0.0%	0.00	0.00	0.0%	275,000.00
4140 · Campground Revenue	15,557.96	11,500.00	135.3%	255,634.10	218,200.00	117.2%	340,000.00
4150 · Leases	14,228.80	14,012.67	101.5%	80,844.00	76,463.35	105.7%	178,152.00
4160 · Moorage	3,673.48	5,050.00	72.7%	48,540.00	37,950.00	127.9%	60,000.00
4170 · Storage	395.28	2,100.00	18.8%	10,659.54	8,300.00	128.4%	20,000.00
4190 · Marine Fuel	1,362.43	500.00	272.5%	53,334.61	42,400.00	125.8%	50,000.00
4200 · Other Facility Income	1,206.50	725.00	166.4%	20,367.91	14,925.00	136.5%	20,300.00
4500 · Levied Taxes	200,318.06	157,100.00	127.5%	228,059.72	179,500.00	127.1%	307,000.00
4540 · Interest Income	57.40	50.00	114.8%	273.82	250.00	109.5%	600.00
4550 · Maintenance Assistance Program	0.00	0.00	0.0%	15,900.00	15,900.00	100.0%	15,900.00
4600 · Miscellaneous Income	63.97	300.00	21.3%	5,931.09	2,100.00	282.4%	4,000.00
4650 · Sale of Surplus Equipment	0.00	0.00	0.0%	500.00	0.00	100.0%	0.00
4670 · Sale of Surplus Property	0.00	0.00	0.0%	0.00	0.00	0.0%	125,000.00
4840 · Grants	0.00	0.00	0.0%	0.00	0.00	0.0%	173,125.00
Total Income	236,863.88	191,337.67	123.8%	720,044.79	595,988.35	120.8%	1,569,077.00
Gross Profit	236,863.88	191,337.67	123.8%	720,044.79	595,988.35	120.8%	1,569,077.00
Expense							
5000 · Personal Services	18,157.31	33,382.75	54.4%	174,137.95	177,913.75	97.9%	424,593.00
5300 · Material and Services	30,491.33	34,380.00	88.7%	240,051.20	234,050.00	102.6%	531,650.00
6000 · Capital Outlay	0.00	0.00	0.0%	11,718.25	0.00	100.0%	376,549.00
6700 · Contingency	0.00	0.00	0.0%	0.00	0.00	0.0%	90,625.00
7000 · Debt Service	30,762.08	30,837.50	99.8%	82,115.28	82,255.00	99.8%	145,660.00
Total Expense	79,410.72	98,600.25	80.5%	508,022.68	494,218.75	102.8%	1,569,077.00
Net Income	157,453.16	92,737.42	169.8%	212,022.11	101,769.60	208.3%	0.00

Port of Siuslaw Profit & Loss Prev Year Comparison

November 2014

				Nov 14	Nov 13	\$ Change	% Change
Income							
4140 - Campground Revenue							
			4141 - RV Sites- Taxable	8,639.57	7,141.98	1,497.59	20.97%
			4142 - RV Sites -Non Taxable	5,474.58	3,722.62	1,751.96	47.06%
			4143 - RV Site - Add'l revenue	180.00	79.00	101.00	127.85%
			4144 - Transient Room Tax	836.31	693.43	142.88	20.61%
			4145 - Reservation Fees	330.00	400.00	-70.00	-17.5%
			4146 - Hercules Payments, CG office	97.50	0.00	97.50	100.0%
			4147 - Hercules Payments, Online	0.00	0.00	0.00	0.0%
			Total 4140 - Campground Revenue	15,557.96	12,037.03	3,520.93	29.25%
4150 - Leases							
			4151 - Building Lease - 1499 Bay St	1,150.00	1,150.00	0.00	0.0%
			4152 - Building Lease - 080A Harbor St	1,200.00	1,200.00	0.00	0.0%
			4153 - Wharf lease - ICM	4,129.90	4,129.90	0.00	0.0%
			4154 - Wharf lease - Mo's	7,778.06	7,532.73	245.33	3.26%
			4155 - Concessions	-150.00	150.00	-300.00	-200.0%
			4156 - Docking Lease	120.84	0.00	120.84	100.0%
			Total 4150 - Leases	14,228.80	14,162.63	66.17	0.47%
4160 - Moorage							
			4162 - Commercial Moorage	924.17	1,095.10	-170.93	-15.61%
			4163 - Sport Moorage	2,589.31	4,378.57	-1,789.26	-40.86%
			4165 - Liveaboard Fees	160.00	117.85	42.15	35.77%
			Total 4160 - Moorage	3,673.48	5,591.52	-1,918.04	-34.3%
4170 - Storage							
			4171 - Outside storage	243.66	-204.13	447.79	219.37%
			4172 - Indoor Storage	151.62	2,339.33	-2,187.71	-93.52%
			Total 4170 - Storage	395.28	2,135.20	-1,739.92	-81.49%
4190 - Marine Fuel							
			4191 - Diesel	975.52	0.00	975.52	100.0%
			4192 - Gas, Non-ethanol	386.91	175.21	211.70	120.83%
			Total 4190 - Marine Fuel	1,362.43	175.21	1,187.22	677.6%
4200 - Other Facility Income							
			4210 - Parking Income	503.00	257.00	246.00	95.72%
			4220 - Dump Station Fees	60.00	70.00	-10.00	-14.29%
4240 - Vending Sales							
			4241 - Car Wash	0.00	147.00	-147.00	-100.0%
			4242 - Boat Flush	29.50	14.75	14.75	100.0%
			4243 - Laundry	250.00	294.50	-44.50	-15.11%
			4244 - Soap/Bleach	18.00	11.00	7.00	63.64%

Port of Siuslaw Profit & Loss Prev Year Comparison

November 2014

				Nov 14	Nov 13	\$ Change	% Change
			4245 · Tidebooks	1.00	0.00	1.00	100.0%
			Total 4240 · Vending Sales	298.50	467.25	-168.75	-36.12%
			4250 · Forklift & Hoist	355.00	50.00	305.00	610.0%
			4251 · Port Labor	0.00	100.00	-100.00	-100.0%
			4260 · Events				
			4262 · Septoberfest	0.00	1,373.00	-1,373.00	-100.0%
			Total 4260 · Events	0.00	1,373.00	-1,373.00	-100.0%
			4270 · Retail Sales				
			4271 · Mugs	0.00	5.00	-5.00	-100.0%
			4274 · Pins	0.00	3.00	-3.00	-100.0%
			Total 4270 · Retail Sales	0.00	8.00	-8.00	-100.0%
			4300 · Cash Over/Short	-10.00	-0.90	-9.10	-1,011.11%
			Total 4200 · Other Facility Income	1,206.50	2,324.35	-1,117.85	-48.09%
			4500 · Levied Taxes				
			4510 · Current Levied Taxes	166,417.32	30,101.14	136,316.18	452.86%
			4515 · State Forest Sales	33,254.56	0.00	33,254.56	100.0%
			4520 · Prior Years Levied Taxes	535.68	260.13	275.55	105.93%
			4525 · Levied Tax Interest	110.50	30.11	80.39	266.99%
			Total 4500 · Levied Taxes	200,318.06	30,391.38	169,926.68	559.13%
			4540 · Interest Income	57.40	63.19	-5.79	-9.16%
			4550 · Maintenance Assistance Program	0.00	15,900.00	-15,900.00	-100.0%
			4600 · Miscellaneous Income				
			4610 · Reimbursement Income	0.00	0.00	0.00	0.0%
			4615 · Late Fees	64.97	0.00	64.97	100.0%
			4625 · Other Income	-1.00	3,400.00	-3,401.00	-100.03%
			Total 4600 · Miscellaneous Income	63.97	3,400.00	-3,336.03	-98.12%
			Total Income	236,863.88	86,180.51	150,683.37	174.85%
			Gross Profit	236,863.88	86,180.51	150,683.37	174.85%
			Expense				
			5000 · Personal Services				
			5020 · Port Manager	2,885.82	5,416.66	-2,530.84	-46.72%
			5030 · Administrative Assistant	1,576.08	3,797.43	-2,221.35	-58.5%
			5036 · Project Coordinator	982.96	1,347.69	-364.73	-27.06%
			5050 · Office Assistant	968.00	0.00	968.00	100.0%
			5060 · Campground Lead	0.00	1,981.25	-1,981.25	-100.0%
			5061 · Campground Staff	772.79	0.00	772.79	100.0%

Port of Siuslaw Profit & Loss Prev Year Comparison

November 2014

				Nov 14	Nov 13	\$ Change	% Change
			5065 · Fuel Attendant	158.88	685.00	-526.12	-76.81%
			5075 · Maintenance I Lead	1,694.70	3,475.20	-1,780.50	-51.23%
			5076 · Maintenance II	1,214.40	2,481.49	-1,267.09	-51.06%
			5077 · Maintenance III	1,117.60	2,244.80	-1,127.20	-50.21%
			5078 · Groundskeeper	1,210.20	1,867.91	-657.71	-35.21%
			5110 · Payroll taxes	1,217.10	2,326.34	-1,109.24	-47.68%
			5180 · Health Insurance	3,910.13	2,942.20	967.93	32.9%
			5181 · Life Insurance	100.70	84.00	16.70	19.88%
			5182 · Dental Insurance	347.95	249.66	98.29	39.37%
			Total 5000 · Personal Services	18,157.31	28,899.63	-10,742.32	-37.17%
			5300 · Material and Services				
			5260 · Employee Training	140.90	358.00	-217.10	-60.64%
			5340 · Advertising	442.49	342.00	100.49	29.38%
			5350 · Office Supplies	357.19	263.22	93.97	35.7%
			5360 · Operation Supplies				
			5361 · Safety Supplies	39.32	10.78	28.54	264.75%
			5362 · Vehicle fuel	310.69	269.05	41.64	15.48%
			5360 · Operation Supplies - Other	582.37	850.93	-268.56	-31.56%
			Total 5360 · Operation Supplies	932.38	1,130.76	-198.38	-17.54%
			5370 · Marine Fuel				
			5371 · Non-ethanol Gas	0.00	-77.58	77.58	100.0%
			5372 · Diesel	0.00	-100.18	100.18	100.0%
			Total 5370 · Marine Fuel	0.00	-177.76	177.76	100.0%
			5420 · Accounting Service	93.00	82.00	11.00	13.42%
			5430 · Legal Services	500.00	548.75	-48.75	-8.88%
			5470 · Contracted Services	2,704.99	1,177.00	1,527.99	129.82%
			5510 · Travel & Meeting Expense	132.25	175.19	-42.94	-24.51%
			5520 · Dues/Subscriptions	6,195.62	254.80	5,940.82	2,331.56%
			5530 · Public Relations	225.00	297.50	-72.50	-24.37%
			5550 · Telephone Expense	440.66	606.97	-166.31	-27.4%
			5610 · Property Taxes	0.00	24,524.94	-24,524.94	-100.0%
			5620 · Transient Room Tax	3,043.88	610.64	2,433.24	398.47%
			5700 · Facilities	2,585.19	7,362.26	-4,777.07	-64.89%
			5701 · MAP Repairs	723.61	393.32	330.29	83.98%
			5730 · Tool & Equipment Purchase	124.43	423.99	-299.56	-70.65%
			5750 · Equipment Rental	572.99	943.00	-370.01	-39.24%
			5790 · Equipment Repairs	1,058.12	1,033.55	24.57	2.38%
			5800 · Utilities				
			5810 · Electric	3,206.05	2,595.92	610.13	23.5%
			5820 · Water/Sewer	1,829.98	1,495.87	334.11	22.34%
			5830 · Trash Service	1,676.40	3,917.34	-2,240.94	-57.21%

Port of Siuslaw Profit & Loss Prev Year Comparison

November 2014

				Nov 14	Nov 13	\$ Change	% Change
			5840 · TV Cable	1,837.31	1,412.97	424.34	30.03%
			5860 · Internet	85.00	85.00	0.00	0.0%
			5870 · Sani-Star dump fee	150.00	0.00	150.00	100.0%
			Total 5800 · Utilities	8,784.74	9,507.10	-722.36	-7.6%
			5950 · Miscellaneous				
			5954 · Bank CC Charges	1,433.89	1,021.63	412.26	40.35%
			Total 5950 · Miscellaneous	1,433.89	1,021.63	412.26	40.35%
			Total 5300 · Material and Services	30,491.33	50,878.86	-20,387.53	-40.07%
			7000 · Debt Service				
			7215 · MNIF (Dredging) #524016	5,876.15	5,876.15	0.00	0.0%
			7225 · Siuslaw Bank (PVIP) 1000214241	1,499.92	0.00	1,499.92	100.0%
			7230 · PRLF Loan (Wharf) #525196	7,424.94	7,424.94	0.00	0.0%
			7270 · SPWF (Bdwk Prj) L0004	15,961.07	15,961.07	0.00	0.0%
			Total 7000 · Debt Service	30,762.08	29,262.16	1,499.92	5.13%
			Total Expense	79,410.72	109,040.65	-29,629.93	-27.17%
			Net Income	157,453.16	-22,860.14	180,313.30	788.77%

	Campground 2011/2012			Campground 2012/2013			Campground 2013/2014			Campground 2014/2015		
	% Occ.	Avg %	Nights	% Occ.	Avg %	Nights	% Occ.	Avg %	Nights	% Occ.	Avg %	Nights
JULY	54%	54%	1771	58%	58%	1835	61%	61%	1989	72%	72%	2318
AUG	65%	60%	2108	74%	66%	2326	84%	73%	2728	90%	81%	2890
SEPT	79%	66%	2502	86%	73%	2605	83%	76%	2619	90%	84%	2795
OCT	26%	56%	851	33%	63%	1083	38%	67%	1242	45%	75%	1462
NOV	8%	46%	245	12%	53%	388	18%	57%	567	24%	53%	753
DEC	7%	40%	221	9%	45%	288	17%	50%	550			
JAN	9%	35%	300	12%	41%	394	26%	47%	860			
FEB	12%	32%	354	12%	37%	361	25%	44%	734			
MAR	11%	30%	365	16%	35%	492	27%	42%	875			
APR	12%	28%	389	21%	33%	643	29%	41%	910			
MAY	24%	28%	787	26%	33%	835	34%	40%	1100			
JUN	31%	28%	992	34%	33%	1070	39%	40%	1210			
TL YTD	28%	28%	10885	33%	33%	12320	40%	40%	15384	64%	64%	10218
REV YTD	\$269,756			\$301,812			\$350,021			\$237,387		

	Hiker/Biker 2013/14		2014/15	
	#	\$	#	\$
JULY	not open yet		40	\$550
AUG	73	\$722	48	\$660
SEPT	65	\$600	29	\$324
OCT	20	\$176	6	\$60
NOV	17	\$168	3	\$32
DEC	0	\$0		
JAN	14	\$130		
FEB	0	\$0		
MAR	3	\$24		
APR	16	\$200		
MAY	35	\$380		
JUN	23	\$248		
Total	266	\$2,648	40	\$1,626

	Moorage 2013/14			Moorage 2014/15		
	% Occ.	Avg %	Nights	% Occ.	Avg %	Nights
JULY	27%	27%	1007	39%	39%	1378
AUG	47%	37%	1741	61%	50%	2165
SEPT	74%	49%	2679	82%	61%	2842
OCT	47%	49%	1729	67%	70%	2268
NOV	23%	44%	834	33%	61%	1121
DEC	23%	40%	837			
JAN	21%	37%	795			
FEB	21%	35%	713			
MAR	21%	34%	759			
APR	21%	33%	743			
MAY	25%	32%	896			
JUN	27%	31%	923			
TL YTD	31%	31%	13656	56%	56%	9774
REV YTD	\$69,337			\$46,410		

PORT OF SIUSLAW
RESOLUTION 12-17-14A
IN SUPPORT OF THE FLORENCE COMMUNITY ARTS COMMITTEE

WHEREAS; the primary mission of the Port of Siuslaw is to enhance local economic development under ORS 777; and

WHEREAS, the Port of Siuslaw Commissioners recognize that support for the Arts has proven to be an economic driver in other cities through the state of Oregon; and;

WHEREAS, a Florence Community Arts Committee is in the process of being formed;

NOW, THEREFORE, the Port of Siuslaw commits to the following;

- Request the Port Manager to appoint a staff person to sit on the Florence Community Arts Committee,
- Designate possible sites on Port property for the Florence Community Arts Committee to display appropriate outdoor art,
- Support the Florence Community Arts Committee in requesting and obtaining grants,
- Support Florence Community Arts Committee in presentations to private, public, and/or government entities regarding public art and enhancing the economy through the arts,
- Authorize Florence Community Arts Committee to reference this resolution in public.

ADOPTED by the Port of Siuslaw Board of Commissioners this 17th day of December 2014.

President

Attest

PORT OF SIUSLAW

RESOLUTION 12-17-14B AMENDING THE PERSONNEL POLICIES OF THE PORT OF SIUSLAW AND ADOPTING A COMMUNICATIONS AND SOFTWARE POLICY

WHEREAS, the Board of Commissioners for the Port of Siuslaw has previously adopted personnel policies governing Port officers, employees, contractors, agents, and volunteers; and

WHEREAS, the Board has identified a need for a policy governing use of Port communications and information systems; and

WHEREAS, the Board wishes to include this Communications and Software Policy in the previously adopted Personnel Policies;

NOW, THEREFORE, the Board resolves as follows:

Section 1. The following language is hereby adopted and shall be added to the Port's adopted Personnel Policies:

Communications and Software

This policy applies to all Port officers, employees, contractors, agents, and volunteers (collectively, "Port Personnel"). Failure to abide by this Communications and Software Policy may result in discipline up to and including termination as described in the Port's Personnel Policies.

The following describes the Port of Siuslaw's policy on the use and monitoring of its electronic communication/information systems including computers, electronic mail ("E-mail"), Internet access, voice-mail, facsimiles, copy machines, and any handheld electronic communications device, including but not limited to cellular phones, and wireless Personal Digital Assistants (PDA) such as a BlackBerry, iPhones, iPads, and tablets.

All electronic equipment and all communications and stored information transmitted, received, or contained in the Port's electronic communication/information systems are the property of the Port and, as such, are to be used solely for job-related purposes. The use of the Port's electronic communication/ information systems for non-job related purposes is strictly prohibited, and Port Personnel should not have any expectation of privacy when using these systems or any related equipment. The Port specifically reserves the right to access, review, monitor, and disclose all matters received, disseminated or stored on its systems (including deleted material) at any time and for any reason, and may do so with or without notice.

Port Personnel who use these systems for any non-job related purposes do so at their own risk. The Port may decide reasonable use in its sole discretion. Port Personnel are strictly prohibited from using any of the Port's electronic communication systems to send messages which may be interpreted as harassing, discriminatory, obscene, derogatory or defamatory. The Port's anti-harassment policy fully applies to employees in their use of the Port's electronic communication systems.

Only authorized users may access the Internet on District-owned systems and equipment. The Port's name should not be used in external communication forums such as chat

Resolution 12-17-14B Port of Siuslaw Communications and Software Policy

rooms. Port Personnel should not mail, upload, or broadcast any sort of information for personal gain, including but not limited to chain letters, solicitation of and response to employment opportunities, sale of products, and/or searches of non-business related sites or any obscene or offensive material.

To prevent computer viruses from being transmitted through the Port's Internet system, there will be no unauthorized downloading of software. Port Personnel should not upload or download information, data, or software which is copyrighted by a third-party.

All passwords and codes are the property of the Port and do not guarantee any privacy to Port Personnel. Password protection does not prevent access by the Port. Port Personnel shall not use a code, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance by the Port Manager. Information in Port computers and equipment that is confidential and/or proprietary information cannot be shared with individuals outside of the Port without prior clearance from the Port Manager.

The use of encryption devices or software that has not been authorized by the Port is prohibited.

Any Port Personnel terminating office or employment with the Port is prohibited from taking (in any form) or copying any computer discs, hard copies, or other information stored on the Port's electronic equipment.

To ensure that the use of the Port's electronic communication systems is consistent with the Port's legitimate business interests, and to assure compliance with the Port's policy, the Port specifically reserves the right to access, review, monitor and disclose all components of these systems (including deleted material) at any time and will do so with and without notice.

Port Personnel who violate this policy are subject to disciplinary action, up to and including termination of office or employment. Action or inaction by the Port in response to prior violation(s) of this policy does not constitute a waiver of the Port's right to take appropriate action for any subsequent violation. All violations of this policy should be reported to the Port Manager.

Section 2. The following acknowledgment shall be provided to individuals required to comply with the Communications and Software Policy:

Port of Siuslaw

Acknowledgement of Receipt of the Communications and Software Policy

1. I have received a copy of the Port of Siuslaw Communications and Software Policy.
2. I understand that I am responsible for becoming and remaining familiar with the policies, procedures, requirements, and other information contained in this Policy and in other applicable Port policies and procedures.
3. The policies, procedures, requirements, and other information contained in this Policy

may be modified, deleted, or added to, at any time.

- 4. I understand that I will receive a copy of any significant change in this Policy.

Signature

Date

Name (Please Print)

Section 3. This resolution shall take effect immediately upon adoption.

ADOPTED by the Port of Siuslaw Board of Commissioners this 17th day of December 2014.

President

Attest

PORT OF SIUSLAW
RESOLUTION 12-17-14C
ADOPTING A SOCIAL MEDIA AND PORT WEBSITE POLICY

WHEREAS, the Board has identified a need for a policy governing use of Port controlled social media websites as well as some employee use of social media; and

NOW, THEREFORE, the Board resolves as follows:

Section 1. The following Social Media and Website Policy is hereby adopted:

SOCIAL MEDIA AND PORT WEBSITE POLICY

A. Scope

This policy applies to all Port officers, employees, contractors, agents, and volunteers (collectively, "Port Personnel"). Failure to abide by this Social Media and Port Website Policy (Policy) may result in discipline up to and including termination as described in the Port's Personnel Policies.

B. Purpose

The purpose of this Policy is to promote effective and transparent communication between the Port and the public, while ensuring that use of social media and other internet resources by Port Personnel complies with applicable state, federal, and local laws.

C. Applicability

This policy is applicable to social media and Port website use by all Port Personnel for Port business. Use of social media and the Port's website by Port Personnel is also subject to other applicable Port policies (for example, communications and software policies, cell phone use policies, HIPAA policies, harassment policies, etc.).

D. Definitions

"Blog" means a self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions or comments. The term is short for "Web log."

"Port Website" means the Port's official website.

"Page" means the specific portion of a website where content is displayed.

"Post" means content a user shares on a social media site or the act of publishing content to the site.

"Social Media" means a category of internet based resources that integrate user-generated content and user participation. Social Media includes but is not limited to the following technologies:

- a) Blogs
- b) RSS feeds
- c) Microblogging sites (Twitter)

- d) Social networking sites (i.e. Facebook, LinkedIn)
- e) Social bookmarking sites (i.e. Pinterest)
- f) Event Sites
- g) Internet Radio
- h) Internet Video or Photo share sites (i.e. YouTube, Flickr, Instagram)

E. Use of Social Media and the Port Website for Port Business

1. Port Personnel are permitted to use social media and the Port Website to conduct Port business, including but not limited to dissemination of information about the Port, Port operations, Port programs, and emergency communications.
2. All social media sites created by Port Personnel for Port business are subject to approval by the Port Manager (hereinafter referred to as “Administrator”), or the Administrator’s designee.
3. Only Port Personnel designated by the Administrator are authorized to post information to the Port’s social media sites and/or the Port Website. The Administrator or the Administrator’s designee will monitor the content posted to the Port’s social media sites and/or the Port Website to ensure that the posted content adheres to all applicable Port policies. Information posted on the Port’s social media sites and/or the Port Website by Port Personnel must be consistent with the Port’s mission, vision, values, goals, and other applicable Port policies.
4. In order to comply with the retention requirements of the Oregon Public Records Law (ORS Chapter 192 and OAR 166-200-0005 *et seq*), it is the policy of the Port that Port Personnel may not post original content to social media sites or the Port Website unless that content is preserved and retained according to Oregon Public Records Law.
5. The Oregon Public Records Law and relevant Port records retention schedules apply to all content posted to the Port’s social media sites and to content posted to the Port Website. The Port shall preserve all content posted to the Port Website and all content posted to the Port’s social media sites (including both content posted by Port Personnel and content posted by members of the public). The content will be retained for the period required by the relevant records retention schedule and maintained in a format that preserves the integrity of the original record, is easily accessible, and is allowable under the Oregon Records Retention Law.
6. Use of the Port Website and/or social media sites by Port Personnel may not violate the Oregon Public Meetings Law (ORS 192.610 through ORS 192.710).
7. Personnel representing the Port through social media and/or the Port Website must conduct themselves at all times as representatives of the Port. Failure to do so may result in discipline as described in the Port’s Personnel Policies. Posts on the Port

Website and/or the Port's social media sites by Port Personnel must reflect the views, policies and positions of the Port. When posting information to the Port Website or the Port's social media sites Port Personnel are responsible for complying with all applicable federal, state, and local laws, regulations, and policies, including but not limited to laws governing copyright, public records, free speech, and privacy.

8. Port social media sites will refer users to the Port's official website or the Port's e-mail system for forms, documents, online services, and other information necessary to conduct business with the Port. Port Personnel may direct visitors with questions and/or requests for additional information to make such requests via e-mail, mail, in person, or by telephone.
9. The following forms of content will not be allowed on the Port Website or Port controlled social media sites:
 - a. Content that violates the terms of use of the site;
 - b. Content unrelated to the purpose of the site;
 - c. Profane language or content;
 - d. Content that promotes, fosters, or perpetuates discrimination on the basis of membership in a protected class;
 - e. Content the disclosure of which would violate any federal, state, or local law;
 - f. Sexual content or links to sexual content;
 - g. Solicitations of commerce;
 - h. Content that would violate the ownership interest of another party;
 - i. Illegal conduct or encouragement of illegal activity;
 - j. Information that may tend to compromise the safety or security of the public or public services, including but not limited to: personal information relating to Port residents, confidential or sensitive Port information, and information that may tend to compromise the safety or security of public buildings, public utilities, public transportation systems, police, fire, or other emergency services; and
 - k. Links to:
 - i. Candidate sites or sites advocating a position on Port or other election issues; or
 - ii. Individual personal pages or websites.
10. The Port reserves the right to monitor the Port Website and Port controlled social media sites and to restrict or remove any content that is deemed in violation of this Policy or any applicable law.
11. Except as provided in paragraph 9(k) of this section, the Administrator shall determine, in his or her sole discretion, whether to allow links to other pages or websites from the Port Website and/or Port controlled social media sites, and which links to allow. The linking of the Port Website or Port controlled social media sites to other pages or websites constitutes government speech and does not create a public forum.

12. The Port will prominently post the following disclaimer on any Port social media site that allows the public to post content to the site:

Comments and other information posted to this page will be monitored. The Port reserves the right to modify or remove inappropriate comments and other information, including comments or other information that: 1) violate the terms of use of this site; 2) contain profane language or sexual content; 3) promote, foster, or perpetuate discrimination on the basis of membership in a protected class; 4) threaten or defame any person or organization; 5) violate the legal ownership interest of another party; 6) promote illegal activity; 7) promote commercial services or products; 8) compromise the safety and security of the public or public services; 9) are not topically related to the particular post; or 10) contain links to other pages or websites. Comments posted to this site by a user other than the Port represent the views of that user only and do not reflect the views or policies of the Port. The Port does not support or endorse comments made by users other than the Port.

Communications made through social media will in no way constitute a legal or official notice to the Port or to any official or employee of the Port for any purpose. Use of this website constitutes acceptance of this policy. Any information posted here is public information and may be subject to monitoring, moderation, or disclosure to third parties.

13. Pursuant to ORS 260.432, while on the job, during working hours, Port Personnel may not post content to the Port Website or Port controlled social media sites that promotes or opposes: 1) any political committee; 2) the nomination or election of a candidate; 3) the gathering of signatures on an initiative, referendum or recall petition; 4) the adoption of a measure; or 5) the recall of a public office holder. Any political posts made by Port Personnel while not on the job during working hours should clearly state that the views expressed in the post are the personal views of the individual and are not supported or endorsed by the Port.
14. Port Personnel may not remove any content from the Port Website or a Port controlled social media site without prior approval from the Administrator or the Administrator's designee.
15. Any content removed from the Port Website or a Port controlled social media site must be retained in accordance with Port records retention policies and the Oregon Public Records Law.
16. Administration of Port Controlled Social Media Sites:
 - a. All new social media sites proposed for Port use will be approved by the Administrator or designee.

- b. The Administrator or designee will maintain a list of social media sites which are approved for use by Port Personnel.
 - c. The Administrator or designee will maintain a list of all Port controlled social media sites, including login and password information.
 - d. The Administrator shall be informed of any administrative changes to existing Port controlled social media sites.
 - e. The Administrator must be able to immediately edit or remove content from Port controlled social media sites.
17. The Port reserves the right to terminate the Port Website and/or any Port controlled social media site at any time without notice.
18. The Port's social media use policy will be reviewed periodically to assess effectiveness, evaluate performance, and provide suggestions for changes or improvements. The Administrator or designee will perform this review.

F. Use of Social Media for Personal Business

- 1. Use of Social Media for personal business by Port Personnel must comply with all applicable Port policies.
- 2. When using Social Media for personal business Port Personnel may not imply that the content posted is endorsed by the Port. For example, Port Personnel should not use the Port's logo on their personal social media accounts, and posts should be made in the individual's personal capacity, not in his or her capacity as Port Personnel.

G. Confidentiality of Information

Port Personnel must adhere to all applicable Port policies concerning confidentiality when using social media. Port Personnel may not discuss or otherwise disclose confidential information (including photographs) acquired as a result of their relationship with the Port, including but not limited to:

- 1. Information protected by the Health Information Portability and Accountability Act (HIPAA) and associated federal regulations;
- 2. Information protected by ORS 192.518 through ORS 192.529;
- 3. Information exempt from disclosure under the Oregon Public Records Act, ORS 192.410 through ORS 192.505;
- 4. Information related to legal matters or litigation;
- 5. Information the disclosure of which would violate any federal, state, or local law; and
- 6. Information made confidential or exempt from disclosure under state, federal, or local law.

H. Evaluations and Revisions

This Policy will be evaluated and revised regularly to maintain compliance with state records retention requirements and applicable Port policies.

Section 2. The following acknowledgment shall be provided to individuals required to comply with the Social Media and Port Website Policy:

Port of Siuslaw

Acknowledgement of Receipt of the Social Media and Port Website Policy

1. I have received a copy of the Port of Siuslaw Social Media and Port Website Policy.
2. I understand that I am responsible for becoming and remaining familiar with the policies, procedures, requirements, and other information contained in this Policy and in other applicable Port policies and procedures.
3. The policies, procedures, requirements, and other information contained in this Policy may be modified, deleted, or added to, at any time.
4. I understand that I will receive a copy of any significant change in this Policy.

Signature

Date

Name (Please Print)

Section 3. This resolution shall take effect immediately upon adoption.

ADOPTED by the Port of Siuslaw Board of Commissioners this 17th day of December 2014.

President

Attest

PERSONNEL POLICIES

1.0- OVERVIEW AND GENERAL POLICIES

1.1 PURPOSE OF PERSONNEL POLICIES

These policies set forth rules and regulations for all employees of the Port of Siuslaw and are intended to establish a general framework for effective personnel administration.

These policies replace and supersede all pre-existing policies, procedures or orders relating to personnel matters of the Port and its employees. The Port Manager shall be responsible for implementation of these policies.

1.2 INTRODUCTION

This Manual is designed to inform all employees of the working guidelines for the Port, and to provide employees an understanding of what is expected of them. It is also intended to assure consistent, fair and uniform treatment of Port employees.

The Port reserves the right to vary, modify or change these policies and procedures from time to time, as the Port deems appropriate. Nothing contained in these policies and procedures shall create or confer any property right in continued employment or constitute an express or implied contract.

Employees and the Port each reserve the right to end the employment relationship, with or without cause, at any time. Further, except as might be approved in writing by the Board of Commissioners, no employee or representative of the Port has the authority to enter into an agreement on behalf of the Port for employment for any specified period of time, or to make any agreement contrary to Port Commission-approved policies.

The Port Manager shall have the discretion to vary or modify the strict application of the provisions of the rules in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships. The Port Manager shall not be required by any personnel to exercise his judgment or discretion to vary or modify any rule or policy.

1.3 PERSONNEL POLICY DEVELOPMENT AND ADMINISTRATION

A. Formulation of Policies. The Port Commission shall base its policies, procedures and regulations on the best available information and input from the affected parties. Except when deemed inadvisable by the Port Commission, due to emergency or other circumstances warranting or requiring immediate action, any proposed adoption, amendment or repeal of a policy shall be introduced for discussion at one meeting, but not acted upon until the following or a subsequent meeting. The proposed action shall be included in the notice of the meeting promulgated in accordance with the Public Meetings Law.

B. Administration. Administration of the personnel rules and procedures shall be the responsibility of the Port Manager. The Port Manager shall:

1. Interpret, enforce and administer all provisions of these rules. The Port

Manager may delegate this authority to a designee.

2. Meet from time to time with employees of the Port to consider information, as well as suggestions and recommendations regarding the personnel policies and practices of the Port.
 3. Prepare and recommend to the Port Commission revisions and amendments to the rules.
- C. Engaging Necessary Services. The Port Manager may, with the consent of the Board of Commissioners, obtain on behalf of the Port, necessary services from persons or agencies competent in personnel administration.

2.0 APPLICATIONS AND HIRING

2.1 JOB ANNOUNCEMENT

A job announcement will be made for any vacant position within the Port. The announcement shall specify title and salary range of the position, the nature of the duties performed, qualification requirements, the time and place to apply, and may include information regarding the selection process to be used. Job announcements for these positions shall be posted on ~~appropriate bulletin boards~~ the Port website. In addition, advertisements for job openings may be placed in newspapers or other local media, and listed with governmental or private employment agencies. Such advertisements and listings need not contain all the information contained in the job announcement.

2.2 APPLICATIONS

Appointment to positions shall be made through an open process based on merit and fitness. Promotional appointments may be made exclusively from current employees, if deemed appropriate.

Applications for these positions shall be made available in the Port's office. Applications will be accepted only for announced openings, and must be submitted on the Port's application form. Applicants shall provide any supplemental materials required by the Port for these positions within the time period specified.

Applicants for employment shall furnish complete information requested as to education, special training, experience and skills, as well as a chronological list of prior employment, references, and other pertinent information. The Port Manager shall make all appointments to such positions authorized by the Port Commission, except to the position of Port Manager, which appointment shall be made by the Port Commission.

2.3 SELECTION CRITERIA

Selection criteria and procedures for positions will be based solely on job-related knowledge, skills, abilities, experience, education, training, and, when appropriate, prior demonstrated performance, aptitude, and character. Appointments shall be made with the objective of obtaining for the Port the best qualified person or persons available.

2.4 PROBATIONARY PERIOD

The probationary period shall be an integral part of the selection and screening process and shall be utilized by the Port Manager as an opportunity to observe the new employee's work, to train and aid the new employee in adjustment to the employee's new position, and to reject any employee whose work performance is unsatisfactory.

New and rehired employees shall serve a probationary period of ~~six (6)~~ three (3)-months commencing on the first day of employment. For temporary employees hired through an employment agency, time worked at the Port as a temporary employee may count towards, in the Port Manager's sole discretion, fulfilling the required probationary period. Upon promotion, probation is ~~six (6)~~ three (3) months unless otherwise specified in the position or at the time of the promotion opportunity. Any interruption of service during the probationary period shall not be counted as a part of such period.

The Port Manager may extend the duration of the probationary period ~~up to~~ six (6) months if, in the Port Manager's sole discretion, it is determined that such an extension is appropriate. The employment relationship can be terminated by the employee or the Port at any time during the probationary period for any reason. An employee who successfully completes the probationary period will be notified in writing that he or she has become a regular full-time or a regular part-time employee of the Port.

No employee will be deemed a "regular" employee and no longer a probationary employee until the Port Manager has so determined and notified the employee formally in writing.

2.5 FRINGE BENEFIT STATUS DURING PROBATIONARY PERIOD

This section applies only to new employees serving a probationary period. It does not apply to employees who are serving a probationary period as a result of being promoted.

- A. Leave. No leave other than authorized leave without pay or military leave shall be taken by an employee during his probationary period.
- B. Accrual of Leave. Sick leave and vacation leave benefits based upon or earned in connection with time worked shall accumulate during an employee's probationary period. The employee shall not be allowed use of or compensation for such leave or benefits during his probationary period, but is eligible to use these benefits at the end of the period, provided he or she is a Port employee at the time.
- C. Insurance Plans. Probationary employees may enroll in the group health and dental plans available through the Port effective the first of the third calendar month following the date of hiring, provided he or she is a Port employee at that time.
- D. Retirement Program. The Port may provide a retirement program for certain employees. Eligibility and benefits are governed by the terms of the retirement plan, as amended from time to time. Copies of the Plan are available from the Port Manager.

3.0 EMPLOYEE STATUS

3.1 REGULAR FULL-TIME, PART-TIME AND TEMPORARY EMPLOYMENT

- A. Regular Full-Time Employees. An employee who regularly works a minimum of forty (40) hours a week on a continuing basis, who is not a temporary employee, and who has completed the probationary period, is considered a regular full-time employee.
- B. Regular Part-Time Employees. An employee who regularly works less than forty (40) hours a week is considered a regular part-time employee once the probationary period has successfully been completed.
- C. Temporary Employees. Temporary employees are defined as those employees holding jobs of limited duration arising out of special projects, abnormal work loads or emergencies. Temporary employees are ineligible for employer-paid benefits.
- D. Duration of Employment. All employees except temporary employees are hired for an unspecified duration. The Port does not guarantee employment for any specific length of time. Employment is at the mutual consent of the employee and the Port. Accordingly, either the employee or the Port may end the employment relationship at any time.
- E. Anniversary Dates. The anniversary date used to determine vacation, sick leave, eligibility for retirement and other fringe benefits, shall be the first day of the month for an employee hired before the 15th of the month. The anniversary date of an employee hired on or after the 15th shall be the first day of the following month.

3.2 VOLUNTEERS

Volunteers are not employees of the Port. Volunteers receive only those benefits expressly conferred in writing or by law. The service of a volunteer may be discontinued at any time for any reason. Volunteers must abide by all applicable rules, policies and practices of the Port, and are held to the same standard of performance as are regular employees.

4.0 MISCELLANEOUS

4.1 EMPLOYMENT OF RELATIVES

Relatives of employees may be hired by the Port only if the individuals concerned do not work in a direct supervisory relationship. "Relatives" shall be defined to include the same persons who are "immediate family" under the rule providing for leave in the event of a Death in the Immediate Family. Present employees who marry will both be permitted to continue work for the Port only if they do not work in a direct supervisory relationship with one another. Employees will be allowed to accept a demotion to a suitable position, if one is available, to avoid direct supervision by a relative or spouse. If this cannot be accomplished, the least senior employee may be terminated.

4.2 PHYSICAL EXAMINATIONS

Offers of employment by the Port may be made contingent upon an applicant's successful completion of a medical examination, provided that such examinations are uniformly required of successful applicants for the particular position. The Port may require each applicant or finalist or leading applicant to take a pre-employment physical examination, which may include a drug screen. If required, this examination will be provided by the Port at Port expense. In order to assure continued qualification for employment, the Port may periodically request its employees to submit to a medical examination at the Port's expense, which may include blood toxicology and a drug screen.

4.3 DRIVING RECORD

Employees who may be required to drive must possess a valid Oregon driver's license and must comply with any operator's license restriction. All employees who are required to drive on Port business may at any time have their driving record checked by the Port. If the record indicates violations, the employee may be subject to appropriate warnings or action. As a condition of continued employment each employee who operates Port vehicles must maintain a personal driving record which is within the risk criteria established by the Port's insurer or by the Port. The driving records of applicants who are required to drive may be checked prior to being hired as a condition of employment.

Employees who may be required to drive shall notify the Port Manager of any change in license status, and all traffic violations. Failure to report a traffic violation or change in license status to the Port Manager shall be viewed as a violation of Port policy. The Port monitors driving records as a component of risk management, in order to identify needs for driver improvement.

5.0 VOLUNTARY RESIGNATIONS

5.1 WRITTEN LETTER OF RESIGNATION REQUIRED

To voluntarily resign in good standing, an employee must submit a written letter of resignation to the Port Manager allowing at least ten working days advance notice. The Port Manager must give ~~thirty (30)~~ ninety (90) days advance written notice of resignation. Failure to submit a timely written resignation may preclude the individual from future employment opportunities with the Port, and may be noted in any future letters of reference.

6.0 PERSONNEL RECORD

6.1 MAINTENANCE OF FILE

Official personnel records of employees shall be maintained by the Port Manager. The Port Manager shall promptly be notified in writing of any change of name, address, telephone number, marital status, or number of dependents.

6.2 REMOVAL

Documents shall not be removed from a personnel file, except pursuant to a determination by the Port Manager that each particular document is not accurate, or is no longer relevant or timely to any personnel or performance matter. Any document which is removed shall be maintained in a separate file containing all such documents, not indexed under the name of any employee, which shall not be referred to regarding any personnel decision, including selection or promotion or discipline.

6.3 PERSONNEL FILES

Employees may inspect their own personnel files (excluding confidential reports from previous employers and medical records) during regular business hours by submitting a written request to the Port Manager. An employee may receive a copy of such records. The employee will be charged the actual cost of providing this service. Employees may be allowed to include in their personnel files any material which, in the judgment of the Port, is deemed relevant to job qualifications or performance.

6.4 ACCESS TO PERSONNEL FILES--PERSONS OTHER THAN EMPLOYEE

- A. Exemptions to Disclosure. Personnel files are exempt from disclosure under the provisions of ORS 192.502(2) if disclosure would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance. Records of disciplinary actions and materials supporting such actions are exempt from public disclosure. ORS 192.501(13).
- B. Public Interest Requirement. Any person seeking the disclosure of any material contained in an employee's personnel file shall have the burden of showing that the public interest requires the disclosure by clear and convincing evidence.
- C. Case-by-Case Determination. In each case, the Port must determine first whether or not the requested personnel records are subject to public disclosure. This decision shall be made by the Port Commission, Board of Commissioners by Resolution following deliberation in Executive Session, and consideration of the Port Manager's and legal counsel's recommendations.
- D. Limits on Verbal Disclosure. Information regarding an employee's address, telephone number, work history, performance or salary will not be given verbally or over the telephone. Only employment dates and job title may be released verbally.
- E. Release Required for Confidential Information. Requests for verification of employment, salary or other confidential information must be in writing, signed by the employee, authorizing release of the specific information.
- F. Work Reference Requests. Work reference requests, for both present and terminated employees, must be in writing and signed by the employee, authorizing release of information.

6.5 MANAGEMENT REVIEW OF PERSONNEL FILES

- A. Review of Files. Personnel files will be reviewed by the Port Manager as often as deemed appropriate, but not less than every five (5) years for material reflecting caution, warning, admonishment, reprimand and/or suspension, to determine the continued appropriateness of retention.
- B. Removal of File Materials. Materials deemed inappropriate or no longer relevant may be removed from the personnel file and the employee concerned so notified. Criteria which may be used include age of the material, seriousness of the infraction, and instances of repeated or similar infractions.

7.0 PAYROLL, SCHEDULING AND OVERTIME PRACTICES

7.1 WORK WEEK AND WORKING HOURS

The salaries of the Port Manager and all FLSA-exempt administrative employees are intended to cover all hours worked. The normal work week for other regular employees is forty (40) hours, however, this is not a guarantee that any specific amount of work will be made available. All employees are expected to accomplish service priorities in a timely fashion within the normal work week to the greatest extent possible.

7.2 OVERTIME AND COMPENSATORY TIME

- A. Advance Authorization. No employee shall work overtime without the advance authorization of the Port Manager or his designee, except in emergencies when the Port Manager or designee may not be reached.
- B. Compensation. Regular employees, other than the Port Manager or administrative personnel who are exempt from overtime requirements, shall be paid time and a half for any hours worked over forty (40) in a week; provided, however, that if budgeted funds are not available to pay such overtime, and if the employee agrees in advance, overtime may be compensated with paid time off at the rate of one and one-half (1.5) hours for each overtime hour worked.

7.3 SALARY REVIEW

Unless otherwise specified in an employment contract, compensation for the Port Manager shall be reviewed at the end of the probationary period and thereafter upon each annual anniversary date of continuous employment with the Port, or at such more frequent intervals as the Port Commission may determine. Compensation of other employees shall be reviewed by the Port Manager at the end of an employee's probationary period. Regular employees' salaries will thereafter be reviewed after twelve (12) months of continuous employment in the current classification. Wage increases are not automatic. The Port Manager makes salary recommendations to the Board of Commissioners based upon merit.

7.4 REST PERIODS

Employees shall receive one ten (10) minute rest period for every segment of four (4) hours or major part of four (4) hours worked in one work period, in addition to any meal periods which may be allowed. The rest periods shall be scheduled, insofar as is feasible, approximately midway through the segment of work. Rest periods will not be scheduled in connection with a lunch period or at the end of a shift.

7.5 MEAL PERIODS

Employees working six (6) or more hours in a day shall receive a scheduled unpaid meal period of not less than thirty (30) minutes, which shall be scheduled, as near as practical, to the middle of the work shift. No employee shall remain on duty or perform any work-related tasks during meal periods without the express authorization of the Port Manager or his designee.

7.6 PAYDAYS

A. Employees shall be paid on the 1st and 16th days of each month. If the 1st or the 16th day of the month falls on a Saturday or on a holiday which is any day except for Monday, payday shall be on the day preceding any such Saturday or holiday. If the 1st or 16th day of the month falls on a Sunday or a Monday holiday, payday shall be on the first working day following such Sunday or holiday.

B. Employees can request up to two payroll draws in a 365 day period. The amount of the draw shall not exceed 25% of the employee's net pay and is up to the approval of the Port Manager.

7.7 PAYROLL DEDUCTIONS

A. Required Deductions. Federal and state laws require the following deductions:

1. Federal Withholding Tax
2. State Withholding Tax
3. Social Security Taxes (FICA)
4. State Accident Insurance--Employee Surcharge
5. Court-ordered child support payments or garnishments

B. Optional Deductions. Other deductions may be made from the employee's paycheck upon the employee's written request, including, but not limited to:

1. Credit Union participation
2. United Way contributions
3. Insurance Contribution

7.8 TIME RECORDS

Time cards must serve as an accurate record of the time for which each employee is paid wages and overtime. Each employee is expected to record accurately the time spent working on Port business. Personal time spent in Port offices outside regular working hours should not be recorded. All employees shall record all time worked for the Port.

7.9 SEVERANCE PAY

A regular employee shall, at the time of separation from employment with the Port, be paid any earned and unpaid wages then due, any accumulated and unused vacation pay and compensatory time. Such pay shall be paid at the employee's hourly rate at the date of separation. However, if the employee has failed to give at least forty-eight (48) hours advance notice prior to quitting Port employment, severance pay shall be paid within forty-eight (48) hours of the termination excluding weekends and holidays. No probationary employees, other than promotional probationary employees, or employees placed on probation as a result of a disciplinary action, shall be paid for accumulated but unused vacation pay or compensatory time, and no employee shall be paid for accumulated but unused sick leave.

7.10 PARTIAL MONTHLY PAY

In computing the salary amount for personnel working less than a full month, the amount shall be prorated to the full-time rate on the basis of actual work days. Holidays shall be considered as work days for purposes of prorating.

8.0 TRAVEL POLICIES, SUBSISTENCE AND OTHER EXPENSES

8.1 GENERAL

Port employees shall be allowed to travel within and outside of the Port, upon advance authorization of the Port Manager, upon the Port Manager's determination that the proposed travel is in the best interests of the Port or as otherwise required or necessary to fulfill a Port obligation. Preapproval of all travel requests is required to insure that the proposed travel is appropriate to the needs of the Port, and that budgeted funds are available for specific travel requests.

8.2 EXPENSE REIMBURSEMENT

All employees of the Port are expected to use good judgment regarding the expenditure of Port funds for travel expenses. Each employee shall make every effort to keep travel and subsistence expenses to a minimum by using less than first-class travel and lodging, and by sharing lodging facilities and transportation costs with other staff or public agencies whenever possible. No employee shall be reimbursed for personal services or entertainment. The Port Manager shall have the discretion to authorize employees to use a Port credit card to charge properly authorized travel expenses. **Only authorized expenses may be charged on the Port's credit card. Disciplinary action or termination may result from unauthorized charges.**

- A. Mileage. No cash advances for mileage expenses shall be made to any employee of the Port. At the discretion of the Port Manager, Port credit cards may be used to purchase fuel for privately owned vehicles, in which case charges for such fuel shall not exceed and shall be deducted from the mileage reimbursement. The mileage reimbursement rate for privately owned vehicles shall be equivalent to the current State of Oregon Private Car MILEAGE Reimbursement rate.
- B. Other Transportation Costs. The actual costs of transportation by public and/or common carrier including bus, train, airplane or taxi.

- C. Meals. Meals shall be reimbursed at actual cost, up the current State of Oregon Meal Per Diem Rate schedule, unless a higher amount is approved by the Port Manager; provided, however, that the actual costs of conference-required meals shall be reimbursed. There shall be no reimbursement for meals in the Florence area, except for meals required in connection with Port Commission meetings or other meetings required by the Port.
- D. Lodging. The actual cost of lodging for Port business shall be reimbursed up to the State of Oregon Lodging Rate schedule, unless a higher amount is approved by the Port Manager; provided however, that the actual costs of conference-required lodging shall be reimbursed.
- E. Reimbursement. Expense claims shall be itemized on forms provided by the Port, and shall be submitted, with supporting documentation, on or before the first day of the month following the month in which the expense was incurred. Undocumented expenses shall not be reimbursed.

9.0 TIME OFF

9.1 VACATION BENEFITS

Vacation benefits are intended to provide eligible employees with a period of paid rest and relaxation away from work. Accordingly, employees are encouraged to schedule vacations each year, and to use all earned vacation benefits.

If a holiday falls during an employee's scheduled vacation, the employee will receive holiday pay for the day if eligible for such pay, and will not be charged for vacation benefits for the day.

Accrued and unused vacation benefits shall be paid upon termination of Port employment. Vacation credits shall not accrue during any unpaid leave of absence.

The Port provides vacation benefits to its regular part-time and full-time employees. Vacation credits will be posted monthly as follows for employees:

<u>Years of Continuous Service</u>	<u>Monthly Accrual</u>	<u>Yearly Accrual</u>
0 through 5	0.8333 days	10 days
After 5 through 10	1.25 days	15 days
After 10 years	1.67 days	20 days
After 20 years	2.09 days	25 days

Part-time employees will accrue vacation pro rata based on hours worked in relation to full-time.

[Employees can donate unused vacation time to another employee at the discretion of their immediate supervisor.](#)

Maximum Accumulation. Vacation leave may accrue to a maximum of thirty (30) days(240 hrs). Any employee who is about to lose vacation credit because of accrual limitations should notify the Port Manager to prevent loss of such vacation leave.

Scheduling of Vacations. The time at which an employee shall take vacation leave shall be determined by the ~~Port Manager~~ employee's immediate supervisor, with due regard to the employee's wishes and particular regard for the needs of the Port.

9.2 HOLIDAYS

A. All regular, non-probationary employees of the Port shall be entitled to receive a day off with pay on each of the holidays set forth below. Part-time employees shall receive prorated holiday benefits. Probationary employees shall not receive pay for holidays unless such probationary employees are required to work on the holiday. All salaried personnel will not receive holiday pay since being paid for the holiday is included in the salary.

B. The Port observes the following holidays:

New Year's Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday following fourth Thursday in November
Christmas Day	December 25

C. Floating Holiday. In addition to the holidays listed in paragraph B, the Port observes a floating holiday which can be used at the discretion of the employee ~~upon two weeks' notice to the manager and~~ with the manager's approval.

D. Holidays on Weekends. If any holiday listed above falls on a Saturday, the preceding Friday shall be the holiday. If any such holiday fall on a Sunday, the following Monday shall be the holiday.

E. Employees Who Work on Holidays. All regular full-time employees who are required to work on a Holiday shall receive an equal amount of compensatory time off. All regular part-time employees who are required to work on a Holiday shall receive a pro rata amount of compensatory time off.

9.3 SICK LEAVE

A. Notification of Inability to Work. Employees who are unable to report to work due to personal illness shall inform ~~the Port Manager~~ their supervisor of such illness at or before the employee's scheduled starting time. If an employee becomes ill during a work shift, the employee shall contact ~~the Port Manager or the employee's~~ their immediate supervisor prior to leaving work. If ~~the Port Manager or the employee's~~ their immediate supervisor is not available, the employee shall leave a message at the Port office informing the Port Manager of the illness.

B. Use of Sick Leave. Sick ~~leave~~ may be used ~~only~~ for personal illness or, at the discretion of the Port Manager, for the illness of an employee's child, stepchild, spouse, parent, stepparent, grandparent, step-grandparent, or other member of the employee's immediate household. When the Port Manager permits sick leave to be taken to care for such other persons, the Port expects the employee to make other care arrangements as soon as possible, so that the employee may return to work. Sick leave may also be used for health related appointments with a health care professional. Paid sick leave shall not be allowed for illness occurring during an employee's scheduled vacation or during any paid holiday, nor shall the Port pay an employee sick leave for time off from employment which time off is caused by sickness or Injury resulting from outside employment. Sick time is not transferable to another employee.

C. Documentation of Sick Leave. The Port Manager may require evidence of medical necessity for any sick leave which is used. Employees seeking pay for sick leave shall designate when such leave is sick leave on such forms as the Port may provide.

D. Accrual of Sick Leave.

1. Probationary Employees. Probationary employees shall accrue sick leave as set forth in this policy, but no paid sick leave shall be taken during the probationary period.
2. Salaried Employees. Salaried employees shall accrue sick leave on the basis of one (1) working day for each full month of service.
3. Hourly Employees. Hourly employees shall accrue sick leave at the rate of one (1) working day for each one and one-half (1½) months of service. Regular part-time employees who are scheduled to work twenty (20) hours or more per week shall accrue sick leave pro rata based on hours worked in relation to full-time. Temporary employees shall not receive paid sick leave.

9.4 DEATH IN THE IMMEDIATE FAMILY

In addition to regular sick leave, an employee shall be granted up to three (3) days per year leave of absence with full pay in the event of the death of an immediate family member. If additional time is needed it may, with approval of the Port Manager be credited against accrued sick leave. "Immediate family member" is defined as an employee's or employee's spouses child, stepchild, grandchild, spouse, parent, stepparent, grandparent, step-grandparent, brother, sister, brother-in-law, sister-in-law, aunt, uncle, niece, nephew or other member of the employee's immediate household.

9.5 JURY DUTY

If an employee is called for jury duty, the employee shall notify the Port Manager. Arrangements will be made to reassign work and time off will be granted. Employees serving as jurors will pay the Port the payments received for jury duty, except mileage when using a personal vehicle, and will be paid their regular wages. Employees are expected to report for work at the Port when not selected for a jury on any day, or when jury duty requires only a partial day's service.

[Port of Siuslaw Personnel Policies pg. 12](#)

Formatted: Indent: Left: 0", Hanging: 1.5", Tab stops: 0.5", Left + 1", Left

9.6 MATERNITY LEAVE

Disability or illness caused by pregnancy will be treated the same as any other temporary physical condition requiring time off from work.

An expectant mother may continue to work as long as she performs her job satisfactorily, attends work regularly, and is physically able to perform her job. She should leave work when her doctor advises her to do so; and her leave should be coordinated with the Port Manager. Accumulated and unused sick leave may be used for any portion of her leave during which she is unable to work for physical reasons.

9.7 MILITARY LEAVE

An employee who has successfully completed the probationary period and who is a member of the National Guard or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service, shall be entitled, upon application, to a leave of absence from his duties for a period not exceeding fifteen (15) days in any one (1) calendar year. Such leave shall be granted without loss of pay or other leave, and without impairment of merit ratings or other rights or benefits to which he is entitled. Military leave with pay shall be granted only when an employee receives bona fide orders to active or training duty for a temporary period, and shall not be paid if the employee does not return to his position immediately following the expiration of the period for which he was ordered to duty. Leave with pay shall not be granted to employees entering the military service for extended and indefinite periods of active duty.

9.8 UNPAID LEAVE OF ABSENCE

- A. General. Employees who have been continuously employed with the Port for at least one (1) year may request a personal leave of absence without pay for a reasonable period of time up to sixty (60) days. Requests for leaves of absence will be considered on the basis of the employee's length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact of the leave on the Port.
- B. Requests. Requests must be submitted in writing and must be approved by the Port ~~Commission Manager~~. It is the employee's responsibility to report to work at the end of the approved leave. An employee who fails to report to work on the day after the leave expires will be considered to have voluntarily resigned.
- C. Status of Employee Benefits During Personal Leave. The Port will not pay for health or dental insurance premiums during any portion of an unpaid leave of absence unless the leave of absence is health related. Accordingly, the premiums for such coverage are the complete responsibility of the employee. In order to keep the insurance in force, premiums must be paid not later than ten (10) days before such premiums are due. Vacation time and sick leave will not accrue during personal or health related leave of absence.

10.0 MEDICAL AND DENTAL INSURANCE

The Port provides employee medical and dental insurance for employees who are regularly scheduled to work at least thirty (30) hours per week who are not otherwise covered by a medical and/or dental insurance plan. Coverage begins the first enrollment period following the ~~third month-90 day probation period~~ of employment. Information regarding specific benefits is available from the ~~Port Manager~~ Administrative Assistant. The Port reserves the right to terminate insurance coverage at any time, consistent with the requirements of law, or to require employees to pay all or a portion of the premiums to maintain insurance in effect.

11.0 RETIREMENT

The Port may provide a retirement program for certain employees. Benefits are governed by the terms of the retirement plan, as amended from time to time. Copies of the Plan are available from the Port Manager.

Regular full-time employees who meet the requirements specified below shall become eligible to participate on the first of the month after such requirement are met:

- A. Service with the Port for one (1) year.
- B. Attainment of age twenty-one (21).
- C. Total compensation during the most recent tax year of greater than \$1000.

For purposes of administering the retirement plan, the retirement age is fixed at 58 years of age. Changes in employee contributions to the plan by eligible participants shall be permitted once per each calendar quarter.

12.0 SAFETY AND ACCIDENTS

12.1 SAFETY POLICY STATEMENT

Nothing is of greater concern to the Port than the safety of its employees and the public. For the employee's protection, job-related injuries or illnesses must be reported immediately in accordance with this safety policy. The Port Manager is designated as the Port Safety Officer and as such is responsible for the Port Safety Program. The Board of Directors shall receive a safety report from the Manager at the regular monthly meetings and the minutes of the Board of Directors meeting will reflect that a safety report was made by the manager. All hazardous working conditions reported shall be studied and corrected through either the elimination of the hazard or by proper job instruction and adequate supervision. Employees shall be encouraged to submit safety suggestions, and replies to those suggestions should be made promptly. This policy will be reviewed annually by the Board of Commissioners.

12.2 EMPLOYEE RESPONSIBILITY

The Port relies upon a SYSTEM OF RESPONSIBILITY WHEREBY ALL EMPLOYEES ARE RESPONSIBLE for carrying out safety policy, rules, and regulations. Employees are expected to use common sense and good judgment in work habits, to follow safe work practices, and to bring any unsafe condition to the attention of the Port Safety Officer. All employees shall be constantly on alert to observe unsafe working practices or conditions with the aim of immediate correction .

The ability to perform work assignments safely shall be a factor in the selection and retention of employees. All employees shall be required as a condition of their employment to follow all safety practices which are established for the protection of themselves, their fellow employees, and the public. The Port expects that each employee will accept safety as a personal matter and cooperate by developing safe work habits and by reporting hazardous working conditions. The ability to perform work assignments safely shall be a factor in the selection and retention of employees.

For example, employees shall:

1. Use the safety equipment which has been provided for use.
2. Not operate equipment while medication, drugs or alcohol are present in the body without a doctor's written approval.
3. Operate only the equipment on which they have received training.
4. Warn co-workers and management of unsafe conditions or practices. Accept with appreciation the warning of a co-worker or supervisor as an expression of concern for their own well-being.
5. Report dangerous or unsafe conditions observed at work.
6. Refrain from horseplay at all times.

Disciplinary action for violation of this policy may be initiated by the Port Manager in accordance with the general discipline guidelines Section 18.0 of the Personnel Policy. The severity of the action will depend upon the nature of the offense, and may range from verbal counseling to discharge.

12.3 SAFETY PROGRAM

The Port Safety Officer shall initiate and administer a safety program with the minimum requirements:

The primary emergency response providers for First Aid, CPR, and fire emergencies at the Port of Siuslaw shall be 911.

An "Emergency Response Plan" shall be established to supplement the 911 emergency service provider. The plan will provide information on how to best help the 911 operator in expediting the correct services to the correct location. Port personnel will be instructed on the plan, its purpose, and what they are expected to do. This plan will include non-working hour provisions and will be reviewed at least once every six months with all personnel. A copy of the emergency response plan will be placed at points likely to receive emergency notifications.

Employees will be encouraged to have First Aid, CPR and fire extinguisher training to enable them to respond as good Samaritans as needed in emergency situations.

Safety topics shall be discussed at regular Port staff meetings with the Port Safety Officer present. Minutes shall be taken at each meeting. Duties to be fulfilled at each regular staff meeting generally will include the following:

- To review and investigate all accidents including personal injury or death to employees or members of the public, and damage or destruction of property.
- To review letters of complaint to the Port concerning accidents, hazards, pollution, and system reliability.
- To review changes to the list of known Hazardous Chemicals used by the Port employees.
- To review the Port's proposed new construction plans, equipment purchases, and maintenance programs for hazard identification.
- To warn co-workers of unsafe conditions or practices, and propose to the Port Safety Officer safety suggestions, procedures and corrective measures in regard to safety on all commonly encountered hazards inherent in the Port's operations.
- To provide a written summary of safety related items of interest for the Port Manager and Board of Commissioners.

Compliance with safety standards defined by the Oregon Occupational Safety and Health Code (Oregon Administrative Rules, Chapter 437) and all other applicable State and nationally recognized safety requirements, including the Port's general rules as follow shall be assured:

Wear seat belts when operating any vehicles where installed.

Wear clothing appropriate to the work performed and conditions encountered.

Use protective equipment, including personal protective equipment for eyes, face, head and extremities as necessary, and hearing and respiratory protection.

Use personal flotation devices when working onboard Port vessels or facilities over the water.

Keep work area clean. Remove all unused and waste material from public and private property upon completion of work.

Properly dispose of waste materials.

Regularly inspect facilities and equipment to identify and correct hazards.

Report any accident immediately.

There must not be exceptions to any safety rules, except by written permission Management, which will not be granted indiscriminately and which will apply to the specific job only.

This program shall be monitored by the Board of Commissioners to assure effectiveness.

12.3 (a) WRITTEN HAZARD CHEMICAL COMMUNICATION PROGRAM

In order to comply with the Oregon Occupational Health and Safety Code, OAR Chapter 437 Division z.CFR1910.1200(e)(1), Hazard Communication, the following written Hazard Communication Program has been established for the Port. All employees are included in this program. The written program will be available for review by any interested employee.

The Port will meet the requirements of this rule as follows:

Container labeling:

[Port of Siuslaw Personnel Policies pg. 16](#)

The receiving employee will verify that all containers received for use will:

- Be clearly labeled as to the contents.
- Note the appropriate hazard warning.
- List the name and address of the manufacturer.

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

Each employee, before use, will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with a general label which have a block for identity and blocks for the hazard warning.

Material Safety Data Sheets (MSDS)

MSDS's will be available to all employees in their work area for review. Copies of MSDS's for all hazardous chemicals to which employees may be exposed to will be kept in the Port office, Port shop office and Port campground office. If MSDS's are not available for new chemicals in use, employees should immediately contact the Port Safety Officer.

The Port purchasing authority shall specify to vendors that MSDS's are needed. The Port Safety Officer will distribute MSDS's to each MSDS binder along with a revised List of Hazardous Chemicals, and discuss the new MSDS's at regular Port staff meetings.

Employee Training and Information

Prior to starting work, each new employee of the Port will attend a health and safety orientation and will receive information and training on the following:

- An overview of the requirements obtained in the hazard Communication Rules, Division 155.
- Chemicals present in their workplace operations.
- Location and availability of our written hazard program.
- Physical and health effects of the hazardous chemicals.
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area.
- How to lessen or prevent exposure to these hazardous chemicals through usage of control/work practices and personal protective equipment.
- Steps the Port has taken to lessen or prevent exposure to these chemicals.
- Safety emergency procedures to follow if they are exposed to these chemicals.
- How to read labels and review MSDS's to obtain appropriate hazard information.

After attending the orientation, each employee will sign a form to verify that they attended the training, received our written materials, and understand the Port's policies on Hazard Communication.

Prior to a new hazardous chemical being introduced into any section of the Port, each employee will be given information as outlined above. The Port Safety Officer is responsible for ensuring the MSDS's on the new chemicals are available.

List of Hazardous Chemicals

A list of all known Hazardous Chemicals used by employees of the Port will be maintained by the Port Safety Officer and provide to new employees during orientation. Revised lists shall be provided to all

[Port of Siuslaw Personnel Policies pg. 17](#)

employees and discussed as safety topics. Further information on each noted chemical can be obtained by reviewing Material Safety Data Sheets located in the office.

Hazardous Non-Routine Tasks

Periodically, employees may perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee should review with the Port Safety Officer information about hazardous chemicals to which they may be exposed during such activity.

This information should include:

- Specific chemical hazards.
- Protective/safety measures the employee can take.
- Measures the company has taken to lessen the hazards including ventilation, respirators, presence of another employee, and emergency procedures.

Informing Contractors

It is the responsibility of the Port Safety Officer to provide contractors on Port property or facilities with the following information:

- Hazardous chemicals to which they may be exposed to on the job site.
- Precautions the employees may take to lessen the possibility of exposure by usage of appropriate measures.

12.3 (b) BLOOD BORNE PATHOGENS PROGRAM

The Port's employees are not listed as having occupational exposure due to their job classifications. In order to keep a safe work place, universal precautions and infection control methods in which all human blood, bodily fluids and other potentially infectious materials are treated as if they were infectious will be observed at the Port. In addition, Port employees will assume that all employees and citizens are potential carriers of blood-borne disease.

In the event that blood, bodily fluids or potentially infectious materials contaminate the Port's facilities or equipment, the following procedures shall be observed:

- Call 911 and report the event. Follow directions provided by 911 service.
- The area or equipment shall be immediately isolated from any employees, customers or citizens not involved in the cleanup process.
- In the event of exposure to potentially infectious materials that could present a risk of infection, a report shall be made to the Port Manager as soon as possible.
- Employees involved in any cleanup process shall wear, at a minimum, protective rubber gloves and protective eye wear. All cleanup procedures will be conducted in a manner that will minimize splashing, spraying, or spattering of blood, bodily fluids or potentially infectious materials.
- Protective equipment and supplies will be kept at all port locations along with first aid kits.
- Employees exposed to blood, bodily fluids or other potentially infectious materials will immediately wash their hands and any other potentially contaminated skin area with soap and water or waterless hand cleanser. Reusable equipment, such as protective eyewear will be cleaned using a 1:10 bleach solution or removed from service and

replaced by the Port.

An employee rendering good Samaritan medical assistance that may expose the employee to blood, bodily fluids or other potentially infectious materials should take precautions against contamination and report any exposure in accordance with section 12.4.

12.4 COMMUNICABLE DISEASES OF EMPLOYEES AND CITIZENS

This policy addresses employment and citizen relations issues arising from communicable diseases in the workplace. It does not address communicable disease reporting or treatment.

- A. Workplace Contacts. For some diseases, workplace transmission is a real danger. For other diseases (such as AIDS), according to the best medical evidence available, casual workplace contacts among employees and citizens who are infected will not transmit the disease. The nature of each disease will determine the Port's response to infected employees and clients.

The Port recognizes that its employees and the public are entitled to safety. Employees and job applicants who are communicable disease carriers or afflicted with disease symptoms are entitled to compassion and legal protection against unlawful discrimination. Work restrictions will be imposed only when a disease may be spread by an employee at work. Based on these principles, the Port has formulated this policy to:

1. Prevent unlawful discrimination in hiring;
2. Educate employees about the ways communicable disease is, and is not, spread;
3. Designate a contact person to whom concerned employees can go for information;
4. Assure the confidentiality of information about any employee who contracts a communicable disease;
5. Address employment concerns of infected employees;
6. Require medical assessment of employees with potentially dangerous diseases;
7. Assure that the public is accommodated and that risks to health are minimized;
8. Provide for technical assistance on infection control issues;
9. Protect the health of employees through a program of universal precautions for blood-borne diseases;
10. Avoid disruption or interference with Port operations that could result from

unfounded health concerns; and

11. Specify the oversight of communicable disease issues regarding employees.

B. Non-discrimination in Hiring. The Port will not unlawfully discriminate against persons with diseases on the basis of their handicap. The following practices are to be followed:

1. Job applicants are not to be asked whether they have any disease or are infected with a disease agent. They are to be asked if they have any physical or mental impairments (including communicable diseases) which would prevent them from doing the job for which they are applying. If they are impaired, they may be asked what sort of accommodation would reasonably enable them to perform the job. If accommodation is required, its reasonableness will be assessed by management under subsection F, below.
2. Job applicants who disclose that they have a disease or are infected will be asked if they can do the job applied for and whether any sort of accommodation is required. The reasonableness of any requested accommodation will be determined by management under subsection F, below.
3. Any applicant known by the Port to be handicapped but capable of performing the duties of the job sought, with or without reasonable accommodation, will be given the same consideration as other equally qualified applicants.

C. Employee Education. Employees who are educated about the actual medical risks posed by communicable diseases will be safer and more comfortable at work. The Port, in coordination with the Oregon Health Division, will strive to provide the following sources of education about the transmission of diseases:

1. Informational materials designed to answer specific questions;
2. Videotaped and/or live presentations;
3. Confidential access to a designated contact person trained to answer questions or obtain additional information;
4. Training which will include personal preventive techniques such as immunization and good hygiene; and
5. Training regarding hazardous materials which will specifically include information concerning the infectious risks associated with contact with blood and other bodily fluid spills.

Employees are strongly urged to take advantage of these resources.

D. Designated Contact Person. The Port will have a designated contact person who will be trained to address communicable disease concerns. At present this

person is the Port Manager.

- E. Confidentiality. The Port recognizes that an employee's health concerns are confidential. Employees who have been infected with or exposed to a communicable disease may contact the designated contact person confidentially. Medical information will be kept confidential, consistent with legal, medical and management practices. Employees who obtain knowledge that an employee or citizen is a communicable disease carrier or is afflicted with disease symptoms will maintain the confidentiality of such information. Failure to do so may result in discipline.
- F. Employment of Infected Employees. Employees who are infected with a communicable disease or afflicted with disease symptoms may contact the designated contact person for confidential information about the potential impact of their condition on their employment. Upon request, the designated contact person will assist concerned employees in obtaining information about community resources and psychological counseling available to persons with a communicable disease and their families.

Any employee with a known infectious disease for which there is a known risk of transmission to co-workers or the public will be:

1. Given reasonable accommodation within the work organization which does not pose a risk of disease transmission, or
2. If no reasonable accommodation is possible, placed on sick leave, subject to policies on such leaves.

Any employee with a known infectious disease for which there is no known risk of transmission in the workplace shall not be discriminated against in any manner due to the disease. If complications of the employee's illness could be caused by ordinary workplace conditions, reasonable accommodations will be made in job assignment to avoid those complications.

The reasonableness of any proposed accommodation will be determined by management and will take into consideration the health and safety of all employees and the public.

Discrimination against such employees on the basis of their handicap will not be permitted, but no employee shall work in a position which would create a risk of disease transmission to co-workers or the public.

- G. Medical Assessment. If the Port has a reasonable basis to believe that an employee has an infectious disease which may pose a hazard to co-workers or the public, the Port Manager will request a medical assessment from the employee's physician. If in the Port Manager's judgment the medical assessment by the employee's physician does not adequately resolve the issue of hazard, and following consultation with the County Health Officer, the Port Manager may require a second opinion from a physician selected by the Port. Any leave taken under the terms of this section for medical examinations will be an administrative leave with pay. To the extent not covered by the employee's medical insurance, the cost for medical examinations required under this section will be borne by the Port.
- H. Technical Assistance. The County Health Officer will provide technical assistance to the Port Manager regarding medical issues which may arise out of an infectious disease incident. Medical technical assistance will include providing a current list of infectious diseases which are transmissible in the workplace. This listing will be consistent with the rules of the Oregon Health Division.
- I. Infected Citizens. As a public service organization, the Port cannot discriminate against citizens on the basis of handicap. If uniform health precautions are followed rigorously and routinely, then the risks of accidental infection will be minimized. The routine activities of citizens in dealings with the Port pose no measurable risk of blood-borne infection to employees. Discrimination against citizens with or suspected of infection will not be tolerated.
- J. Exposures. In the event of exposure to body fluids under circumstances that could present a risk of infectious exposure, a report shall be made to the Port Manager as soon as possible. If confirmed, the Port Manager may solicit the cooperation of the source person through voluntary testing with informed consent. In order to protect the employee, a baseline test will be made within the week following exposure, and at three month intervals for one year. The Port Manager will insure that the employee involved receives counseling appropriate for the circumstances. All testing will be preceded by informed consent and written authorization.
- K. Universal Health Precautions. As recommended by public health authorities, the Port will adhere to a program of universal precautions for protection against diseases spread by blood or bodily fluids. ("Bodily fluids" refers to fluids that may contain blood or feces; not urine, sweat, saliva or tears.) This means that, for safety purposes, employees will operate on the assumption that all employees and citizens are potential carriers of blood-borne disease. Universal precautions protect against AIDS and many other diseases, such as Hepatitis B. The following general precautions will be followed:
1. Any employee cleaning up a spill of blood or bodily fluids or rendering emergency medical assistance will wear appropriate protective gear (such as latex gloves);

2. An employee rendering medical assistance which may expose the employee to blood or bodily fluids will take precautions against contamination (such as wearing latex gloves while bandaging a bleeding wound, or using a disposable mouth piece for mouth-to-mouth resuscitation). An employee exposed to blood or bodily fluids will scrub with soap and water;
3. Protective equipment for medical emergencies will be provided by the Port and will be located in or near all first-aid kits.

Any additional precautions applicable to specific job functions, as well as any further general precautions, will be conveyed through employee training sessions, educational material, or more specific Port policy.

- L. Business Disruptions Due to Unfounded Health Concerns. If an employee refuses to work with an infected co-worker or serve an infected citizen, and the Port Manager decides that the co-worker or citizen poses no substantial threat to the health of others, continued refusal or a failure to work or other disruption of Port services may result in discipline including discharge. Harassment of known or suspected carriers is expressly prohibited and may result in discipline, including discharge.
- M. Oversight. It will be the responsibility of the Port Manager:
 1. To assure the proper posting of work rules and operational procedures to give each employee advance notice of his or her obligations regarding the provision of services to infected citizens as well as safety procedures.
 2. To assure that safety procedures are in compliance with guidelines issued by the Centers for Disease Control (CDC) or the Oregon Health Division.
 3. To arrange for any specialized training that may be necessary in operational areas in which special risks may exist.
 4. To assure that equipment and materials are available to employees necessary to adhere to required procedures.
 5. To assure that this policy is adhered to.

Complaints concerning any employee's failure to comply with this policy should be brought to the attention of a supervisor. Complaints may be raised by following procedures relating to Harassment or Problem Solving Process.

12.5 WORKERS' COMPENSATION INSURANCE

If an employee is injured on the job, in most cases the injured worker will be entitled to benefits under the state workers' compensation law. The Port carries workers' compensation coverage and will assist employees in obtaining all benefits to which they are legally entitled.

13.0 OUTSIDE WORK POLICY

13.1 OUTSIDE WORK PROHIBITED UNLESS APPROVED

Outside work is prohibited unless approved in advance. "Outside Work" means any work performed by an employee, including self-employment, for which pay is received, whether by salary, wages, or commission, and which work is carried on in addition to Port employment.

13.2 APPLICATION FOR OUTSIDE WORK

An application for approval of outside work, whether part-time, temporary or permanent, shall be submitted by the applying employee to the Port Manager for review and approval. Each change in outside employment shall require separate approval. Approval will be granted for outside work only if:

- A. It is compatible with the employee's Port work.
- B. It in no way detracts from the efficiency of the employee in his Port work.
- C. It in no way conflicts with the interest of the Port and is not a discredit to the Port.
- D. Extra duty hours and work required by the Port will take preference over the employee's outside work.

The Port Manager is prohibited from seeking outside employment without the prior consent of the Port Commission.

14.0 WHAT THE PORT EXPECTS FROM YOU

14.1 TEAMWORK AND EXCELLENCE

This section has been arranged to present a general overview of some of the Port's expectations of its employees. Every employee should keep in mind that each is a part of a team of public employees, and public satisfaction with the Port depends upon excellent service.

14.2 PERSONAL CONDUCT

Positive attitude, proper courtesy, and conduct on and off the job are important to the individual as well as to the Port. Neatness of work performed is also important. All employees are engaged in public relations. Some deal directly with the public; others, while not in direct personal contact, perform work under the public eye. Employees of the Port, regardless of whether their public contacts are direct or indirect, are expected to be courteous, efficient, and helpful in all their work assignments. Favorable impressions created by employees' public behavior help develop good will and support for Port services.

14.3 CODE OF ETHICS FOR PORT EMPLOYEES

- A. Personal Interests Avoided. Port employees may not use Port time, equipment or services for personal interest. Port employees shall not use information or facts that have come to them by virtue of their employment for personal gain or

benefit. In matters of personal interest, employees should conduct themselves so as not to impair their working relationship with other employees, officials, or the public.

- B. Gifts and Gratuities. Employees shall not accept any special favors, gifts, or gratuities resulting from or related to employment with the Port. In this regard, the appearance of impropriety can be as damaging as actual impropriety and shall be avoided.
- C. Special Gifts. The Port Manager may allow acceptance of nonmonetary gifts of nominal value (e.g., under \$50), at holidays or special occasions which are available to be shared by all employees of the Port.

14.4 POLITICAL ACTIVITIES OF PORT EMPLOYEES

- A. Official Position - Campaigning. Employees may not use their official authority or position with the Port to further the cause of any political party or candidate for nomination or election to any political office.
- B. On-Duty Activity. Oregon law forbids any Port employee, while on the job, from soliciting money, influence, service, or any other thing of value. The law also forbids employees while on the job from otherwise aiding and/or promoting any political cause, including the nomination or election of any person to public office.

Nothing in this policy is intended to restrict the political actions or activities of employees outside of their regular working hours.

14.5 COST CONSCIOUSNESS

Every employee of the Port is a citizen and taxpayer and is expected to practice economy in performing all of the employee's duties. Failure to do so is not in the best interests of the Port, and may lead to discipline, and/or discharge, as appropriate.

14.6 ATTENDANCE AND PUNCTUALITY

Each employee's performance on the job is important to the overall success of the Port's operations. When an employee is absent, someone else must do his or her job. Every employee is expected to maintain regular attendance, be on time, and work as scheduled.

In accepting employment with the Port, each employee is required to meet certain standards. Maintaining an acceptable level of job attendance is part of good work performance and is one of the standards by which an employee's overall contribution to the Port may be measured. Continued employment carries with it the personal responsibility of each employee to be on the job on time every scheduled work day. Recurring or excessive absences and/or tardiness are disruptive to work schedules, costly to the Port and its residents, and detrimental to the morale and efforts of employees who maintain a good work record.

Failure to meet these requirements subjects an employee to appropriate disciplinary action, which can include termination. The ability to attend work in a regular and punctual manner is a job requirement of every employee.

14.7 PERSONAL APPEARANCE

[Port of Siuslaw Personnel Policies pg. 25](#)

Each employee is responsible to present a proper, businesslike appearance whether in the office, a Port vehicle, or other work site. Employees working in public areas are required to wear Port issued uniforms while on duty. Good taste and good judgment in personal attire and appearance is expected of all Port employees.

14.8 APPEARANCE OF WORK AREAS

The Port's objective is to provide and maintain clean, safe and healthy work conditions. It is the responsibility of each employee to maintain a safe, neat work area.

14.9 PERSONAL TELEPHONE CALLS

Port landlines and cell phones are to be used for Port purposes during the business day. Telephone calls and texting of a personal nature (incoming or outgoing) should be kept to a minimum, and made during breaks or lunch periods whenever possible. Port issued cell phones should not be used for personal use during off hours. Under no circumstances should an employee charge a long distance call to the Port unless it is work-related. Friends and relatives should be discouraged from calling during working hours except in emergencies.

14.10 SMOKING

For health and safety reasons, the Port discourages smoking. State law prohibits smoking in all workplaces open to the public, including break rooms and all enclosed spaces, regardless of ventilation. Smoking is not permitted within 10 feet of any entrance, exit, window, or air intake vent. Smoking is not permitted in any Port buildings or vehicles, including forklifts or tractors. Designated smoking areas are located behind the port office and on the south side of the maintenance shop area.

14.11 DRUGS AND ALCOHOL

- A. Statement of Concerns. The Port has a responsibility to its employees, and the public to insure safe working conditions for its employees, and a productive Port workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, the Port must preserve a work environment free from the effects of drugs, alcohol, or other performance-impairing substances.
- B. Policy. The misuse of alcohol and other drugs can impair employee performance, as well as physical and mental health, and may jeopardize employee safety as well as the safety of the public which relies on the ability of the Department to respond in emergencies. The Port is committed to maintaining a safe and healthy work place for all employees by identifying the misuse of alcohol and drugs, and by assisting employees to overcome drug or alcohol related problems through appropriate treatment and, if necessary, disciplinary action. Notwithstanding the terms of this policy, each employee is responsible for meeting performance, safety and attendance standards.

The Port has a responsibility pursuant to the Drug Free Workplace Act of 1988. Employees shall not report to work under the influence of any intoxicating liquor or illegal drug. All employees understand that the use, sale, possession,

manufacture, distribution and/or dispensing by an employee of any intoxicating liquor, controlled, or illegal substance, or a drug not medically authorized, or any other substance which impairs job performance or poses a hazard to the safety and welfare of the employee, other employees or the public, is strictly prohibited, except for alcohol off-duty or medically prescribed controlled substances. For purposes of this policy, employees are not considered to be on-duty while participating in meals or social functions in connection with any conferences, seminars or meetings.

Conduct in violation of this policy may result in disciplinary action and/or criminal investigation, where appropriate. Employees should expect this policy to be enforced and administered in a manner consistent with the statements of concern and policy set forth in this section.

All medical and rehabilitation records in the possession of the Port will be deemed confidential "patient" records and may not be disclosed without the prior written consent of the patient, authorizing court order, or otherwise as permitted by Federal law implemented at 42 CFR Part 2.

- C. Reports of Permitted Use. Each employee must report the use of medically authorized drugs or other substances which the employee knows or should know can impair job performance to the immediate supervisor and provide the supervisor proper written medical authorization from a licensed practitioner/physician while using such authorized substances. An employee whose impairment may affect job performance should take sick leave or other steps consistent with the advice of a licensed practitioner/physician. It is the employee's responsibility to determine by asking his or her practitioner or physician whether the prescribed drug or other substance will impair job performance. If an employee reports to work under the influence of prescription medication and endangers himself/herself or others, the employee may be disciplined. Any failure to report the use of such drugs or other substances, or failure to provide evidence of medical authorization, can result in disciplinary action.
- D. Reports of Drug Conviction. No later than five (5) days after any conviction for the violation of any criminal drug statute, the convicted employee shall report the conviction and the facts and circumstances surrounding it in writing to the Port Manager.
- E. Employee Education. The Port will afford employees an opportunity to deal with drug and alcohol related problems. The Port Manager maintains information relating to the hazards of and treatment for drug and alcohol related problems. Any Port employee may seek such advice, information and assistance voluntarily. Medical confidentiality will be maintained, consistent with this policy.
- F. Employee Assistance. Any employee who voluntarily requests assistance in dealing with a personal drug and/or alcohol problem may do so through a private treatment program for drug and alcohol problems. The Port Manager will assist employees who wish to identify and select an appropriate treatment program.

If an employee seeks drug treatment voluntarily and not under adverse employment circumstances, accrued sick leave benefits may be used while attending rehabilitation. After such accommodation the discontinuation of any involvement with alcohol or drugs shall be an essential requisite for continued employment, and is consistent with the Port's policy of maintaining a drug-free workplace.

- G. Discipline Related to Drug or Alcohol Abuse. An employee may be found to use illegal drugs on the basis of any appropriate evidence including, but not limited to:
1. Direct observation;
 2. Evidence obtained from an arrest or criminal conviction;
 3. A verified positive test result; or
 4. An employee's voluntary admission.

As a result of disciplinary action arising from a drug or alcohol problem, an employee may be required to participate in a drug or alcohol treatment program as a condition of continued employment.

A supervisor, based on reasonable suspicion that substance abuse is a factor in employment, may require an employee to be evaluated for drug and alcohol use and treatment. An employee may be required to participate in follow-up care as part of a comprehensive alcohol and drug treatment program based upon medical advice.

An employee may be required to authorize the Port Manager to monitor the employee's treatment and satisfactory participation, and to submit to random blood and urine screening for alcohol and/or drugs for a specified period of time not to exceed 36 months in any situation where treatment is the result of Port intervention. Medical confidentiality will be preserved, subject to rights granted by the employee to the Port to monitor treatment and program compliance.

- H. Drug Testing Upon Reasonable Suspicion. Where a supervisory employee of the Port has a reasonable suspicion that an employee is under the influence of alcohol or drugs while on duty, the employee in question will be asked to submit to discovery testing including urinalysis or a blood screen, or both. If drug use is confirmed, sick leave benefits will not apply if the employee seeks drug treatment, even if treatment is imposed as a condition of return to work or continued employment. Positive test results may only be disclosed to the employee, the Port Manager, the Port Commission, or a court of law or administrative tribunal in any adverse personnel action.
- I. Consequence of a Positive Test. An employee who is found to be under the influence of or impaired by alcohol or illegal drugs as a result of a test requested by the Port based upon reasonable suspicion will be subject to disciplinary action including suspension or termination.

J. Consequence of Refusal to Submit to Testing. An employee who refuses to submit to discovery testing for alcohol or drugs will be subject to suspension or termination, or both. Alleged lack of reasonable suspicion is not grounds to refuse to submit to a test; however, it is reason to challenge discipline if discipline is imposed based on the test result alone.

K. Testing Procedure. When the employee is notified that he or she is required to consent and submit to such tests, he or she may request the presence of a representative to witness the test. The test shall not be delayed unreasonably, however, in order to wait for a representative. The absence of a representative shall not be grounds for the employee to refuse to consent and submit to such tests or searches. The presence of a representative shall not disrupt or interfere with the tests or searches.

The employee shall give consent to a blood, urine or breathalyzer test, or any combination, upon request, by signing a consent form. The form shall contain the following:

1. A signature line for the employee to sign evidencing the employee's consent to the release of the test results to the Port;
2. An explanation of the procedure for confirming an initial positive test result for a controlled substance, including marijuana;
3. A statement of the consequences of a confirmed positive test result for a controlled substance, including marijuana;
4. A statement of the consequences of a confirmed positive test for alcohol;
5. A statement of the consequences of refusing to consent to the blood, urine, breathalyzer or other test.

The employee shall be furnished an opportunity to include on the consent form a list of legally prescribed and over-the-counter medications which may be in the employee's body. The employee shall also be afforded the right to explain a confirmed positive test result for a controlled substance, including marijuana, or a positive test for alcohol.

In the event that the blood or urine test results are positive for controlled substance(s), including marijuana, the Port shall require that a second confirming test from the same sample be conducted, using gas chromatography/mass spectrometry techniques or a qualitative equivalent, which also must be positive before concluding the employee has such substances(s) present in the body.

If a blood or confirmed urine test is positive, the Port will instruct the laboratory to retain the blood or urine sample for a period of not less than thirty (30) calendar days from the date the tests are complete for the purposes of allowing the employee to conduct an independent test at his or her own expense at a laboratory approved by the Port.

The procedures to obtain, handle and store blood and urine samples and to conduct laboratory tests shall be documented to establish procedural integrity and an uncompromised chain of evidence. Such procedures shall be administered with due regard for the employee's privacy and the need to maintain the confidentiality of test results to an extent which is not inconsistent with the policies expressed in this Policy. The employee shall be notified of the results of all tests conducted pursuant to this Policy.

L. Pre-employment Drug Screening

The Port will invite successful applicants who are offered an opportunity to interview the opportunity to consent to a pre-employment drug screen. The applicant will be advised that the presence of one or more drugs may be cause for rejection from further consideration for employment, and that appointment to a position is contingent upon a negative drug test result. The applicant will be asked to authorize the Port to conduct through the Port's designated physician or laboratory testing facility a drug screen test as a requirement of employment.

Applicants shall be directed to an appropriate collection facility. The drug test must be undertaken as soon after notification as possible, and not later than 48 hours after notice to the applicant. Where appropriate, applicants may be reimbursed for reasonable travel expenses.

Applicants shall be advised of the opportunity to submit medical documentation that may support a legitimate use for a specific drug and that such information will be reviewed only by medical consultants to determine whether the individual is lawfully using an otherwise illegal drug.

The Port will decline to extend a final offer of employment to any applicant with a verified positive test result, and such applicant may not reapply to the Port for a period of twelve months. The Port shall inform such applicant that a confirmed presence of an illegal drug in the applicant's urine precludes the Port from hiring the applicant.

M. Definitions

1. Reasonable suspicion is defined as specific articulable observations by a supervisory employee concerning the work performance, appearance (including noticeable odor of an alcoholic beverage), behavior, or speech of the employee. Any accident or incident involving physical injury to any person may be considered to constitute reasonable suspicion for discovery testing for drugs or alcohol where human factors contribute to the incident and a question of sobriety short of reasonable suspicion exists.

Reasonable suspicion testing may be based upon, among other things:

- (a) Observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug;
- (b) A pattern of abnormal conduct or erratic behavior;
- (c) Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking;
- (d) Information provided either by reliable and credible sources or independently corroborated/
- (e) Newly discovered evidence that the employee has tampered with a previous drug test.

Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard.

2. Under the influence is defined as any detectable level of drugs (in excess of trace amounts attributable to secondary exposure) in an employee's blood or urine or any noticeable or perceptible impairment of the employee's mental or physical faculties. With respect to alcohol, a blood alcohol content of .04 percent constitutes being "under the influence" while on duty.
3. Controlled substances are defined as all forms of narcotics, depressants, stimulants, hallucinogens, and cannabis, whose sale, purchase, transfer, use or possession is prohibited or restricted by law.
4. Over-the-counter drugs are those which are generally available without a prescription from a licensed practitioner/physician or dentist and are limited to those drugs which are capable of impairing the judgment of an employee to safely perform his or her duties.
5. Prescription drugs are defined as those drugs which are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.
6. Searches. Employees shall have no expectation to be free from search of a locker, desk or contents of other similar Port-controlled spaces. The search of any area used exclusively by an employee (when directed at or against an employee due to suspicion of a violation of this policy) shall be based on reasonable belief that the employee possesses any controlled substance. Such a search shall be approved by the department head or the department head's designee, and, if possible, notice to the employee and an opportunity to be present shall be given.
7. Refusal. Failure to appear for testing without a deferral will be considered

refusal to participate in testing, and will subject and employee to the range of disciplinary actions, including dismissal, and an applicant to the cancellation of any offer of employment.

14.12 COMMUNICATIONS AND SOFTWARE POLICY

This policy applies to all Port officers, employees, contractors, agents, and volunteers (collectively, "Port Personnel"). Failure to abide by this Communications and Software Policy may result in discipline up to and including termination as described in the Port's Personnel Policies.

Formatted: Indent: Left: 0.5", First line: 0.5"

The following describes the Port of Siuslaw's policy on the use and monitoring of its electronic communication/information systems including computers, electronic mail ("E-mail"), Internet access, voice-mail, facsimiles, copy machines, and any handheld electronic communications device, including but not limited to cellular phones, and wireless Personal Digital Assistants (PDA) such as a BlackBerry, iPhones, iPads, and tablets.

Formatted: Indent: Left: 0.5"

All electronic equipment and all communications and stored information transmitted, received, or contained in the Port's electronic communication/information systems are the property of the Port and, as such, are to be used solely for job-related purposes. The use of the Port's electronic communication/ information systems for non-job related purposes is strictly prohibited, and Port Personnel should not have any expectation of privacy when using these systems or any related equipment. The Port specifically reserves the right to access, review, monitor, and disclose all matters received, disseminated or stored on its systems (including deleted material) at any time and for any reason, and may do so with or without notice.

Formatted: Indent: Left: 0.5"

Port Personnel who use these systems for any non-job related purposes do so at their own risk. The Port may decide reasonable use in its sole discretion. Port Personnel are strictly prohibited from using any of the Port's electronic communication systems to send messages which may be interpreted as harassing, discriminatory, obscene, derogatory or defamatory. The Port's anti-harassment policy fully applies to employees in their use of the Port's electronic communication systems.

Formatted: Indent: Left: 0.5"

Only authorized users may access the Internet on District-owned systems and equipment. The Port's name should not be used in external communication forums such as chat rooms. Port Personnel should not mail, upload, or broadcast any sort of information for personal gain, including but not limited to chain letters, solicitation of and response to employment opportunities, sale of products, and/or searches of non-business related sites or any obscene or offensive material.

Formatted: Indent: Left: 0.5"

To prevent computer viruses from being transmitted through the Port's Internet system, there will be no unauthorized downloading of software. Port Personnel should not upload or download information, data, or software which is copyrighted by a third-party.

Formatted: Indent: Left: 0.5"

All passwords and codes are the property of the Port and do not guarantee any privacy to Port Personnel. Password protection does not prevent access by the Port. Port Personnel shall not use a code, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance by the Port Manager. Information in Port

Formatted: Indent: Left: 0.5"

computers and equipment that is confidential and/or proprietary information cannot be shared with individuals outside of the Port without prior clearance from the Port Manager.

The use of encryption devices or software that has not been authorized by the Port is prohibited.

Any Port Personnel terminating office or employment with the Port is prohibited from taking (in any form) or copying any computer discs, hard copies, or other information stored on the Port's electronic equipment.

To ensure that the use of the Port's electronic communication systems is consistent with the Port's legitimate business interests, and to assure compliance with the Port's policy, the Port specifically reserves the right to access, review, monitor and disclose all components of these systems (including deleted material) at any time and will do so with and without notice.

Port Personnel who violate this policy are subject to disciplinary action, up to and including termination of office or employment. Action or inaction by the Port in response to prior violation(s) of this policy does not constitute a waiver of the Port's right to take appropriate action for any subsequent violation. All violations of this policy should be reported to the Port Manager.

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.5"

15.0 NON-DISCRIMINATION AND HARASSMENT

15.1 EQUAL EMPLOYMENT OPPORTUNITY

It is the Port's policy to employ, retain, promote, discipline, discharge, and otherwise treat all employees and job applicants on the basis of merit, qualifications and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, veteran status or any physical handicap which can be accommodated reasonably.

The Port Manager is the coordinator for the Port's procedures for the implementation of this policy. It is the intent and desire of the Port that equal employment opportunity will be provided in employment, promotions, wages, benefits and all other privileges, terms and conditions of employment.

15.2 HARASSMENT

A. Policy.

1. It is the policy of the Port that harassment on the basis of an employee's race, creed, color, national origin, age, sex, marital status, religious affiliation, or the presence of a physical, sensory, or mental disability, will not be permitted. Prohibited harassment includes comments, slurs, jokes, innuendos, cartoons, pranks, physical harassment, or any similar activities which are derogatory on the basis of the employee's protected class membership or which are promoted by the employee's protected class membership. Harassment also includes any negative actions toward an employee based upon that employee's participation in activities identified with, or promoting the interests of a protected group. Sexual harassment, whether on- or off-duty includes unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome

verbal or physical conduct of a sexual nature. In addition, all such sexual conduct, whether welcome or not, is absolutely prohibited while an employee or volunteer is on duty. No personnel decisions shall be based upon an employee's response to such harassment. The Port regards duty-related harassment as a serious transgression and reason for discipline or discharge.

2. Employees have the right to be free from such harassment, either from co-workers or supervisors while on or off the job. Harassment is prohibited by state and federal anti-discrimination laws where:
 - (a) submission to such conduct is either explicitly or implicitly a term or condition of employment or volunteer status;
 - (b) submission to or rejection of such conduct by an individual is used as the basis for decisions relating to the individual's employment or volunteer status, or
 - (c) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
3. It is the policy of the Port that all employees are prohibited from engaging harassment.

B. Reporting Harassment.

1. Should an issue of harassment be raised, all related matters will be kept confidential to the extent possible throughout the investigation, counseling and disciplinary stages. Any employee receiving notice of harassment shall notify the Port Manager, in writing, who will then direct an investigation and insure that the charge is resolved appropriately.
2. Any employee who feels harassed under this policy or is aware of the harassment of another employee is urged to report this to an immediate supervisor, or the Port Manager. The report may be formal or informal. A formal report shall include a written statement. If the individual believes he or she is being harassed by the Port Manager, is uncomfortable in discussing the matter with the Port Manager, or if the Port Manager is unavailable, the person involved shall notify the chair of the Port Commission. No complainant shall be retaliated against in any way for complaining of harassment.

C. Investigation of Complaints.

1. When the Port Manager or chair of the Port Commission is notified of alleged harassment, he or she will notify Port's legal counsel and will promptly investigate the complaint. The first pre-investigation step shall be to inquire of all persons reporting as to whether the record now includes all allegations of harassment. The investigation will include interviews with the directly-involved parties, and where necessary, any other parties who may have observed the alleged harassment or who

may be similarly situated with the complaining party (such as co-workers who may be able to testify to their experience with the person who is accused of the harassment).

2. The investigator shall cause the person accused of harassment to be advised of the allegations, and afford him or her an opportunity to reply to the allegations orally or in writing. The accused employee shall also be advised that any retaliatory conduct by him or her shall be subject to disciplinary action regardless of the truthfulness of the allegations of harassment. The results of the investigation shall be reduced to writing. A finding shall be made that there is or is not reasonable cause for disciplinary action. Nothing in this section shall limit the authority of the Port to modify its policies or practices to correct any appearance of sexual harassment without finding reasonable cause for disciplinary action or taking any disciplinary action. The report will also include any recommendations to remedy any harm which was suffered if the evidence shows that the employee alleged to have been effected by sexual harassment was injured or harmed.
3. A report which finds reasonable cause for disciplinary action will be maintained in the personnel file of any employee subject to discipline. The employee may place in the employee's personnel file a statement of rebuttal or correction. For the purpose of this section, a former employee may also present such statement.
4. Where a complaint cannot be substantiated, a general warning shall be made to all employees and volunteers regarding the possible ramifications of a substantiated harassment complaint and all employees and volunteers will be asked to review the sexual harassment policy.

15.3 VIOLENCE IN THE WORKPLACE

A. Statement of Concern. The Port recognizes the need for a violence-free work environment for all employees and the public. The Port will not tolerate violence in the workplace and is committed to maintaining an environment clear of all forms of violence, including verbal or physical threats as well as forms of intimidation such as sexual harassment or abusive language.

Employees are expected to report all threats and violence, physical or verbal, to their supervisors.

B. Definitions.

1. Assault – The actual offer to use force with the apparent present ability, if not prevented, to execute that attempt which creates a reasonable fear of imminent peril.
2. Battery – The unlawful touching of another person.
3. Law Enforcement Personnel – Any city police officer, deputy sheriff or member of the Oregon State Police.
4. Perpetrator –
 - (a) An employee inflicting acts or threats of violence on his/herself, or another employee.

(b) A third party engaging in violent acts or threats against his/herself, an employee, or another third party.

(c) An employee inflicting acts or threats of violence on a third party.

5. Third party – Any visitor to a Port workplace, including a former employee.

6. Violent Act – An act by a third party or an employee that may range from verbal physical threats or intimidation to assault or battery.

or

7. Workplace – All property (including parking lots) owned by the Port and any non-Port property where work is being performed by Port employees in an official capacity for the Port.

C. General.

1. In the workplace, an employee witnessing violence directed against another should observe the situation and attempt to get information such as the name and description of the perpetrator, if this can be done without endangering the employee or others.

2. When applicable, the Port and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

3. No employee or third party, excluding law enforcement personnel, is permitted to bring weapons or fire arms into the workplace or onto Port property for any reason.

D. Implementation

1. Managing a Potentially Violent Situation.

(a) Port employees are expected to assist the general public and fellow employees and Port volunteers in a courteous manner

(b) If, for example, a person becomes angry, the employee should get his/her supervisor involved or call for assistance from the Port Manager.

2. A Person Threatening Bodily Harm.

If the employee feels that he or she or another person is threatened, that is, in danger of imminent bodily harm:

(a) The employee should attempt to leave the scene, if this can be done safely.

(b) If the supervisor is unaware of the situation, the employee should notify the supervisor as soon as it can be done safely.

(c) Either the employee or the supervisor may determine if law enforcement should be notified.

(d) The Port Manager shall be notified as soon as possible by the supervisor of the employee who feels threatened, or witnesses, or has knowledge of a violent act.

(e) If law enforcement have not been notified earlier, the Port Manager may decide to call the police or take other actions related to the incident.

3. Reporting Incidents.

(a) The supervisor shall complete an incident report to the Port Manager within 24 hours of a violent act.

(b) For an act involving the threat of bodily injury, the supervisor is responsible in making sure the Port Manager is contacted, as soon as it can be done safely.

(c) Any Port employee having knowledge of a violent act involving any other Port employee or volunteer (as victim or perpetrator) must report it. Disciplinary action may result if an employee with knowledge of a suspected violent act fails to

report the episode. The employee may report the incident to the employee's supervisor or, if the employee prefers, to the Port Manager or the Board President.

(d) The person complaining may request anonymity during all or part of an investigation. However, anonymity will be maintained at the discretion of those investigating and resolving the complaint. There is no right to or guarantee of anonymity in any such case.

4. Resolution and investigation.

- (a) To the extent practicable, investigations and resolutions shall be conducted using the same procedures as contained within the Port's Harassment policy.
- (b) In cases where the perpetrator is not a Port employee or in any other case the Port deems advisable, the Port may request law enforcement personnel to conduct the investigation.

5. Workplace Security.

Improved safety frequently stems from employee suggestions. Such suggestions are encouraged and may be directly raised with supervisors, safety committees, or the Port Manager.

16.0 PERFORMANCE EVALUATION

16.1 EMPLOYEE PERFORMANCE REVIEWS

- A. Purpose - Communication. Employee performance reviews are an essential communication process between the employee and the employer. Such reviews provide information relating to merit, identify areas of training needs, target the strengths and weaknesses of the employee's work performance, and measure the relationship between goals and objectives and the individual employee's job performance. The purpose of evaluations is to let employees know how well they are performing their jobs and whether they have performance problems. It also serves as a basis of personnel decisions, including merit increases, promotions and termination.
- B. Goal. The goal of the employee performance review process is to establish a pattern of expected work performance and habits. The review process gives employees and the Port an opportunity to measure, review and establish goals, reward or acknowledge good performance, create incentives, and to detect and correct improper behavior or activity and/or substandard work performance.
- C. Review Process.
 - 1. Port Manager's Review The Port Commission shall conduct the performance review of the Port Manager. The Port Commission may conduct a performance review of the Port Manager in executive session, unless the Port Manager requests that the evaluation be conducted in open session. If the review is to be conducted in executive session, the standards and criteria for the review, as well as the evaluation form, shall first be adopted in an open session for which proper public notice has

been given and at which the public is given an opportunity to comment on the proposed evaluation standards, criteria and form. The Port Manager's performance review form shall be signed by the chair of the Port Commission.

2. Employee Reviews. The Port Manager shall conduct the performance reviews of all other employees.
 3. Frequency. Performance reviews shall be completed at the end of any probationary period and thereafter at least annually.
 4. Reviews to be Signed. The completed performance review forms shall be signed by the employee and the Port Manager. All performance reviews will be placed in the employee's personnel file. Employees will be provided with a copy of performance reviews.
- D. Pay and Probation Recommendations. A recommendation for a pay increase and/or extension of probation, or passing probation to regular employee status, or termination or demotion shall be set forth in a performance evaluation as appropriate.

17.0 PROBLEM SOLVING PROCESS

17.1 PORT POLICY

The Port strives for fair treatment of all employees, however, misunderstandings and problems may occur in any organization. The Port intends that such matters be resolved as early and fairly as possible. Disagreements relating to work assignment, pay, promotion opportunity or any aspect of the work relationship should be openly discussed with the immediate supervisor. Supervisors and employees should make honest attempts to understand each other's perspective and make every effort to resolve differences.

17.2 STEPS TO SOLUTION

- A. Discussion. The employee should talk with the Port Manager as soon as possible, specifically identifying the matter as a grievance and identifying any rules or policies of the Port that are pertinent to the grievance. The Port Manager shall render an initial decision on the grievance within seven (7) days, unless additional time is needed.
- B. Written Statement. If an employee believes the problem has not been properly resolved the employee can file a written statement concerning the problem with the Port Manager. The written statement shall contain the information required in paragraph A of this section, as well as any additional information which the employee deems pertinent. The Port Manager shall reconsider the initial decision based upon the employee's written statement, and give the employee a written reply by his or her shift officer within ten (10) working days after the written statement is received, unless additional time is needed.

- C. Review. The Port Commission shall review any decision upon request, investigate further if appropriate, and issue a decision. The employee's request for consideration by the Port Commission should be made within ten (10) working days from receipt of the Port Manager's written decision. The employee may present further facts, documents or argument.

18.0 PROGRESSIVE DISCIPLINE

18.1 DISCIPLINE GENERALLY

On-the-job conduct of Port employees affects the ability of the Port to serve its citizens and affects the taxpayer's impression of Port government. Employee safety, productivity and morale are dependent upon employee conduct.

Occasionally it is necessary for supervisors to resort to corrective action when other actions are inappropriate, or where a particular employee fails to respond to informal guidance.

In order to provide a fair method of correction, and when necessary, of disciplining employees, the Port will use progressive discipline procedures when it deems such progressive procedures appropriate.

18.2 DISCIPLINE - GENERAL GUIDELINES

- A. Initiation of Discipline. Discipline may be initiated for many proper reasons, including, but not limited to, violations of work rules, insubordination or poor job performance. The severity of the action generally depends on the nature of the offense and an employee's work record, and may range from verbal counseling to discharge.
- B. Progressive Discipline. Progressive discipline for infractions include:
1. Verbal counseling;
 2. Written counseling or warning;
 3. Temporary reduction in pay in lieu of suspension;
 4. Suspension;
 5. Demotion; and
 6. Discharge.

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. Exceptions or deviations from the normal procedure may occur whenever the Port, in its discretion, deems it appropriate in the circumstances of the particular case.

18.3 APPLICATION OF PROGRESSIVE DISCIPLINE

For performance deficiencies, employees will normally be verbally counseled

once before receiving a written warning. A supervisor may or may not choose to make the imposition of a verbal warning part of the employee's personnel file.

18.4 DISCHARGE PROCEDURE

- A. Pre-Disciplinary Conference. If the Port Manager deems it appropriate, for disciplinary reasons, to reduce pay, suspend without pay, demote, or discharge an employee, the Port Manager shall notify the employee of the nature of the proposed discipline and of the specific reasons that the proposed discipline is being considered. The employee shall be provided with the facts upon which the proposed actions are based. The Port Manager shall afford the employee a formal opportunity to refute the charges orally or in writing. Once the employee has been afforded an opportunity to refute the charges and explain the circumstances, the employee may be suspended without pay. If a pre-discharge conference is to be held, it will be scheduled and held within three (3) work days after notice of the action has been given. The employee will be given adequate time to develop a response and to seek necessary outside assistance if needed. The time limits may be varied by the Port to meet individual needs.

The Port Manager will conduct the conference and decide whether to impose discharge or a lesser degree of discipline. The Port Manager shall advise the employee in writing of the decision, mailed to the employee at the last address which the employee has provided to the Port in writing.

18.5 APPEAL OF DISCIPLINARY ACTION

- A. Right to Appeal from Discipline. Any non-probationary full-time or part-time employee who has been suspended without pay, reduced in pay, demoted or discharged, shall have the right of appeal to the Port Commission or its designee.
- B. Filing of Appeal. The appeal must be filed, in writing, with the Port Manager no later than 15 days after mailing of the Port Manager's written decision to the employee.
- C. Procedure.
1. Upon filing of an appeal, the Port Manager shall inform the Port Commission of the appeal and shall provide the Port Commission, and the employee, with copies of all documents which the Port deems relevant to the appeal, including all documents submitted by the employee, and a written statement of the charges against the employee.
 2. The Port Commission shall determine whether it wishes to hear the appeal or whether it wishes to delegate the matter to an independent hearings officer.
 3. A hearing shall be scheduled and the employee and Port Manager shall be informed of the time, date and place of the hearing. If the hearing is to be conducted by the Port Commission, it shall be scheduled for executive session unless the employee requests that it be held in open session.
 4. At the hearing, the employee shall be entitled to be represented by legal counsel or other representative, present oral and written testimony, call witnesses, and cross-examine any adverse witnesses.

19.0 TRAINING

19.1 GENERAL POLICY

The Port Manager shall encourage and promote training opportunities for all Port employees to the end that services they render to the Port may be made more effective. The Port Manager shall develop training programs designed to meet personnel needs.

19.2 ORIENTATION OF NEW EMPLOYEES

The Port Manager shall familiarize new employees with their obligations and rights and also inform them about the function of Port service.

19.3 TYPES OF TRAINING

For the purposes of administering this policy, three general categories of training are recognized. These categories are:

- A. In-Service Training. This category includes those courses which are initiated by the Port and are aimed primarily at improving the specific abilities of employees in performing of or broadening their general comprehension of Port operations.
- B. Specialized Individual Training. This category includes special training courses which are usually initiated by some other group, but which have special interest directly relating to the work performed by one or more Port employees. This category includes seminars and training sessions held by professional organizations and specialized short courses.
- C. Academic Training. This category involves courses offered by colleges, universities, or the local school districts for academic credit. It includes courses taken to improve on employee's knowledge in a specific area which would improve his performance as an employee with the Port. Correspondence courses may be included in this category.
- D. Approval of Port Commission Required Specialized individual training and academic training must be approved by the Port Commission in advance, if the employee desires to have all or any of the costs of such training reimbursed by the Port.

20.0 APPLICABILITY TO PORT MANAGER

Except where otherwise indicated in this policy manual or in any applicable contract of employment, the policies contained herein shall apply to the Port Manager. Except where otherwise indicated, whenever any policy in this manual requires that a matter be approved or authorized by the Port Manager, or reported to the Port Manager, such matter shall, as it pertains to the Port Manager, be approved, authorized, or reported to the Port Commission.

PERSONNEL POLICY RESOLUTION
PORT OF SIUSLAW

RESOLUTION NO. _____
Relating to Port of Siuslaw
Personnel Policies

WHEREAS, it is in the best interests of the citizens of the Port and the employees of the Port that the personnel policies of the Port be clearly set forth;

The Port Commission has reviewed the revised personnel policies attached to this Resolution; and

The adoption of these personnel policies appears to be in the best interest of the Port and its employees,

NOW, THEREFORE, the Port Commission of the Port of Siuslaw resolves that the policies attached hereto are approved and adopted as the personnel policies for all employees of the Port, and shall be made a part of the Policy and Procedure Manual of the Port, superseding all previously adopted personnel policies or handbooks.

ADOPTED BY PORT COMMISSION THIS ____ DAY OF _____, 19__.

Chair

Secretary

CERTIFICATE

I certify that I have received a copy of the Personnel Policies and Procedures of the Port. I understand that it is my responsibility to read and ask questions if necessary regarding personnel policies. I accept responsibility for understanding and complying with the Port's policies. I understand that my employment can be terminated with or without cause, at any time, at the option of either the Port or myself, subject however only to such restrictions as may appear in the Port Policy and Procedure Manual, as amended periodically. I understand that no one except the Port Manager and the Port Commission, has the authority to enter into any agreement in writing, contrary to the personnel policies and procedures of the Port.

Signature

Date