



EMPLOYEE HANDBOOK

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SECTION 1

WELCOME TO THE PORT

1.1 Welcome

Welcome to the Port of Bremerton team. Whether you are part of our airport, marinas, property and business development, administrative operations, or the support functions that keep things running behind the scenes, you have joined an organization with a significant presence in Kitsap County since 1913.

We are pleased to have you as a member of our organization. It is the intent of the Port Commissioners and senior leadership to maintain a positive and rewarding place in which to work. We are also interested in promoting a work environment that challenges each of our people to bring their best efforts each and every day in the belief that this type of atmosphere promotes self-development and job satisfaction for all.

Our team members represent a wide variety of skills and backgrounds. As a Port, this diversity serves us well because we leverage each person's unique gifts and talents inside a collaborative and energized work environment where we all work toward common goals. We expect this collaboration to be respectful, professional and productive.

Please note our mission and vision statements. These are more than just words on a page and were developed through discussion and involvement of many across the company. They are words we live by and we expect that you too will embrace these concepts in all aspects of your time with the Port.

If I have not already had the opportunity to do so, I look forward to welcoming you in person and look forward to seeing you become part of this passionate, highly engaged team.

Best regards,



Jim Rothlin
Chief Executive Officer

1.2 Mission/Vision/About the Port

Mission

Our mission is to increase the economic opportunity for all of Kitsap County by generating jobs, developing infrastructure and improving local quality of life. We are a regional leader in creating economic and recreational opportunities for our community. We support a sustainable local economy through strategic public investments and stewardship of our natural environment.

Vision

Imagine a community where our people can drive to work, come home to their family, and enjoy a quality of life all within the same area they live. Our community and the Port share a common vision of the future. The Port's role in that future is to build, operate and maintain world-class facilities providing recreation and economic development opportunities for aviation, marine and business. We strive for an abundance of sustainable jobs, a healthy environment, and access to recreational opportunities, which all contribute to the quality of life that is unique to Kitsap County - where quality of life and economic opportunity are in balance.

Company Culture

The backbone of a Company Mission and Vision is the people who make it happen - its employees. It is critical to create an environment in which our employees can thrive and be part of an environment that supports effort, creativity and accountability. This company culture in which we operate, and support must be clearly defined and accurately monitored so that we know it is working.

Imagine

- Teamwork in everything, including decision-making
- Respect for your peers, your leadership, and your Port
- Talents being used to the best of their abilities
- A sense of comfort and empowerment to share thoughts and opinions for improvement.
- Employee ownership in the Port's success
- Freedom to disagree in order to strive for success
- Creative ideas and individual success are celebrated
- Failure can be the pathway to success and being critiqued provides knowledge for improvement
- An expectation for fun
- A good work-life balance

About the Port

Established in 1913, the Port has been making significant contributions to the Kitsap community for more than a century.

We pledge to continue to leverage every tax dollar the Port receives through wise investment in job-generating facilities, infrastructure, and programs, and continue its collaboration with public and private partners in the interest of long-term economic and recreational benefits shared throughout Kitsap County and the West Puget Sound region. Be proud of the organization that has achieved the following:

Business and Industrial Parks –

- More than 60 companies, employing over 2,500 people, are located at the Port of Bremerton. Great efforts are made on a daily basis to expand the number of companies and thereby the job opportunities in the business park.
- Over 3,400 acres of Port and privately-owned land adjacent to Bremerton National Airport are being developed through a partnership called Puget Sound Industrial Center – Bremerton (PSIC-B – formerly known as SKIA).

Bremerton National Airport (KPWT) –

- We are the largest airport on the Kitsap Peninsula. The airport provides world-class general and corporate aviation services and capabilities.
- On and off-site businesses contribute 269 jobs and more than \$83 million annually in sales.
- Nearly 200 aircraft are housed at the airport; they make over 60,000 takeoffs and landings each year.

Bremerton and Port Orchard Marinas –

- Our marinas in Bremerton and Port Orchard attract thousands of visiting boaters every year who then spend their money locally. For every dollar spent at the marina, \$2.50 goes back into the local economy.
- Both marinas also offer local residents long-term dockage for their boats and host a variety of festivals and events attracting many residents and visitors to the downtown areas of Bremerton and Port Orchard.
- The Port of Bremerton provides facilities throughout South Kitsap including waterfront parks in Port Orchard, the Harper Pier recreational facility, the Water Street Boat Launch, and the Chico Boat Launch.

1.3 Handbook Purpose

The Port of Bremerton provides an Employee Handbook (the “Handbook”) for the purposes of assisting employees in understanding our vision, philosophies and work

environment. The Port places the highest value on our employees and their well-being. We strive to cultivate satisfied, productive workers, with the support necessary to achieve the objectives of their positions. It is the Port's hope that the information contained in this Handbook will further these ends.

The Handbook contains general statements for your information and provides only a brief overview of selected information. The policies and guidelines in this Handbook are not promises of specific treatment in specific situations and this Handbook is not an employment contract. Each employee will read this Handbook, sign an acknowledgement, keep the handbook available for future reference (even if electronically), and review/insert updates as provided.

The information in this Handbook replaces and supersedes any previously distributed material or employee handbooks. The policies, benefits, and guidelines may change at any time at the discretion of the Port. Decisions regarding interpretation and application of the policies and practices are also at the discretion of the Port. The Port reserves the right to change any of these plans, policies, procedures, and programs at any time.

These adopted Employee Handbook policies, as well as subsequently adopted provisions, guide the Port's human resource management practices relating to all Port employees unless they are in conflict with a labor management agreement between the Port and the employees, in which case the labor management agreement will apply.

At Will

Employment is at the mutual consent of the employee and the Port of Bremerton. Accordingly, either the Port or the employee can sever the employment relationship at will. In this regard, it is expressly understood that your employment is "at will." Thus, you retain the right to terminate your employment with us at any time for any reason, and we retain a corresponding right to end the employment relationship at any time for any reason. The Handbook does not promise or guarantee any particular benefit or specific action, and nothing contained in this handbook is intended to change the at-will employment relationship or amount to promises of specific treatment; they are simply general statements of company policy. In addition, terms of employment such as title, position, schedule, pay, benefits, job duties, and other terms may be changed with or without cause, and with or without notice.

No manager or other person, other than the Port Chief Executive Officer (CEO), in writing, has the authority to make any commitment to an employee guaranteeing a position or terms of employment at the Port for any particular length of time or to override or grant exceptions to Port policies.

1.4 Authority

The Handbook has been adopted by the Board of Commissioners, Port of Bremerton, under authority granted by R.C.W. 53.18.040, governing the operation of port districts.

The Chief Executive Officer and Port Attorney serve at the pleasure of the Board of Commissioners. The Chief Executive Officer is authorized to hire, counsel, discipline, and discharge all Port employees.

Authority is delegated to the Chief Executive Officer for the day-to-day administration of these policies. The Chief Executive Officer in turn may delegate specific responsibilities and authority for administration of these policies.

SECTION 2 EMPLOYMENT RELATIONSHIP

2.1 Equal Employment Opportunity

We are an equal employment opportunity employer. We will not discriminate, nor tolerate discrimination, against any applicant or employee and commit that every employee has the right to work in surroundings that are free from unlawful discrimination. It is the Port's policy to provide equal employment opportunities to all qualified individuals regardless of race, color, religion, creed, pregnancy, parental status, national origin, marital status, age, sex/gender, sexual orientation (including gender expression and identity), actual or perceived victim of domestic violence, sexual assault or stalking, military or Veteran status, physical or mental disability, genetics/genetic information, family medical information, or any other status protected by law.

2.2 Reasonable Accommodation

If needed, in order for an employee to be able to perform the essential functions of a job, we will provide reasonable accommodation if possible to qualified employees with a known protected disability, for an employee's religious beliefs, or to provide safety measures for victims of domestic violence, sexual assault, or stalking. Accommodations will be made provided they do not cause undue hardship to the Port or cause a direct threat to health and safety as defined by the Americans with Disabilities Act (ADA) or applicable state law.

Although the need for accommodations is determined on a case-by-case basis, generally the Port and the employee will engage in an interactive discussion process, possibly including the employee's healthcare provider(s) if needed, to confirm the

existence of the condition or situation, its limitations in the workplace, and possible reasonable accommodations. The employee has an obligation to cooperate with the Port in this process, including potentially authorizing communication with their healthcare providers. The ADA does not require companies to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items. If you would like to discuss a need for a reasonable accommodation, discuss your situation with your supervisor and/or the HR Consultant.

2.3 Business Ethics and Conduct

The continued success of the Port is dependent upon our community trust, and we are dedicated to preserving that trust. Employees owe a duty to the Port, co-workers, customers, and the general public to act in a way that will merit the continued trust and confidence of these groups. The impressions of the Port depend, to a large degree, upon the manner in which employees interact with the public. Employees are, therefore, expected to serve as ambassadors to the community by openly and actively supporting the Port's goals and business practices. Employees are expected to provide good customer service by communicating and acting in ways that promote customer confidence and good will.

The Port will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. This includes conduct that is likely to be "perceived" as unethical.

Employees will comply with all work-related directives issued by their designated supervisor. Employees will refrain from conduct, language or actions which are offensive toward Port officials, fellow employees, and/or the public. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the Human Resources contact for advice and consultation.

Compliance with professional business ethics and conduct is the responsibility of every Port employee.

2.4 Orientation of New Employees

There is a lot to take in when joining a new organization. Our orientation process is designed to cover items of key importance, create situations to meet co-workers and other people within the Port and help you get off on the right foot. As a new employee, you generally should receive an orientation from your manager during your first week

of employment. The orientation will cover topics such as your department's role in the Port's success, goals, structure, meeting members of the team and going over your job description. It is also a great time to discuss career aspirations and what you hope to achieve while working with us.

In the first few days, you will also get to meet with accounting staff to go over a wide range of topics from payroll to benefits to key policies of the Company. We know it takes a while to adjust to a new place. After a few months you will have the opportunity to meet with our HR consultant to hear more about the Port's culture and values. The orientation time-period is a great opportunity to ask any questions you may have about the Port and learn about the resources and opportunities available to you.

2.5 Probationary Employment Period

The purpose of the probationary employment period is to provide a period during which a new employee's ability to effectively function in a position is evaluated. It is also a time where each employee should focus on the requirements of their position and determine if they are suited for the responsibilities. This probationary period applies to all new employees.

The probationary employment period begins with the date of employment and will continue for six consecutive calendar months.

The Port may consider all or a portion of the time an employee has worked for the Port as a temporary employee as partial or full completion of the probationary period. The Chief Executive Officer is authorized to approve any adjustments to the probationary period.

An employee may either resign or be discharged without notice during the probationary period.

SECTION 3 WORKPLACE PRACTICES

3.1 Employee Classifications

Full-time Regular Employee - An employee who works a full-time normal work week of 40 hours, and whose position is not considered to be of a temporary nature.

Part-time Regular Employee - An employee who works less than the normal 40-hour work week.

Temporary Employee - An appointment made for a limited period of time necessitated by special circumstances.

Probationary Employee - Any employee, either full or part-time, who has not completed the six month probationary employment period.

Non-exempt: An employee whose job duties and/or hourly pay status make them eligible for overtime pay under the Fair Labor Standards Act (FLSA) and corresponding state laws. Overtime pay is paid at time and one half for all hours actually worked in excess of forty hours in a week.

Exempt: An employee whose job duties exclude them from the FLSA and applicable state laws. These positions are typically managerial, professional, outside sales, or certain computer-related positions. Pay is a fixed salary on a bi-weekly basis without eligibility for overtime compensation.

3.2 Personnel Records

The Executive Assistant maintains a separate administrative and confidential file for each employee. The administrative file contains employee records such as position, title, pay, changes in employment status, performance reviews, etc. The confidential file contains reference checks and any other information of a confidential nature. Employee personnel records will be kept confidential and will be accessible only to the employee or his/her designee, his/her immediate supervisor, or other officials authorized by the Chief Executive Officer. All personnel records are available to the Port Commission.

Employee medical and other benefits' records are kept separately from the personnel file, are considered private and will be disclosed only to those with a legitimate business need to know or with the employee's specific, written authorization.

3.3 Attendance, Punctuality, Dependability

Regular attendance, timeliness, dependability, and a commitment to do the job are essential functions of every employee's position. As such, employees are expected to work on all scheduled workdays, during all scheduled work hours, to report to work on time and be focused on the responsibilities of the position.

Absence or late arrival may cause hardship for others; we require you to be especially diligent in this respect. If you will be delayed or are unable to report to work due to illness or any other reason, please personally contact your manager as much in advance as possible but no later than by the time of your scheduled shift the day of the absence. This policy applies to each day of absence. Repeated, unexcused absence or tardiness may lead to action up to and including, termination of

employment. No show/no call situations will result in performance improvement action, up to and including termination. Employees who are absent from work for three consecutive days, without calling in and actually connecting with their supervisor, will be considered to have voluntarily resigned. A text, email or voicemail will not necessarily meet this standard.

3.4 Hours of Work

Work hours for non-exempt employees are set by the Chief Executive Officer to ensure the most efficient operation of the Port and the convenience to the public. Normal non-exempt administrative office hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday. Flexible work schedules must be recommended by the employee's supervisor and approved by the Chief Executive Officer. The schedule must be regular in nature and not change daily. The Port's marina and airport facilities may operate 7 days a week, except for specific holiday schedules. Hours of operation are subject to change.

Since the principal periods of activity for marinas and airports occur during the summer and on weekends and holidays, the supervisors of these facilities are authorized to modify the work schedule and work hours of employees to accommodate the special needs of facility operations. Hours of work may be modified in special circumstances by the Chief Executive Officer, or in his/her absence his/her designee, provided that hours of work per month for employees do not exceed a monthly average of forty (40) hours per week. Employees will be given at least ten days advance notice of any schedule change not associated with a sudden and/or emergency absence or extenuating circumstances.

Breaks and Lunches

Time away from work during the day is beneficial for recharging your energy allowing for more focus and productivity. We hope that everyone builds time in their day for this purpose.

In accordance with state and federal law, employees in non-exempt positions are expected to take one 15-minute break per 4 hours worked. Breaks should be taken on a consistent basis and scheduled for approximately halfway through a four-hour shift of work. This break time is counted as paid time. Break times cannot be moved to other times of day to accommodate for a late arrival, early departure, or extra lunch time.

Lunches for those in non-exempt positions need to be at least 30 minutes in length and are to be scheduled to begin no later than 5 hours after the beginning of the workday. Any non-exempt employee who works more than ten hours in a day is

required to take a second 30-minute unpaid meal period around the middle of the second five-hour period. Time away from work for lunch is unpaid time.

Overtime Pay

Overtime pay is paid in accordance with federal and state law to those in non-exempt positions. It will be paid at the rate of 1.5 times the regular rate of pay for all hours in excess of 40 hours per week, for all employees working in non-exempt positions. Employees required to work on a Port-observed holiday will be paid 2 times the regular rate of pay for the first (8) eight hours and regular pay for any remaining worked hours. Overtime pay is based on actual hours worked. Vacation, sick, or other leave of absence hours, will not be considered hours worked for purposes of calculating overtime. Travel time will be considered hours worked for a call-in circumstance.

As a general policy, overtime work must be kept to the minimum necessary to perform the required work. Authorization for overtime requires prior approval by the supervisor.

Exempt positions require work to be accomplished without regard to hours, which may fluctuate given projects assigned. Employees in exempt positions are not eligible for overtime, however, some compensatory time may be allowed for extra hours worked, with the approval of the Chief Executive Officer.

3.5 Training

To encourage and facilitate training opportunities for all employees, staff development and training requirements will be periodically assessed and, subject to budgetary limitations, professional, technical and vocational training opportunities may be provided to employees at the Port's expense. Full-time employees who have completed at least six months of employment may be granted time with pay for authorized job-related training or educational programs, workshops, and seminars.

If a nonexempt employee's travel time to or from a mandatory event or meeting cuts across their normal work hours, then those hours are also compensable and subject to overtime. This is true regardless of the day of the week. For out-of-town travel, the employee will be compensated for all hours spent travelling regardless of their normal work hours.

Written request for Port approval must be made and approved in advance of course registration. The request will include specifics of the course and how the employee's completion of the course will benefit the Port. Authorization for all training will be at the sole discretion of the Chief Executive Officer. Reimbursement will be made only upon a grade "C" or better. Regular attendance at classes is a requirement for reimbursement.

The Port will pay directly for continuing training and renewal of certifications required by the employee's job description.

3.6 Internal Job Opportunities

Internal job movement can be a win-win for employees and the Port. We encourage you to seek input from your manager about promotional and job opportunities. It is important to make your career objectives known while displaying the competence, enthusiasm, dedication, and growth necessary in your current job. Note that career growth can be accomplished through internal transfers, promotions and training opportunities within your current position.

Job Postings

We strive to post most available positions for all employees to consider. The hiring manager will send a notice of the opening via email to all employees and may post on our website and other external resources. All employees who are considering vacancies in the Port must be in good standing, meet the minimum job requirements and should notify their own manager first. To express formal interest, complete an internal application form and submit an updated resume if appropriate, to the hiring manager within five working days of the announcement.

Promotion/transfers

Job changes must be approved by the Chief Executive Officer and will be based on, at a minimum, the supervisor's recommendation, evaluation of past performance and ability to perform the essential functions of the new job. All potential changes will be handled in a non-discriminatory manner under the Port's Equal Opportunity policy.

Any job transfer to another position will be subject to a 90-day probationary period in which the employer and employee can determine suitability in the new position.

3.7 Personal Relationships in the Workplace

The Port does not allow any employee to hold a position where a consensual romantic relationship or a family relationship could cause a conflict of interest, appearance of favoritism, breach of confidentiality, or disclosure of proprietary information. A supervisor may not exercise supervisory authority over a member of that supervisor's family or over any employee with whom the supervisor maintains a romantic or cohabitation relationship. The Port will not hire family members if the above conditions exist.

We define a "family member" as a spouse, domestic partner, son, daughter, mother, grandmother, father, grandfather, brother, brother-in-law, sister, sister-in-law, son-

in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent or stepchild.

Employees are cautioned that a consensual romantic or cohabitation relationship with a coworker must not interfere with either employee's job performance. If a romantic or cohabitation relationship ends, both employees should be aware of and follow the Port's policy against harassment.

An employee who feels a situation could cause a violation of this personal relationship policy should report the situation to the HR Consultant or CEO. If properly reported, and, to avoid a policy violation, the Port will attempt to reassign the reporting employee to an available position the employee is qualified to perform. In situations where a supervisor's and subordinate's relationship violate this policy, the supervisor, subordinate and the company can mutually agree which person will be reassigned. If reassignment is not possible, the supervisor, coworker and company can mutually agree which person is subject to termination.

Any person who has not reported a relationship or situation that would violate this policy is subject to disciplinary action, up to and including termination of employment.

3.8 Separation from Employment

If you are seeking to leave the Port, we encourage you to provide your manager with two weeks' written notice stating the reason for the resignation and your final work date. Additional time beyond the two weeks is appreciated as it allows time to hire and train a replacement. This is particularly true of retirements and employees in positions of critical responsibilities where significant notice is very helpful. If you do provide at least two weeks of notice, you may be eligible for rehire.

The Port may conduct an exit interview to discuss the reasons for the resignation, and to identify ways to improve our organization. All accrued benefits and wages that are due and payable at the time of termination will be paid in accordance with applicable federal, state, and local law. Any earned but unused vacation leave will be paid out at termination. Depending upon longevity with the Port, part of sick leave balances may be converted to VEBA. Some benefits may be continued at the employee's expense (COBRA) if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

All employees, upon separation from the Port, will be required to turn in Port keys, gate cards, cell phones, etc. and any other Port property prior to receiving his/her full final paycheck which will be paid on the next regular payday.

3.9 Rehire of Former Employees

A full or part-time employee, who voluntarily terminates employment with the Port and is later rehired within six months from the termination date, will retain his or her original anniversary date. Employees who have been laid off may return within one year without a break in service or loss of benefit level and will be immediately eligible for the benefits available under his/her new employment category. If the rehire date is more than six months (or one year for laid-off employees) after the termination date, a new anniversary date will be established based on the date of rehire. The CEO has the authority to amend these rehire requirements in certain circumstances.

SECTION 4 COMPENSATION AND PAYROLL

4.1 Compensation Policies

It is our goal to provide an industry-competitive compensation program to all employees. We do this through various means, which may include compensation survey research and periodic review of all employee compensation.

In our organization, total compensation is comprised of base pay and the comprehensive benefits package we offer. The Port Commissioners will be responsible for establishing the budget for the compensation of the Port employees, including the Chief Executive Officer and the Port Attorney. The Chief Executive Officer will set the salaries of the non-union employees in accordance with the budget. The budget may include compensation for performance considered to be exceptional by surpassing pre-established goals. Union employee compensation is set during the negotiation process. Employees will not be paid at a rate lower than the Federal or State minimum wage, whichever is greater.

Many factors influence pay determination including Port budgetary guidelines, individual and team performance, job responsibilities, experience and skills, as well as assessment of internal and external pay equity. The Chief Executive Officer may review salary and wage levels each year and set salary and wage levels based upon, but not limited to, the following factors:

- Cost of living adjustment.
- Increase or decrease in assigned duties and responsibilities.
- Merit increase recognizing superior performance during the previous year.
- Comparability relative to duties, responsibilities, and authority with similar positions in other organizations with similar size, functions and market area.

In the event of superior contribution or accomplishment by an employee during the year, the Chief Executive Officer may provide a special merit salary or wage increase or a one-time merit award for the individual at the time of the event. The increase must be in accordance with the RCWs (Revised Code of Washington) that allow such action.

4.2 Payroll Administration

Direct Deposit

For security purposes and your convenience, we directly deposit payroll checks into your designated checking and/or savings account(s). You can access your earning statements on-line at any time through Paycom. If you need to change your deposit account, a form is available on Paycom.

Time Records

All non-exempt employees are required to record all hours worked as well as any absences due to illness, vacation or holidays, submitting electronically to their manager for approval. Exempt employees are required to record time taken for any absences due to illness, vacation or holidays and submit it for approval. Both nonexempt and exempt employees may make changes in their records only if changes have been approved by their manager/supervisor.

Altering or falsifying your own, or another employee's electronic time record, is strictly prohibited and is grounds for discipline, up to and including termination of employment. If your electronic time record is not working properly, you must immediately notify your supervisor.

Pay Periods and Pay Days

For payroll and overtime computation purposes, the regular workweek begins at 12:01 AM on Sunday and ends at 12:00 AM on Saturday. The Port reserves the right to change the regular workweek, the normal business hours, or the normal workday with or without prior notice to employees. Employees are paid on a bi-weekly basis with pay days falling on alternate Fridays.

Any employee who is paid for time not worked or otherwise received compensation to which they were not entitled, will have the overpayment deducted from their check the following pay period or additional pay periods as may be authorized. Please advise the Accounting office if you note any issues with your paycheck so it can be corrected as soon as possible.

Commute Time

For non-exempt employees, ordinary commuting time, whether to or from a fixed location or to or from a changing location, is not compensable. An employee is not

deemed to be working until he or she reaches their primary office. Time spent travelling between work sites, to a training event, a client's location is compensable. In the event an employee commutes directly to or from a work site without stopping at their primary office, the time in excess of their regular commute time to or from their office is compensable.

4.3 Personal Expenses

Expenses incurred by employees in the conduct of authorized Port business will be paid in accordance with the Port's current Travel Policy. If you will be making purchases on behalf of the Port or experiencing expenses that will need reimbursing, please see your supervisor for a copy of this policy prior to incurring any expenses.

Expense claims should be submitted at the end of each month. Checks for payment of expenses will normally be approved by the Port Commission at the first meeting of the following month.

SECTION 5 EMPLOYEE BENEFITS

We provide a well-rounded benefits program designed to assist you and your dependents with current and future health and financial security as well as time away from work for recreation or health reasons. The following is a general description of the benefits available. Eligibility for each program varies and is outlined in the sections below. Insurance and retirement benefits are more fully explained in summary plan descriptions provided by the Accounting office. If the information contained in this handbook is inconsistent with the official plan documents, the official documents govern in all cases.

We consider benefits as an important part of your total compensation package and assess how they are meeting the needs of the employees and the Port on a regular basis. We reserve the right to amend, modify or terminate any or all of the provisions of the benefit plans described at any time. If you need further information about any of the following benefits or have questions, contact our Payroll Accountant

5.1 Health Insurance

The Port of Bremerton provides certain group health and welfare coverage such as medical, dental, and vision for all full-time and some part-time, regular employees through a carrier selected by the Port. The Port reserves the right to change group health coverage carriers as needed. The level of coverage and deductible amounts, if any, may be determined by the Chief Executive Officer at any time. For a full description of the coverage provided, access your on-line benefits account.

Premiums for group health coverage for employees and their eligible dependents will be on a cost-sharing basis. Increases in annual premiums over the prior year are currently being split between the Port and the employee, with the Port paying the greater share. Employee contributions are on a pre-tax basis through automatic payroll deduction. The current premium coverage provided by the Port is a significant benefit to all employees and is a considerable amount of each employee's total compensation package.

Part-time regular employees working 20 hours or more will participate in premiums as defined on a pro-rated basis. The employee's share of the premium will be determined by the percentage of time worked compared to full-time employees (e.g., if a part-time employee works 25 hours per week (63% of full-time), then the Port will pay 63% of the Port's medical premium share paid for full-time employees, the employee will pay the remainder of the premium. Any employee working less than twenty hours per week will not be eligible for this benefit.

Dependents added to either medical, dental, vision, or other health benefits are required to carry the same level of coverage as the employee.

A health and welfare committee, for purposes of discussing future healthcare increases and/or changes in coverage, will be made up of a representative from management, administration, and the union.

5.2 Life Insurance Coverage

Life insurance coverage will be provided for each full-time regular employee, and part-time regular employee working twenty (20) hours or more. Dependent coverage is available at employee expense. Employee contributions are by payroll deduction.

5.3 Disability Insurance

All employees are covered under Washington State Industrial Insurance. Contributions to this program are made by both the employee and the Port. Employee contributions are by payroll deduction.

All eligible employees working 30 hours or more per week are entitled to long-term disability benefits selected and paid for by the Port. The benefit waiting period is 90 days. A waiting period is defined as a period of being continuously disabled. No long-term disability benefits are payable for the 90-day waiting period.

5.4 VEBA Savings Account

A Voluntary Employees' Benefit Association (VEBA) account is a tax-free health care savings plan funded entirely by the Port at a certain percentage of gross wages every

payroll period. All employees enrolled in the Port's medical insurance program are eligible and will automatically be enrolled in VEBA.

As soon as a contribution is made to your VEBA account, the money belongs to you and remains yours even if you leave employment at the Port. You pay no taxes on the balance, the interest earned, or on withdrawals and you will receive a debit card for easy access to these funds.

The VEBA account is an excellent vehicle for saving for out-of-pocket healthcare expenses. For example, currently an employee earning \$35,000 a year in wages through the Port in 2021 would accumulate nearly \$1,300 in VEBA savings during a year. This amount accrues from year to year, and you can use the funds in your VEBA account in many ways:

- Out-of-pocket medical/dental/vision expenses until you reach your deductible
- Eligible medical expenses like co-payments, co-insurance, & prescription drugs
- Health insurance premiums for programs like COBRA or Medicare when transitioning between jobs or after retirement
- Health expenses (IRS qualified) that your plan does not cover

While the Port funds your VEBA account every pay period, you can also earn additional contributions to your account through staying healthy and limiting your use of sick leave.

5.5 Employee Assistance Program

The Port realizes that life can get complicated at times and offers all employees and their immediate family members access to an Employee Assistance Program (EAP). With an EAP, you have access to free, confidential resources to help handle life's everyday – and not so everyday – challenges.

- 24/7 phone consultation with licensed mental health professionals and referrals to supportive resources
- Ongoing personal coaching sessions with scheduled telephonic appointments
- Self-assessments for identifying issues with stress, depression or substance use
- Health and wellness articles, guides, webinars, podcasts and calculators
- Online assistance with eldercare, childcare and other family life resources
- Help with teen and adolescent issues, including eating disorders and relationships
- Tips on parenting and grandparenting

Access is available day and night – please see the poster in your breakroom for the most current EAP provider and contact information.

5.6 Retirement Plans

Planning for the day when you no longer have a regular paycheck and are retired is essential. Even those working on a part-time basis should be thinking about the future and taking positive steps to prepare. The Port offers several opportunities to save, and all employees are encouraged to take advantage of these options. Even small amounts will add up over time. Further information regarding these plans is available through the Accounting office.

PERS

All employees working in eligible positions and meeting the minimum hours established by the State Public Employees Retirement System receive retirement coverage from the date of employment as members of the State Public Employee's Retirement System. Under this system, the employee and the Port each contribute toward the cost of the retirement program. Employee contributions are by payroll deduction and are on a pre-tax basis. There are two PERS plans to choose from.

Deferred Compensation

Two deferred compensation plans are offered as an option to Port employees. These plans give employees the opportunity to set aside additional funds for retirement. Contributions to these programs are by employee payroll deduction. No Port contribution is made to these plans.

5.7 Social Security

All employees are covered under the Federal Insurance Contribution Act from the date of employment. Employee contributions are by payroll deduction.

5.8 Paid Holidays

The Port observes eleven paid holidays per year and, in addition, provides one personal holiday for employees to take when they would like for a total of twelve additional days off. All regular employees working 20 hours or more per week are eligible for paid holidays beginning with their date of hire. Holiday pay will be an amount equal to an employee's regular pay multiplied by the number of hours in an employee's typical work shift the day in which a holiday falls. Paid holidays observed at the Port are as follows:

Holiday**Observed**

New Year's Day	January 1st
Martin Luther King, Jr.'s B'day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19th
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Fourth Friday in November
Christmas Day	December 25th
Personal Holiday	

If a legal holiday falls on a Sunday, the following Monday will be the observed holiday. When the holiday falls on Saturday, the preceding Friday will be the observed holiday. Holidays which occur during vacation or paid sick leave will not be charged against the leave. Holiday pay is not available during unpaid leaves of absence.

The holiday schedule for management and administrative employees may be modified as required, provided that employees receive an equivalent number of paid holidays in any given year.

A regular part-time employee will only receive those paid holidays which fall on his/her regularly scheduled workdays, and the holiday pay will consist of only the employee's regularly scheduled work hours for that day.

Personal Holiday

The personal holiday is available to eligible employees who are employed on January 1 of each year and must be taken during the calendar year, or it will be forfeited. The personal holiday will be pro-rated for part-time staff working more than 20 hours per week, and not available to part-time working less than 20 hours per week, probationary or temporary employees. When scheduling your personal holiday, advance notice is required. The use of the personal holiday may not be requested or scheduled to the detriment of any Port operations.

5.9 Vacation

It is important for all of us to have time away from work to refresh, recharge and rest. We provide paid vacation time to all full-time and part-time employees working 20+ hours per week for this purpose and expect employees to take their full vacation earned every year. Taking time off in a block of a week or more increases the benefits of time away – we encourage you to use your vacation in a way that allows at least one full week off per year. All vacation time must be pre-scheduled and pre-approved.

Accrual Rates

During the designated years of continuous employment, each full-time regular employee will receive the vacation accrual amount indicated in the following chart:

<u>Years of Continuous Employment</u>	<u>Monthly Accrual Rate (Hours)</u>	<u>Maximum Annual Hours</u>
0-1	8.0000	96
2-3	9.3333	112
4-5	10.6667	128
6-9	12.0000	144
10-14	13.3333	160
15+	16.6667	200

Part-time regular employee will receive prorated vacation accrual based on the percentage of time worked compared to full-time employees, i.e., an employee working 20 hours per week will earn 50% of the full-time accrual amount at the same seniority level.

Vacation credit is not earned during months when an employee is absent without pay more than three working days, including approved leaves of absence.

Taking vacation time

In a small organization such as ours, communication about scheduling is important. Please discuss vacation plans with your manager as early as possible and get prior approval before formally scheduling, making reservations, purchasing tickets, and definitely before taking time off. Vacation time needs to be requested as far as possible in advance via the payroll system. Desired vacation times will be honored as possible; however, employees should be sensitive to potential conflicts due to projects, other team members' schedules and known peak workloads during the year. Managers may ask you to schedule vacation during another time. In the event of conflicts between leave periods requested by employees, the employee with the greater seniority will be given preference. Vacation cannot be taken in advance of it being earned, must be used in at least one-hour increments and at the discretion of

the employee's supervisor. Accrued vacation may only be used in lieu of sick leave if an employee's sick leave account has been fully utilized.

Rolling over / cashing out unused vacation days

To allow saving for a special event, trip or life experience, vacation days may be accumulated to a maximum of 40 days (320 hours if full-time) or the equivalent of two years' vacation accrued at the applicable monthly accrual rate, whichever is greater. Employees may cash out accrued vacation in full week increments only, and no more than two weeks at any given time, provided they have reached, or will reach in the current month, 40 days accruable hours. Total cash out requests cannot exceed five weeks per year. Vacation cash out will be added to non-union employees' gross earnings for purposes of computing VEBA contribution. Vacation accruals in excess of the maximum accrual amount will be forfeited if not used or cashed out.

Upon termination of employment whether voluntary or otherwise, employees who have successfully completed the required probationary period will be paid for all unused accumulated vacation time earned within the above-stated limitations unless forfeited under the terms in the section, Separation from Employment. Pay for unused vacation will be compensated at the employees' salary or wage rate at termination.

5.10 Sick Leave

We value good attendance, but also realize that illnesses and injuries occur, creating needed time away from the workplace. We therefore provide paid sick leave in accordance with the Washington Paid Sick Leave Law, as income protection during these times. Please use sick leave if you need it to keep our workplace healthy and also save it for unexpected times of illness or injury.

Eligibility

All employees, including those hired on a temporary basis are eligible and begin accruing sick leave on the first day of employment.

Accrual Rates and Carryover

Paid sick leave accruals, balances and time taken will be shown on your electronic pay stub each pay day. The leave year is the calendar year and accrual rates are as follows:

1. Full-time regular employees accrue sick time at the rate of 12 (8 hour) days per calendar year or one day per month. Accrued and unused sick time may be carried over into the next year up to a maximum of 90 days (720 hours).
2. Part-time employees accrue Sick leave benefits only for hours worked during the calendar year. Those scheduled to work between 20-39 hours per week,

will accrue based on actual hours worked up to a maximum of 12 prorated days per year.

3. Temporary employees accrue at the rate of 1 hour for every 40 hours worked including overtime. Should a temporary assignment for some reason be extended beyond a few months, a maximum of 40 hours of accrued but unused time may be carried over to the following calendar year.

Sick leave accrues during any period of paid time whether time worked or under a paid time off benefit such as vacation or sick pay. It does not accrue during unpaid time off or while receiving pay solely from a disability plan (WA State Paid Family Leave).

Taking Paid Sick Leave

You may only use paid sick leave for the number of hours you were scheduled to work on the day(s) of your absence and up to the amount you have accrued. Sick leave taken must be accurately reported on your electronic time sheet within the pay period it occurred. Paid sick leave must be taken in at least ¼ hour increments and may be used for any of the following reasons:

- To care for yourself or your family member with a mental or physical illness, injury or health condition; need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or for preventative medical care. This includes pregnancy, childbirth and caring for a newborn or newly adopted/foster child. For purposes of this policy, family member includes an employee's child (including foster child), parent, spouse, domestic partner, grandparent, grandchild and sibling.
- Domestic violence, harassment, sexual assault or stalking. Time off to address issues arising from these events against you or your family member, including, but not limited to, recovering from injuries sustained, preparing for or participating in any civil or criminal proceeding related to one or all of these events; obtaining, or assisting family members in obtaining, services from domestic violence shelter, rape crisis center or other social services programs; and participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of you or your family members affected by these situations.
- Public health emergency. Closure of our business or of your child's school or place of care by order of a public official for any health-related reason (inclement weather closures not included).

Paid Sick Leave during Leave of Absence

Where applicable under our policy and where permitted by law, employees will be required to use paid sick leave during a leave of absence that would otherwise be

unpaid. When allowed by law, all paid sick leave, federal leaves of absence, and state leaves of absence run concurrently. If you are approved for leave under the federal Family and Medical Leave Act (FMLA), paid sick leave will be taken at the same time as either of these two leaves. Those who apply and are approved to take leave under Washington Paid Family Leave (PFML) may elect to use paid sick leave or not. See section on Washington Paid Family Leave for more information on this type of leave.

Notification and Verification Requirements

When the need for paid sick leave is foreseeable and estimated to be for more than a few days or will be needed on a regular basis for a serious health condition, a leave request form is available through Paycom and must be submitted at least 10 days prior to the start of the leave, or as soon as feasible prior to the leave beginning. The leave request must also state the length of the leave needed, if known.

For paid sick leave that is not foreseeable, you must provide notice of the need as soon as practical (within 2 hours before the start of your workday) and must comply with the normal notification procedures for unscheduled absences for your work location. If you are physically unable to provide timely notice of your need for leave, someone else may provide the initial notice on your behalf. In that case, you are expected to follow up with your supervisor yourself as soon as possible, no later than the end of the workday.

Employee or family member illness, injury, disability, diagnosis, or treatment that leads to more than 3 consecutive days of absence from scheduled work must be confirmed by written documentation if requested by the Port. When paid sick leave is used for 3 or more consecutive days of absence due to domestic violence, reasonable documentation could include a police report, court order, or the employee's written statement.

Reward for good health years

To encourage using sick leave only when needed, full-time employees who use 32 or less hours of sick leave in the calendar year will have eight hours added to the following year's vacation balance. An employee who uses 16 or less hours of sick leave in the calendar year will have 16 hours added to his/her vacation leave balance at the beginning of the following year. Part-time employees' eligibility for this benefit is prorated. For example, an employee working 20 hours a week, or 50% of full-time, who uses 16 hours or less would earn 4 extra hours of vacation. Employees will only qualify for one or the other of the above options in any calendar year.

Sick leave accrued in excess of the maximum 90 days will be added to the employee's VEBA account at the employee's regular hourly rate of pay. This is valid only as long as the Port continues contributions to the VEBA accounts.

An employee who terminates in good standing from the Port will be provided a sick leave cash out payment according to the following years of service schedule:

- less than 5 years of service 0% cash out payment
- at least 5, but less than 10 years 20% cash out payment
- at least 10, but less than 15 years 35% cash out payment
- at least 15, but less than 20 years 50% cash out payment
- 20 or more years of service 75% cash out payment

Years of service must be continuous. Cash out payment will be based on accrued and unused sick leave hours on date of termination. The payment will be based on the employee's regular hourly rate at the time of termination.

Sick Leave Donation

An employee may transfer available sick time to another employee provided:

- An emergency situation exists which has caused the need for sick leave.
- The employee receiving the sick leave does not have sufficient sick and/or vacation leave available for the amount of sick time needed.
- The employee providing the sick leave has a minimum of 80 hours of sick time available after the transfer.

The amount of leave to be transferred will be based on "hours." The dollar value of the leave will be based on each employee's rate of pay. All sick leave transfers must be approved by the Chief Executive Officer.

SECTION 6 LEAVES OF ABSENCE

6.1 General

There may be a time in your employment with the Port that you may need to be away from work for an extended period or may need to be out episodically. You may need to take care of an ill loved one, enjoy the arrival of a child, handle a personal illness or injury, or have other obligations covered by one of our leave policies. The information below will outline the various leave options available, the process and how they impact your pay, benefits and return to work.

In general, leaves of absence can be separated into two types: those that fall under the provisions of the federal Family and Medical Leave Act (FMLA) and/or Washington Paid Family Leave (PFML) and those that do not. The most significant differences between these two types are eligibility, impact on your benefits and return to the same job held prior to your leave. If your leave qualifies in more than one category,

your period of leave will be counted toward your total entitlement in every category that may apply.

We administer all our benefits, including paid and unpaid leaves, in accordance with applicable state and federal laws. Due to the complex nature of leaves of absences, we encourage you to be proactive and discuss your situation as soon as you are aware of it, with your supervisor and/or the HR Consultant.

The following information applies to all types of leaves of absences

Applying for Leave/Approval: Any employee who anticipates being away from the job for a period of more than three (3) working days or requires episodic time off for a certain reason must contact Accounting to determine the need to apply for a Leave of Absence or FMLA/PFML. Instances of approved vacations, schooling and bereavement are exceptions to this. Your supervisor and Accounting approval is required on all Leave of Absence requests.

Extending a Leave of Absence: To apply for an extension, submit your request in writing to the Accounting before your current Leave of Absence expires.

Failure to Return from Leave: If you do not return from your leave as scheduled and an extension of leave is not received, this may be treated as a resignation of your employment. If the Port has paid for your insurance during your leave and you were unable to return (unless through no fault of your own), you may be required to repay the insurance premiums paid on your behalf.

6.2 Family and Medical Leave (FMLA)

It is the Port's policy to grant up to 12 weeks of job protected leave during any twelve-month period to eligible employees in accordance with the federal Family and Medical Leave Act of 1993 (FMLA). While FMLA is unpaid leave, accrued time off benefits may be available as well as PFML benefits if you are eligible. Employees taking leave under this policy will be able to return to the same position or one with equivalent status, pay, benefits and other employment terms, provided their position would not have been eliminated regardless of their leave status. Should an employee fail to return to work at the end of FMLA, his/her employment may be terminated, and any premiums paid by the Port during an unpaid portion of FMLA may be expected to be reimbursed. If the employee fails to return due to circumstances beyond their control, this reimbursement requirement may be waived. Returning to work is defined as returning to active status for at least 30 calendar days.

Eligibility and Benefits

Employees are eligible if they have worked for the Port for at least one year and have worked a minimum of 1,250 hours during the 12-month period prior to the start of the leave. FMLA is available for the following reasons:

- To care for your newborn, newly adopted child, or newly placed foster child;
- To care for a minor child, parent, or spouse, who has a serious health condition;
- To care for your own serious health condition that is, or will, prevent you from performing the duties of your position;
- To handle issues arising out of a qualifying military exigency (determined by the Secretary of Defense) involving the spouse, son, daughter or parent of the employee who is a member of the National Guard or Reserves; or
- To care for a spouse, son/daughter, parent or individual (for whom you are considered the nearest next of kin) who has a serious injury or illness while an active member of the Armed Forces, Reserves or National Guard.

An eligible employee can take up to 12 weeks of leave under this policy during any twelve-month period. The Port will measure the twelve-month period as a rolling period measured backward from the date an employee uses any leave under this policy. Leave availability may be limited by leave taken during the previous 12 months. If a husband and wife both work for the Port and each wish to take leave for a new child, they may only take a combined total of 12 weeks of FMLA leave.

For those taking leave to care for an injured or ill service member, the amount of FMLA available is up to 26 weeks during one single 12-month period.

<i>Helpful FMLA Definitions</i>	
Employee Benefits	All benefits provided or made available to employees by the Port, including group health, life, and long-term disability insurance; vacation; sick leave; educational benefits; and pensions - regardless of whether these benefits are provided by an oral practice or written policy.
Military Exigency Leave	Needs arising out of the fact that the spouse, son, daughter or parent of the employee is in the Reserves or National Guard and has been notified of an impending call/order to active duty. Examples: to arrange for childcare, to see off/welcome home, to attend orientation, deployment or reinter briefings.
Next of Kin	Nearest blood relative of a service member of the armed forces: brothers, sisters, aunts, uncles, grandparents or those who have served in loco parentis as parents.

Parent	The biological parent of an employee, an individual who stood in place of the parent (loco parentis) to that employee, or an employee who has day-to-day responsibility for caring for a child.
Serious Health Condition	An illness, injury, impairment; or physical or mental condition involving inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.
Son or Daughter	A biological, adopted, or foster child; a stepchild; a legal ward; or child of a person standing in the place of a parent who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability. The 18 years of age stipulation does not apply to leave taken to care for an ill or injured service member of Exigency leave.
Spouse	The husband or wife of the employee. This definition does not apply to unmarried domestic partners.

By taking FMLA, you will not lose any sick and vacation benefits that accrued before the start of the leave, and you will continue to accrue these benefits during any portion of your leave that is paid using sick/vacation. Accruals cease during unpaid portions of leave even if receiving payments through PFML.

The Port will maintain its contributions to your insurance premiums while you are on the leave. You will be required to continue your share of the premiums for yourself and your dependents, if applicable. Optional benefits may be continued during the leave. You will need to arrange in advance self-payment of these benefits if on an unpaid leave; payroll deduction may continue if using vacation or sick time to pay yourself for the leave time.

Pay During Leave

If you have accrued paid leave time available, you may use the applicable paid leave first and take the remainder of the leave time, if any, as unpaid time off. Sick leave can only be taken for FMLA reasons that are also covered by the Sick Leave policy. You may also be eligible for Paid Family Leave (PFML) which runs concurrently with FMLA where applicable. If the leave is for a serious health condition and qualifies under the sick leave policy, sick leave should be used first, followed by vacation hours. Sick leave and vacation time payments are based on the employee's regularly scheduled work week at the time of the leave and may not exceed the number of hours accrued. Any holidays falling during unpaid portions of your leave or time that is covered by PFML, will not be paid. Your personal holiday cannot be taken during FMLA leave.

If you are eligible for FMLA, disability leave for an eligible employee's serious health condition, including workers' compensation leave (if it qualifies) and PFML, will be designated as FMLA leave and will run concurrently with FMLA leave.

Those taking FMLA while also receiving Worker's Compensation or PFML may not be required to use accrued sick or vacation pay.

Employees taking FMLA may apply for long-term disability payments if the necessary eligibility requirements are met. Contact Accounting for full details.

Intermittent Leave or Reduced Work Schedule

FMLA leave may be taken in 12 consecutive weeks, intermittently or under certain circumstances may be used to reduce the work week or workday. In all cases, the leave may not exceed a total of 12 work weeks over a 12-month period unless taken to care of an ill or injured service member. A work week is defined as the time the employee is normally scheduled to work in the period Sunday to Saturday. Any time taken away from the Port under FMLA by both exempt and non-exempt employees must be reported on Paycom.

Those using FMLA on an intermittent basis will continue to accrue vacation and sick benefits as usual. If significant portions of intermittent leave are taken unpaid, we may begin prorating sick and vacation accrual rates as well as the use of the personal holiday.

Certification of a Serious Health Condition

If you are taking leave for reasons of serious health condition (whether it is yours or that of a family member), we require a written certification from a health care provider. Failure to provide such certification may result in a denial of continuation of leave.

Procedure for Applying for FMLA

If you anticipate needing to take FMLA, you must give 30 days' verbal notice, which includes an explanation of the reason for the needed leave as well as time frame, to your immediate supervisor and Accounting. If it is not possible to give the 30 days' notice, you must give as much notice as practicable. If the leave is foreseeable, a written request for leave will be required.

An employee who is to undergo planned medical treatment (including doctor appointments) is required to make a reasonable effort to schedule the treatment in order to minimize disruptions to the Port's operations. While on leave, employees are requested to report periodically to their supervisor regarding the status of the medical condition and their intent to return to work.

If on leave for your own serious health condition, you must provide a doctor's certificate of your ability to return to work, with any limitations that are applicable, at the time you return from leave.

It is the Port's legal responsibility to designate an employee's time away as FMLA protected or not. Therefore, the employee must contact Accounting if a possible FMLA situation arises. Employees may not waive FMLA protection.

6.3 Washington Paid Family Leave (PFML)

Paid Family and Medical Leave is a mandatory statewide insurance program that provides almost every Washington employee, regardless of the size of their employer, with paid time off to give or receive care in certain circumstances.

Employees in Washington State who qualify may take up to 12 weeks of leave to:

- Welcome a child into their family (through birth, adoption or foster placement)
- Care for themselves if they experience a serious illness or injury
- Care for a seriously ill or injured relative
- Prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment.

Multiple events in a year may allow for up to 16 weeks of leave, and up to 18 weeks if you experience a serious health condition during pregnancy that results in incapacity. If you are eligible for PFML and FMLA, leave time taken under each of these programs run concurrently.

Payment of premiums

PFML is an insurance program funded by premiums paid by both employees and employers. Premium collection started on Jan. 1, 2019, at a rate of 0.4 percent of wages which the Port began withholding from paychecks and sending to the Employment Security Department on a quarterly basis.

Eligibility and Process

Employees who have worked 820 hours in the qualifying period can apply to take PFML. The 820 hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work in the state of WA over the course of the year counts toward the 820 hours, including part-time, seasonal and temporary work.

While the program is administered by the state Employment Security Department (ESD), notification of your need for leave time must follow the regular internal procedures for taking a leave of absence as outlined at the beginning of the Leave section above. Advanced notice of 30 days is required for anticipated need for leave, such as childbirth, and as soon as practical for all leaves. Once you alert your

supervisor and Accounting, you will need to file your claim on-line with the Employment Security Department (ESD). Your weekly payments will come from ESD, and it is expected that you provide a copy of statements received to Accounting. You can learn more or apply on-line by visiting www.paidleave.wa.gov/workers.

Benefits of PFML

While on leave, you are entitled to partial wage replacement paid by the state. The benefit is generally up to 90 percent of your weekly wage, with a minimum of \$100 per week and a maximum of \$1,000 per week. To make up the difference between what you receive under PFML and your regular paycheck, you may elect to use accrued vacation and/or sick time within the guidelines of Port policy. To ensure your choice does not negatively impact your PFML payment, be sure to coordinate with Accounting. In accordance with the Port vacation and sick leave policy, accrual of these benefits only continues if either of these benefits is used to pay yourself during family leave. Holiday pay is not available during periods of PFML.

Employees who return from leave under this law may be restored to a same or equivalent job if the leave also qualifies under the Federal Family and Medical Leave Act (FMLA). You can keep your health insurance while on leave by continuing to pay your portion of the premium cost.

6.4 Leave for Pregnancy Disability and Parental Leave

Washington's pregnancy disability leave entitlement is provided for under the Washington Law Against Discrimination (WLAD). Under this law, you may request a disability leave for the period of time your physician considers you disabled from pregnancy/childbirth--typically six weeks. An employee disabled due to pregnancy or childbirth is entitled to leave under Washington's pregnancy disability leave law for the entire period of disability. FMLA runs concurrently with the disability period to the extent it applies, and the employee is qualified. The employee may also qualify for medical leave under PFML during the disability period if and may still qualify for family leave to bond with the baby after recovering from the birth and is no longer considered disabled, depending on the specific circumstances.

Additional Parental Leave

Employees may also be entitled to up to an additional 12 workweeks of unpaid leave following the period of disability associated with pregnancy and childbirth under applicable state law. To qualify for this leave, the employee must have been employed by the Port for 12 months and worked 1,250 hours in the 12 months preceding the leave. The leave must be taken within 12 months of the birth of the child. This leave also may run concurrent with leave under the Family and Medical Leave Act but does not run concurrent with any leave for disability associated with pregnancy and childbirth. Employees must use any accrued paid leave during any

leave under this policy. Issues of benefit eligibility and return-to-work rights will be governed by applicable laws.

Port Provided Maternity/Paternity Leave and Pay

Regular employees are eligible for up to five days with pay for purposes of bonding with their newborn. For part-time employees, the paid days will be prorated to their normal work schedule. This leave will run in conjunction with the Family Medical Leave and/or Paid Family and Medical Leave and must be taken within the first six months of the birth of the child. Those requesting this leave payment should indicate it on their electronic time record.

6.5 Washington Crime Victim Leave

Reasonable leave time will be provided for employees who are victims of domestic violence, sexual assault or stalking. This same leave provision is also available to family members of a victim for the following reasons:

- To seek legal or law enforcement assistance to ensure the health and safety of the employee or an employee's family member.
- To seek medical treatment for or to recover from, physical or mental injuries.
- To obtain, or assist a family member in obtaining, counseling from a licensed mental health professional related to an experience of domestic violence, sexual assault or stalking.
- To obtain services from a victim services provider.
- To participate in safety planning or relocation to ensure the health and safety of the employee or the employee's family member.

Employees must notify their supervisor as far in advance as possible of a need for leave, discuss the approximate length and provide copies of scheduling notices upon request. If advance notice cannot be given due to an emergency or unforeseeable circumstance, employees must notify no later than the end of the first day leave is taken. Documentation such as a police report, a copy of a protective order or other evidence from the court or documentation from an attorney, law enforcement officer, health care professional, mental health professional, member of the clergy or victim services provider may also be provided to substantiate a request for this type of leave.

Family members include child, spouse, registered domestic partner, parent, parent-in-law, registered domestic partner's parent, grandparent or person the employee is dating. While leave is without pay, accrued vacation and sick leave (if the situation warrants it), must be utilized. This type of leave may run concurrently with other types of leave as appropriate.

6.6 Military Leave of Absence

Employees who are ordered to or volunteer for military training or active duty in the Armed Forces of the United States, the National Guard, the United States Coast Guard, or the Public Health Service may take a leave of absence for the length of the service. Employees should provide the Port with a copy of their written orders requiring attendance. The Port will comply with all provisions of the Uniformed Services Employment and Re-employment Rights Act (USERRA) of 1994.

The Port will continue to provide all insurance benefits during this 90-day period, and the employee's out-of-pocket portion of such benefits, if any, will continue to be a withheld deduction from pay. In the event the employee portion of the benefits cannot be deducted from a paycheck, it will be the employee's responsibility to ensure timely payments are made to the Port. Employees must also self-pay to maintain all other group insurance and voluntary benefits during this leave. Notify your supervisor if your required duty exceeds 90 days. Additional time away from work may be considered.

The employee may be eligible for re-employment, provided he or she returns to work within the time frame outlined by the Act following discharge from their military assignment.

Military Spouse Leave

Any employee who works more than 20 hours per week and whose spouse or same gendered domestic partner is deployed or about to be deployed or is on leave from deployment in a military conflict declared by Congress or the President is entitled to up to fifteen (15) days of leave of absence per deployment. The leave is unpaid except that the employee may use his/her vacation, sick leave or other paid time off at the same time. An employee wishing to take this leave must notify his/her supervisor within five business days of receiving official notice that the spouse is being deployed or will be on leave from deployment and complete a Leave of Absence Request Form. Employees taking leave under this policy will be able to return to the same position or one with equivalent status, pay, benefits and other employment terms, provided their position would not have been eliminated regardless of their leave status.

6.7 Jury Duty/Witness

The Port considers jury and witness duty a civic responsibility and will not discriminate against any employee who is summoned to serve.

Jury Duty

All full-time and part-time (pro-rated for part-time) employees with at least 90 days of service who are summoned by the court to serve on a jury are eligible for up to 30 days of paid jury duty pay per calendar year. Your supervisor should be notified of your jury summons and if jury duty is to exceed one week, may authorize an extension or initiate a leave of absence on your behalf if circumstances warrant it.

- Jury duty pay is the difference between the employee's regular wage and the compensation received as a juror for each working day missed for service over one week or more.
- The employee is required to give their supervisor as much notice as possible and provide a copy of the jury/witness duty notice.
- When your jury is not in session, report for work as usual.
- If your jury duty service would make it difficult for us to serve our customers or meet our commitments, the Port may ask that you be excused.

Witness Duty

You must promptly inform your supervisor if you are subpoenaed to appear as a witness in legal proceedings during work hours. The time off will be unpaid; accrued vacation may be used. If we subpoena you to appear on the Port's behalf at a legal proceeding, the time will be counted as hours worked.

6.8 Personal Leave of Absence

If you need to be away from the Port and your time away would not be covered by any other leaves available or if you have exhausted all other leave options, you may apply for a Personal Leave of Absence using the Leave of Absence Request Form available on Paycom. The request for Personal Leave will be evaluated based on your work record, your department's staffing needs, and your reason for requesting the leave. The circumstances determine the length of the leave, but a Personal Leave of Absence typically may not exceed 30 days. If the employee has worked for the Port for at least two years, the period can be extended at the Port's discretion to a maximum of 90 days. This extended time away is for extraordinary circumstances.

Pay and Insurance During Personal Leave

Accrued vacation earned by the start of a Personal Leave must be utilized and depending upon the reason for leave, sick leave benefits, if the leave is for an illness qualifying under our sick leave policy, must be utilized as well. If applicable, accrued sick leave must be utilized first followed by all earned vacation time. Leave for pregnancy is the exception as an employee taking personal leave for this reason may choose to use accrued sick leave or not. Once all paid leave options have been exhausted, the leave will become unpaid.

In cases where the Personal Leave is for a medical reason and you have paid sick and/or vacation time available, your insurance benefits will continue as they did prior to the leave. In cases where the leave is for a medical reason and is unpaid, or is for a non-medical reason, insurance benefits will cease during the leave; however, COBRA continuation is available. Vacation and sick benefits continue to accrue only during any portion of paid personal leave.

Status Following Personal Leave

It will be the responsibility of the employee on Personal Leave of Absence to notify their supervisor and Accounting in writing of their intent to return to work within the last 15 days of the approved Leave of Absence.

The employee's position at the time of leave will, if possible, be held open at the discretion of the immediate supervisor. If for reasons of business necessity, the Port has to fill the position during the leave, the employee may be considered for other positions at the time of their availability. If there are no positions available, the employee will be considered resigned, but may be eligible for re-hire consideration. Employees on Personal Leave who fail to return to work at the agreed upon day will have considered to have resigned.

6.9 Bereavement Leave

To assist employees through the difficult time of bereavement, up to three days of paid leave may be allowed for a death in the family. An additional two days may be granted for a maximum of five days when travel out of state is required to attend the funeral. Family is defined as grandparent, parent, stepparent, spouse, brother, sister, child, stepchild, grandchild, or the in-law equivalent of parent, brother or sister.

SECTION 7 WORKPLACE POLICIES

7.1 Open-Door Policy

Misunderstandings or conflicts can arise in any organization. To ensure effective working relationships, it is important that such matters be resolved before serious problems develop. Some incidents will resolve themselves naturally and we also encourage you to make attempts to resolve issues with each other as that often has the most ideal outcome. However, if a situation persists that you believe is detrimental to you or to the Port, we encourage bringing the matter to your supervisor first, and then secondly, at your option, to the department director, the Human Resource contact, or any member of management with whom you feel comfortable discussing the matter. These individuals will endeavor to work out a

satisfactory solution to the problem. We are an open-door organization; any questions, problems, concerns and suggestions are always welcome.

7.2 Safety and Workers' Compensation

We are committed to providing and maintaining a safe and healthy work environment. All employees deserve a safe work environment and the Port's best efforts to prevent accidents.

Safety is everyone's responsibility; from the CEO and senior management, to front line managers, and every employee in the company, whether on the docks, the tarmac, on the road or jobsite, or in the office. Always put your safety and the safety of co-workers and the public first.

Due to the nature of our industry, it is imperative that you know and practice proper safety procedures. Different positions within the organization have varied level of safety risk and all employees are expected to understand the requirements of their specific position. You are expected to utilize equipment and materials according to instructions, focusing on accident prevention

A poor attitude toward safety will result in unacceptable risks and accidents, and may lead to discipline, up to and including termination of employment.

Report any accidents or unsafe conditions to your Manager/Supervisor and the immediately. As soon as practical, but no later than 24 hours following a workplace accident (including one with a company vehicle), an employee must complete an Incident Report. The Incident Report must be signed by your Manager/Supervisor. Incident Report forms may be found on PayCom.

7.3 Emergencies

The Chief Executive Officer may excuse employees from duty with normal pay in emergency situations. Example of emergencies would include disasters such as fires or floods, or other natural phenomena which prevents employees from working or reporting to work.

Employees who are scheduled, prior to the declaration of an emergency, to take a vacation day, personal holiday, sick day or other scheduled day off should the office be declared closed will have time off charged to the leave allotment as originally scheduled.

If an emergency occurs which requires only one of the Port's locations to be closed, every effort will be made to reassign those employees affected to a temporary location for the remainder of the workday. If reassignment is not practical, the CEO will determine if it is in the best interest of the employees to leave the worksite for the remainder of the day.

7.4 Inclement Weather

The Port acts to ensure the safety of its customers and its employees during inclement weather. All decisions to open late, remain closed or close early will be made by the CEO in conjunction with other Port management staff. Decisions will generally rely on actual observed conditions rather than predictions.

If the Port remains closed for an entire day due to weather, all staff scheduled to work that day will be paid for the number of hours they were scheduled to work. If the Port opens as scheduled but later sends employees not required to work in inclement weather home, those who came in and worked until the official closure will be paid for the remainder of their shift.

We understand that everyone may not be able to travel to work during inclement weather even if the Port is open. Please use your best judgement in assessing the risk of coming to work and returning home based on individual circumstances. Commuting to and from the employee's workplace in inclement weather is the responsibility of the employee. In the event an employee is going to be absent due to severe inclement weather, the employee should provide proper notification of the absence in accordance with Port policy. Non-exempt employees who chose not to come in for any or all the hours the Port is officially open have the options to charge the absence to the following accrued leave accounts:

- Unused personal holiday account
- Accrued vacation leave
- Accrued compensatory time previously approved by the CEO
- New approved compensatory time worked within the same pay period if it does not result in overtime.

If an employee does not have a positive balance of a personal holiday, vacation or compensatory time, the employee will receive time off without pay for the period of time absent due to inclement weather.

If the employee comes in to work, up to two hours late due to inclement weather they are only required to charge one half of their late time to the above leave accounts.

Should the CEO declare the offices closed before normal working hours, employees will be notified by their department Director by way of calls to employee's homes / cell phones. It is the employee's responsibility to keep Port Administration informed of current personal contact information. Each Director should have a copy of his/her department's notification procedure on file with Human Resources and will be responsible for keeping the policy up to date. Each Director will also be responsible

for distributing the procedure to all employees in the department and for notifying them of any changes.

Should an employee be required to perform an essential function service during hours which have been excused by the Chief Executive Officer, that employee will be paid his/her regular hours and will be allowed compensatory time at a later date for actual worked hours. Compensatory hours must be used within 90 days from the day earned. If an employee is called in to perform essential services and is paid other than straight time, no compensatory time will be granted.

For the purposes of this policy, employees are considered "essential" when they are required by the CEO or Director to be at their workplace during hours when other employees might be excused by the CEO as referenced above.

Examples of essential services include but are not limited to: Runway snow plowing and Payroll processing

Any other essential services must be approved in advance by the Chief Executive Officer.

7.5 Employee Conduct and Discipline

All Port employees are expected to represent the Port to the public in a professional manner which is courteous, efficient, helpful, civil, and respectful, always operating under our core values. Each employee must take personal responsibility to ensure that his or her conduct and performance meet these expectations. Service and courtesy are key expectations of the Port.

In any public statement or actions made as an individual employee, he/she should at all times be accurate, exercise proper restraint, and show respect for the opinions of others.

Examples of expected conduct include:

- Showing respect and courtesy towards customers, the public, and fellow employees.
- Acting with integrity.
- Providing orderly and cost-efficient services to the Port, tenants, customers, as well as the public.
- Adherence to the Port's policies, procedures, and safety rules.
- Compliance with direction from supervisors.
- Accepting responsibility for one's own actions, learning, growth, and development.

- Preserving and protecting the Port's equipment, grounds, facilities, and resources.
- Providing timely, honest, professional, and complete communications.
- Maintaining a clean and neat appearance appropriate to their work assignment, as determined by their position.
- Working with other employees in a cooperative, supportive, and helpful relationship.
- Being accountable to the public, each other and the organization.

In cases of employee misconduct, an employee may be subject to discipline, suspension, or dismissal for any actions listed below. The examples of misconduct listed below should not be construed as all-inclusive. The Port retains the right to discipline and discharge employees for misconduct not specified on this list.

- Abusiveness toward a fellow employee, supervisor, or citizen.
- Failure to efficiently execute job functions.
- Insubordination.
- Lack of teamwork with other employees.
- Violation of Port policies, regulations, or rules.
- Appearing to be under the influence of alcohol or any drug or mood-altering substance, including marijuana.
- Abuse of prescribed drugs on the job.
- Unauthorized absence.
- Unauthorized use, possession, removal, neglect or willful damage to any Port property, equipment or materials.
- Malicious or careless acts which may result in personal injury, property damage or expense.
- Falsification of Port records or reports, including records of time worked.
- Repeated absence or tardiness for any reason.
- Conviction of a felony or misdemeanor involving theft or immorality.
- Accepting gifts, fees, or other valuable items in the performance of duties for the Port, except as provided in this policy.
- Unauthorized distribution of literature or solicitation of customers or employees on Port premises.

Should circumstances require more severe disciplinary action, the Chief Executive Officer should be advised of the circumstances through the employee's supervisor. The Chief Executive Officer is responsible for actions related to suspension and termination of employees.

7.6 Employee Appearance and Attire

The Port is a significant part of the Kitsap County business and recreation community. Our reputation is important to our future success. Employees should dress in a manner that makes positive contributions to the Port and its image.

Employees are expected to dress in a manner appropriate to their position and convey a professional appearance. Certain employees may be required to meet special dress standards, such as wearing uniforms, depending on the nature of their job. On Fridays, employees are allowed to dress in a more casual fashion than is normally required with jeans being acceptable; however, employees are still expected to present a neat appearance and are not permitted to wear inappropriate attire. Inappropriate attire is defined, but not limited to thongs/flip-flops, halter tops, shorts, midriff tops, T-shirts with potentially offensive slogans or pictures, see-through or mesh clothing, and ripped, ragged, or dirty clothing. Body piercings, while not prohibited, must be conservative and tasteful. Tattoos on the head, neck or hands are strongly discouraged.

7.7 Political Activity

Solicitation for or payment to any political organization and the solicitation of any funds for political purpose on Port property is prohibited. Nothing in this Section prohibits an employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives and issues of similar character, and for political offices.

Port employees have the right to vote (and are encouraged to do so) and express their opinion on all political subjects and candidates, hold any political party office, or participate in the management of a candidate's political campaign. However, an employee of the Port must not hold a public office or participate in the management of a partisan political campaign or political organization when the holding of such office or participation is incompatible with, or substantially interferes with, the discharge of official duties while in Port employment.

Any political discussion in the workplace should be approached carefully and respectfully.

7.8 Outside Employment

An employee must not engage in employment other than their Port job if such employment interferes with the efficient performance of their Port job, constitutes a conflict of interest, or would result in a poor public image for the Port. Any outside employment must be acknowledged to the individual's supervisor to determine if the additional employment would be in conflict with the Port position.

7.9 Acceptance of Rewards, Favors, Gifts, etc.

No reward, favor, benefit, gift, or other form of remuneration in addition to regular compensation should be accepted by an employee for the performance or non-performance from any vendor, contractor, individual, firm, or from any other source having or proposed to have an interest in, or a relationship, with the Port.

7.10 Confidentiality of Business Information

Employees, consultants, and volunteers of the Port of Bremerton may receive and have access to confidential information regarding its taxpayers, clients and other employees and officials. They are obligated to keep this information confidential. Other information is also considered confidential, such as attorney-client privileged communications, information used in negotiating land acquisitions or purchases, and other information exempt from the public disclosure laws. Employees, consultants and volunteers who have access to confidential information must safeguard this information and protect it from misuse or further dissemination. Employees, consultants and volunteers are prohibited from copying or distributing confidential information without appropriate authorization. This obligation exists during employment, or an employment contract and it continues indefinitely after employment or the employment contract with the Port ends.

Employees, consultants, and volunteers who violate this Policy, and the trust and standard of accountability that is expected shall be subject to appropriate disciplinary action, up to termination, and appropriate legal action.

7.11 Workplace Violence, Harassment, Bullying, & Retaliation Prohibition

It is the intent of the Port to provide its employees with a safe and healthy working environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate acts of violence, harassment or bullying is expected of all employees.

The safety of the Port's employees and the public is the Port's paramount concern when dealing with issues of violence or threatened violence in the workplace. Acts of violence, threats, harassment, bullying, aggressive behavior and intimidation will not be tolerated. This includes verbal or physical threats. This also includes communications through electronic means or through a third party. The Port will thoroughly investigate any allegation and threats of (or actual) violence and of suspicious individuals or activities made against any Port worker regardless of his/her identity or position to the extent appropriate. A safe and civil environment is necessary for employees to achieve the high standards we expect.

It is the Port's policy to maintain a safe and comfortable work environment for everyone, including at Port sponsored events, free from harassment based on race, religion/creed, pregnancy, national origin, marital status, age, sex/gender, sexual orientation (including gender expression and identity), military or veteran status, physical or mental disability, genetics/genetic information, family medical information or any other basis prohibited under applicable federal, state, or local law. Employees who violate this policy are subject to discipline, up to and including termination of employment.

Examples of prohibited conduct include, but are not limited to, derogatory or vulgar comments, sexually suggestive language, unwanted or unwelcome jokes, pictures, stories, unwelcome solicitations of a sexual nature, or intimidation.

If the Port determines that violence, harassment, bullying, or retaliation have occurred, disciplinary action up to and including termination will be promptly taken.

Any supervisor who has knowledge of the discriminatory behavior and who fails to take action to eliminate the behavior, will be subject to corrective action.

All employees are required to notify their supervisor if they have any questions, concerns or complaints related to this policy. Additionally, co-workers are instructed to report inappropriate behavior to their supervisor even if not personally offended by the improper conduct.

Finally, direct communication with the harasser, informing him or her of the nature of the conduct that is deemed offensive, may be a good first step at resolving unwanted harassment, bullying, or hostile work environment. If the unwanted behavior persists, or if you are not comfortable addressing the situation directly with the perpetrator, you are required to notify your supervisor, or any supervisor, the HR contact or the Chief Executive Officer immediately. No one will be retaliated against, in any way, for reporting harassment or bullying. If anyone experiences or observes retaliation, they are instructed to immediately notify their supervisor or the Chief Executive Officer immediately. If the Chief Executive Officer is alleged to have engaged in harassment, bullying or retaliation, you are encouraged to notify one of the commissioners for the Port. They can be reached through the contact information on the Port phone list.

7.12 No Smoking Policy

It has been medically documented that tobacco smoke and tobacco products can endanger the health of smokers and non-smokers; further, smoking interferes with productivity and results in increased long-term facility maintenance costs.

Pursuant to RCW 70.160, Smoking in Public Places, no Port employee is allowed to smoke within a Port-owned building, or a vehicle used by and open to the public, including any area located within 25 feet of entrances, exits, windows that open, and ventilation intakes that serve an enclosed public place at any time.

There will be no use of any form of tobacco products in any Port vehicles or while transporting another Port employee in a personal vehicle during Port-authorized business. Additionally, employees cannot interact with any customer, tenant, contractor, or member of the public at any time while representing the Port in an official capacity while using tobacco products.

Employees may use tobacco products during break times only in designated smoking areas, provided that no smoking occurs within 25 feet of a public place. All materials used for smoking, including cigarettes, matches, or oral tobacco use materials, will be disposed of in appropriate containers. Supervisors will ensure periodic cleanup of any designated smoking areas. If the designated smoking area is not properly maintained, these areas may be eliminated at the discretion of management.

The Port will help employees who want to quit tobacco use by helping them access recommended cessation programs and materials.

7.13 Drug-Free Workplace

It is the policy of the Port of Bremerton to maintain a drug-free workplace. Unlawful manufacture, cultivation, distribution, dispensing, possession, or use of a controlled substance as defined in RCW Chapter 69.50, THE UNIFORM CONTROLLED SUBSTANCES ACT, or intoxicant is prohibited in the workplace. The workplace is defined as the employees' assigned location(s) for carrying out responsibilities of his/her position, which include all locations over which the employer has right of access or control, or where the employee is required to be during his/her workday.

An employee who appears to be under the influence of alcohol or any drug or mood-altering substance, including marijuana (Resolution No. 2016-06, Initiative 502), that could cause observable symptoms of possible impairment, will immediately be escorted to a Port-selected facility for drug testing. If the test is positive for any detectable amount of illegal drugs, the employee will face discipline up to and including termination.

This policy does not apply to persons taking prescription drugs and narcotics as directed by a physician or dentist, provided use does not endanger the employee or others. It is the employee's responsibility to check with his/her healthcare provider as to whether a prescription or over-the-counter drug will impair performance and to notify his/her supervisor of the impairment and the period of time the medication will be used.

In addition to the requirements of this policy, any Port of Bremerton personnel performing security activities regulated by the Federal Aviation Administration (FAA) and Transportation Security Administration (TSA) at Bremerton National Airport will be required to abide by the current FAA approved drug testing program and anti-drug policy procedures.

It will be a condition of employment that each Port employee will:

- Abide by the terms of this policy; and
- Notify the Chief Executive Officer of any criminal drug statute conviction against him/her no later than five (5) days after the date of such conviction.

Employees with substance abuse problems are encouraged to seek assistance from a substance abuse professional or program. Information regarding such professionals or programs can be obtained from the Chief Executive Officer.

Employees may be disciplined, up to and including termination, for violation of any of the prohibitions listed above. Additionally, the Port may require successful completion of a Port-approved substance abuse rehabilitation program prior to return to work.

Any Port employee may be subject to drug testing in the case of reasonable suspicion. Additionally, nothing in this policy should be construed as limiting the Port of Bremerton's right or responsibility to test employees for the use of controlled substances and/or intoxicants.

Employees holding safety sensitive positions who test positive for the use of drugs and illegal substances must be removed from their position and are subject to discipline up to and including termination.

Definition of "safety sensitive positions" include positions requiring a commercial driver's license (CDL), maintenance and operations positions involving the operation of heavy equipment, use of power equipment including, but not limited to, saws, drills, sanders, nail guns, lawn mowers, and weed whackers, and any positions requiring operation of vehicles or equipment on the airport or in-water in the marina.

7.14 Firearms and Other Weapons

It is the intent of the Port of Bremerton Commission that all Port of Bremerton facilities provide a safe environment for its employees to work and its customers to do business.

The Port recognizes that employees may possess a permit to carry concealed firearms on their person. However, concealed and non-concealed firearms or other weapons are prohibited from being carried on the employee's person while on Port property,

in a Port vehicle, or at a Port worksite. Management reserves the right to search the premises or Port vehicles for weapons at any time.

Any breach of this policy will be considered grounds for disciplinary action up to and including termination.

This section does not apply to Port owned firearms and other pyrotechnical devices transported in Port vehicles and used in conjunction with approved wildlife mitigation plans and operations on Port owned property.

7.15 Telephone and Cell Phone Use

This policy applies to all Port of Bremerton employees, contractors, and other users of Port supported or owned telephone systems and to all personnel who provide for the use, operation, maintenance and support of those systems.

Overview

Port telecommunications equipment is provided to employees for the purpose of conducting Port business. It is recognized that employees may occasionally need to conduct personal business during normal working hours. The Port's telecommunication equipment may be used on a limited basis to conduct personal business so long as:

The activity does not cause an additional cost to the Port for telecommunication systems the Port owns or services it purchases; and

The activity conforms with all other Port policies related to conduct by an employee; and

The activity does not affect the employee's job performance; and

The activity does not promote discrimination as defined in this Handbook, harassment in any form, copyright infringement, promotes an employee's personal political beliefs, or any unlawful activity.

Cellular Telephone Authorization

An employee who is provided a cell phone by the Port will be expected to follow this policy. All current or future State and Local laws regarding the use of cell phones in vehicles must be obeyed.

Department directors are responsible for the authorization of all cell phones and other wireless devices issued to employees within their department.

Port Issuance of Cell Phone

The Port may supply a cell phone when such issuance is a benefit to the Port and will not be construed as a privilege or benefit. Use of a Port cell phone may be of convenience to the employee or elected official, but convenience alone will not determine usage.

Cell phones issued to an employee or elected official will remain the property of the Port. Should such property become damaged, lost, or stolen due to the negligence of the employee or elected official, such property will be replaced or repaired at the employee or elected official's own expense. Obligation to replace or repair will not include "normal wear and tear". In order to receive a Port issued cell phone, the employee must agree to the terms of, and sign, the Port's Property Agreement form.

Safety

Respectful and safe use of cellular phones, tablets and other devices while doing business on behalf of the Port is required. Exercise discretion regarding the appropriate time and place to utilize your device, as inappropriate use can be considered rude and distracting for others as well as unsafe in certain settings, such as while driving.

The Port requires that employees abide by and observe laws and, additionally, use caution and exercise good judgment while driving for business reasons. Employees are expected to drive in a safe and lawful manner at all times. Business-related cell phone use while driving is discouraged and should only be considered when a hands-free device is used, and the use does not otherwise interfere with safety. Using the cellphone in any manner that is not hands free while driving is a violation of the law and is strictly prohibited. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Violation of this policy may result in discipline, up to and including, termination.

7.16 Computer, Electronic Mail, and Internet

This policy applies to all Port employees, contractors, and other users of Port supported or owned computer systems and to all personnel who provide for the use, operation, maintenance, and support of those systems.

The policy statements that follow fall into five categories: overview, allowed and non-allowed uses, privacy, security, and monitoring/access.

Overview

Access to computers, the internet, and e-mail is a Port resource and, as such, is subject to the existing policies dealing with the appropriate and ethical use of Port resources.

When utilizing a computer, accessing the internet, or using e-mail, Port employees are representing the Port, and therefore, all rules of conduct, which apply in the workplace also apply. These resources are provided to assist in performing official duties.

When utilizing a computer system provided by the Port, the following guidelines apply:

- The network servers and individual workstations are protected by anti-spy ware and firewalls. To protect against downloading viruses, spy ware and placing the network at a significant security risk, users must contact the authorized computer official with any warnings or alerts generated on all downloaded files. If in doubt about the safety of a file or its source, please forward it to the properly authorized computer official (without opening it).
- The Port provides Instant Messaging (IM) service (currently ShoreTel Communicator) that must be used to communicate non-essential communications as defined by the Washington State Public Disclosure Act and users are not to participate in instant messaging for personal purposes.
- To protect against downloading viruses, spy ware and placing the network at a significant security risk, users will not download software (software includes games, wallpapers, special icons or any other non-work related items) onto their computers from the internet or load software from any other source onto their computer. If software is needed to perform job duties, the employee should contact the properly authorized computer official to obtain it.
- Users will not alter the hardware configuration of their computer in any way. This includes, but is not limited to, opening the case to remove or alter memory, hard drives, cards, etc. If something is wrong with a computer, a properly authorized computer official should be contacted and employees should not attempt the fix the problem.
- E-mail messages must be professional in content. The content and tone of the message reflects the Port of Bremerton. Employees must use Port e-mail systems to conduct Port business, except in the limited instances defined below.

Allowed & Non-Allowed Uses

Allowed Uses:

- All work-related ordinary and necessary business uses.
- Subscription to job-related mailing lists.
- Notice of social and public service events to employees and others.

- Workplace gatherings such as lunches, birthdays, receptions, etc.
- Port-wide notifications which are used for communicating good will among employees (holiday greetings, congratulatory messages, etc.).
- Personal correspondence with spouse, family, or friends if it is of reasonable duration and frequency and is made during personal time (such as after-work hours or lunchtime) AND complies with all statements set forth by this policy. Such use must be limited to a very small percentage of an employee's overall use.
- Incidental personal internet use (like social media), if it is of minimal duration and frequency, is made during personal time (such as lunch time or after work hours) AND complies with all statements set forth in this policy. Again, use must be limited to a very small percentage of an employee's overall use.

Non-allowed Uses:

- Promotion of discrimination on the basis of sex, race, age, color, marital status, national origin, sex, sexual orientation, the presence of any disability or perceived disability, gender identity, military status, religious or political beliefs, or any other classes protected under the law.
- Sending harassing, intimidating, abusive, or offensive material to or about others.
- Personal use for reasons other than stated in allowed uses, above.
- Copyright infringement.
- Causing congestion on the network by such things as the propagation of chain letters, broadcasting inappropriate messages to groups or individuals, or excessive use of the data storage space on the e-mail host server.
- Promotion of personal political or religious beliefs.
- Activities for personal or commercial financial gain. This includes, but is not limited to, chain letters, commercial solicitation, and sale of personal property.
- Stock trading.
- Personal business use.
- Storing, processing, displaying, sending, or otherwise transmitting offensive or obscene language or material. This includes "hate literature," sexually harassing materials, pornography, and other sexually explicit materials.
- Participating in political campaigns, political communication in any election or other political activity (partisan or non-partisan), or solicitation for or against a political candidate or issue.
- Any other unlawful activity.

Privacy

All data and voice processing equipment, software, peripheral devices, internet accounts, and data residing within or on those devices are the property of the Port of Bremerton. Communication over networks or to private individuals should not be considered private.

Employees should have no expectations of privacy in the use of the Port's computer system. Electronic mail messages, computer files, and voice mail are considered "documents" under the Washington State Public Disclosure Act. As such, it should be assumed that this information may be subject to release to any member of the general public upon request to the Port of Bremerton. Files, mail logs and Internet access records are copied to back-up tapes daily by the properly authorized Port official. Back-ups are retained for a scheduled period of time. Files and electronic mail messages are not physically "deleted" when deleted from your computer or mailbox. The record still exists on the back-up system.

The Internet is an unsecured network. Employees should not have an expectation of privacy in the use of Internet resources.

Security

Employees will comply with the following guidelines:

- Employees should establish and use passwords for computer system access. Protect access passwords by not writing them down and not sharing them with others.
- Employees should not attempt to illegally access other networks or systems through the internet.
- Employees (other than supervisory personnel) will not read the e-mail of another employee when there is not substantial business purpose for obtaining access to the communications of that employee.
- Employees should not send e-mails or access the internet under another employee's name without that employee's authorization. Sending a message or accessing the internet using someone else's personal computer and e-mail with permission, and in compliance with this policy, is allowed.
- Electronic files must be reviewed periodically, no less than once per week, and purged immediately if no longer needed. Emails critical to projects, agreements, easements, administration, property, leases, purchase or sale of property, personnel, or finances should be printed to hard copy and remain within files to accompany other supporting documentation. Any and all emails retained on the network system are subject to the Washington State Public Disclosure Act.

Monitoring/Access

The Port may monitor computer, e-mail and internet activity of any employee at any time.

Where there has been a clear violation of acceptable use principles, guidelines, standards, or policy, the Port at its discretion may discontinue the employee's access to the computer systems, e-mail, and internet. Employees may also be subject to other disciplinary action or penalties as prescribed elsewhere in the Port's Employee Handbook.

7.17 Flexible Work Arrangements / Telecommuting

Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. There are certain jobs within the Port where telecommuting arrangements may be approved for circumstances such as inclement weather, short term family and medical leaves, special projects, business travel and in some cases a regular arrangement within a job. We consider telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others, and during some periods of time and not others. Telecommuting is not an entitlement, it is not a companywide benefit, and it in no way changes the terms and conditions of employment with the Port. All telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization. See your manager for a fuller discussion of telecommuting.

7.18 Use of Port Vehicles

Port-owned vehicles include any automobile, plane, boat, truck, tractor, heavy equipment, golf cart, or any other motorized vehicle which is owned by the Port. Any employee who drives a Port-owned vehicle is responsible for:

- Maintaining a valid Washington State driver's license.
- Having a safe driving record that will not cause the Port's insurance to increase as a result of that record.
- Operating the vehicle in a safe and lawful manner.
- Using the vehicle for official business only.
- Paying any fines related to violations while operating the vehicle.
- Taking reasonable precautions to protect the vehicle from damage or theft.
- Following all safety rules as described in the Accident Prevention Plan. In cases of an accident, please complete the Accident report also included in the Accident Prevention Plan.

See the Port of Bremerton's full Vehicle Use Policy available from your manager for additional information on operating instructions, safety standards, mileage and other guidelines regarding this topic.

7.19 Whistle Blower Protection

It is the policy of the Port of Bremerton to encourage reporting, by its employees, of improper governmental action taken by Port officers and/or employees, and to protect Port employees who have reported improper governmental actions in accordance with the Port's policies and procedures. This policy incorporates the applicable state statute, RCW Chapter 42.41, and any modification of that statute will be deemed incorporated into this policy.

Definitions

As used in this section, the following terms have the meanings indicated.

- "Improper governmental action" means any action by a Port officer or employee:
 - That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
 - That is: (1) in violation of any federal state, or local law or rule, (2) is an abuse of authority, (3) is of substantial and specific danger to the public health or safety, or (4) is a gross waste of public funds.
- "Retaliatory action" means any adverse change in the terms or conditions of a Port employee's employment.
- "Emergency" means a circumstance that if not immediately changed, may cause damage to persons or property.

Procedures for Reporting

Port of Bremerton employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee must submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper government action involves his or her supervisor, or the employee feels there has been inadequate action or response from his or her supervisor, the employee may raise the issue directly with the Chief Executive Officer, or such other person as may be designated by the Chief Executive Officer to receive reports of improper governmental action. If the employee has discussed the issue with his or her supervisor and/or the Chief Executive Officer as outlined above and

the employee feels that the action or response is still inadequate, the employee may raise the issue with any member of the Port Commission.

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

The supervisor, the Port of Bremerton Chief Executive Officer, or Chief Executive Officer's designee, or the Port Commission, will take prompt action to assist the Port in properly investigating the report of improper governmental action. Port officers and employees involved in the investigation will keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorized the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action will be advised of a summary of the results of the investigation, except that personnel action taken as a result of the investigation may be kept confidential.

Port employees may report information about improper governmental action directly to an appropriate governmental agency with responsibility for investigating the improper action, if the Port employee reasonably believes that an adequate investigation was not undertaken by the Port to determine whether an improper governmental action occurred, or that insufficient action has been taken by the Port to address the improper governmental action, or that for other reasons, the improper governmental action is likely to recur.

Port employees who fail to make a good-faith attempt to follow the Port's procedures in reporting improper governmental action will not receive the protections provided by the Port in these procedures and may not be eligible for protections stated in RCW Chapter 42.41.

Protection Against Retaliatory Actions

Port of Bremerton officials and employees are prohibited from taking retaliatory action against a Port employee because he or she has, in good faith, reported or provided information about an alleged improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the Chief Executive Officer or the Chief Executive Officer's designee. Port officials and supervisors will take appropriate action to investigate and address complaints of retaliation.

If the employee's supervisor, the Chief Executive Officer or the Chief Executive Officer's designee, does not satisfactorily resolve a Port employee's complaint that

he or she has been retaliated against in violation of this policy, the Port employee may obtain protection under this policy and pursuant to state law by providing a written notice to the Port Commission that:

- Specifies the alleged retaliatory action, and
- Specifies the relief requested.

Port employees must provide a copy of their written charge to the Chief Executive Officer no later than thirty (30) days after the occurrence of the alleged retaliatory action.

After receiving either the response of the Port, or thirty (30) days after the delivery of the charge to the Port, the Port employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the Chief Executive Officer within the earlier of, either fifteen (15) days of delivery of the Port's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the Port for response.

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

Office of Administrative Hearings
2424 Heritage Court SW #302
Olympia, WA 98504-2488
Tel: (360) 664-8717

Responsibilities

The Port is responsible for implementing the Port's policies and procedures for:

- Reporting improper action and protecting employees against retaliatory actions.
- Permanently posting a summary of the procedures described in this policy.
- Making available a copy of the summary of the procedures of the full policy to any employee who requests it.
- Officers, managers, and supervisors are responsible for ensuring that procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

List of Agencies

Following is a list of agencies responsible for enforcing federal, state, and local laws and investigating other issues involving improper governmental actions:

UNITED STATES

Equal Employment
Opportunity Commission
909 First Avenue, Ste 400
Seattle, WA 98104-1061
800-669-4000
www.eeoc.gov

STATE OF WASHINGTON

Attorney General’s Office
Labor and Industries Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744
www.atg.wa.gov

U. S. ATTORNEY

700 Stewart Street, Ste 5220
Seattle, WA 98101-1271
(206) 553-7970
www.justice.gov/usao-wdwa

KITSAP COUNTY

Prosecutor’s Office, MS-35
614 Division Street
Port Orchard, WA 98366
(360) 337-7174
www.kitsapgov.com/pros

**SECTION 8
OTHER PORT POLICIES**

The following policies have been adopted by the Bremerton Port Commission and can be requested if needed:

- Accident Prevention Plan
- Fraternization Policy
- Promotional Hosting Policy
- Travel Policy
- Vehicle Use Policy

**SECTION 9
ACKNOWLEDGEMENT OF RECEIPT OF
EMPLOYEE HANDBOOK**

Acknowledgement

My signature below indicates that I have received a copy of the Port of Bremerton's Employee Handbook, agree to read it and bring any questions forward to my supervisor or appropriate member of management.

I understand that the contents of this Employee Handbook do not constitute a contract of employment between me and the Port for any definite term of employment or for any of the policies, practices or benefits described. I also understand that these policies may be changed periodically by the Port and that I will be notified of any changes.

Printed Name

Date

Signature