

UPDATED PORT OF NEWPORT COMMISSION REGULAR MEETING

Tuesday, January 30, 2024, 6:00 p.m.

Administration Building

600 SE Bay Blvd.

Newport, OR 97365

This will be a hybrid meeting, which means you can attend in-person, or you can view the livestream of this meeting on our website: <https://www.portofnewport.com/2024-01-30-commission-meetings-2024-january-30-2024-6-00-p-m>

Anyone interested in making public comment must complete the form on our website and submit it by 11:00 a.m. on Monday, January 29, 2024: <https://www.portofnewport.com/2024-01-30-commission-meetings-2024-january-30-2024-6-00-p-m>

I. Call to Order

II. Public Hearing

- A. Match Funds Discussion and Adoption of Resolution No. 2024-02 Regarding a Supplemental Budget – *Miranda/Brown*.....Page 3

III. Changes to the Agenda

IV. Public Comment (3-minute limit per person)

V. Consent Calendar

2023

- A. Minutes.....Dec. 19.....Page 13
- B. Financial Reports.....Page 17
- C. Accounts Paid.....Page 36
- D. Acceptance of Annual Report.....Page 41

VI. Old Business

- A. Approval of Employee Handbook Update – *Brown*.....Page 45
- B. Approval of Rogue Seawall Project Bids and Notice of Award to Bergerson Construction – *Bretz*.....Page 310**
- C. Approval of Construction Management Services Contract for Rogue Seawall Project with PBS Engineering – *Bretz*.....Page 395**

VII. New Business

- A. Approval of Letter of Support to Krab Kettle for Marine Debris Removal Program – *Bretz*.....Page 396

VIII. Staff Reports

- IX. Executive Director’s Report – *Miranda*.....Page 453**
 - 1. Director of Finance and Business Services – *Brown*.....Page 473
 - 2. Director of Operations – *Bretz*.....Page 479

IX. Commissioner Reports

X. Calendar/Future Considerations 2023

- SDAO Annual Conference - Seaside.....February 8-11, 2024
- Presidents Day – Port Offices Closed.....February 19, 2024
- Next Commission Meeting.....February 27, 2024

XI. Public Comment

XII. Adjournment



Supplemental Budget Hearing

DATE: January 30, 2024
TO: Paula Miranda, General Manager
ISSUED BY: Mark Brown, Director of Finance and Business Services

Background

The Port has completed (or is in the process of completing) several large projects over the past 3 years, some of these are:

Port dock 5 pier, south beach storm drain repair, south beach load centers, administration building, PD 3/5 electrical upgrades, and US Army Corp channel planning. The total approximate cost of these projects exceeds \$3.5 million in General Operating Funds.

We were fortunate enough to be granted a couple large grants, which need matches. The above projects, along with some unforeseen projects (i.e. sediment sampling) have reduced the funds available in the General Operating Fund and will make it more challenging to fund grant matches based on the current balance in the General Operating Fund.

Turning away grant funds is not ideal; anytime an entity applies for and receives a grant award, turning the money down can cause significant hardship for future grant applications. This would be particularly true as the Port would prefer to use grant funds, rather than, or in addition to, borrowing to rebuild Port Dock 7.

As of 10/31/2023, the Port had \$1.6 million available to spend in the General Operating Fund (GOF), and \$1.95 million in the NOAA Capital Maintenance Fund (NCMF). The NOAA Lease Revenue fund, by virtue of the bond agreement, has \$1.76 million in restricted funds (in case of NOAA default) and per the agreement the restricted funds must remain in the NOAA Lease Revenue fund.

The Port has approximately \$3.55 (\$1.6 + \$1.95) million of funds that are available to spend in the General Operating Fund and the NOAA Capital Reserve Fund but is unable to access the NOAA Capital Reserve Funds.

The current interest rate from Business Oregon is 3.4-3.71%, for direct loans. The Local Government Investment Program is currently paying 5% on invested funds. The Port is currently making money by not using its own funds, rather by borrowing from Business Oregon.

Details:

The Port has \$3.7 (1.76 + 1.95) million in restricted and committed funds. \$1.76 million is untouchable, it must be kept until the bonds for NOAA have been fully paid off.

In preparation for this discussion, a cashflow for NOAA was prepared, the cashflow was based on:

The current cash balance

includes:

500K of capital purchases
built in raises for staff of 5% per annum
increases in lease payments of 3% per annum
Increases in expenditures of 3% per annum, and
\$3 million for dredging

The attached cashflow demonstrates the NOAA Lease Revenue fund will have a cash balance of approximately \$3 million when the final payment on the Lease Revenue Bonds is made. Once made, there is no reserve requirement. This may negate the need for a NOAA Capital Reserve Fund.

There are three options to make cash available for grant match:

OPTION 1

Make available all or a portion of the \$1.9 million in the NOAA Capital Reserve Fund

Since there will be an approximate balance of \$3 million in the NOAA Lease Revenue Fund when the final NOAA Lease Revenue bond payment is made:

Rename the NOAA Capital Reserve Fund to Reserve Fund. Change the purpose of the Reserve Fund:

The Reserve Fund is for matches to Grants and other Capital or non-capital projects. Any funds used from the Reserve Fund must be repaid within 6 years. In no case should the balance fall below \$300,000. The Executive Director may authorize use of the funds but must report the use of said funds to the Port commission at the next Commission meeting.

The Port will continue to add funds to the Facilities Maintenance fund in order to facilitate future projects, such as asphalt replacement.

The Port would borrow from these funds to pay for the match requirement for the PIPD grant and Seawall. The lending from the reserve fund will occur when funding is needed.

OPTION 2

Borrow funds from Business Oregon

The downside of this option is the length of time it takes a loan to process through Business Oregon. Many times, it can take 3-4 months for the Port to receive the funds. An example, the Port applied for the loan for the 55-ton Crane in August of 2023, the contracts were received the second week of January, and this was a rushed application.

The upside of this option is the Port could earn 1.29% to 1.6% on the money borrowed, Since the LGIP funds are earning a higher rate of interest than the interest rate for borrowed funds.

OPTION 3

Combine of 1 and 2

Borrow Funds from Business Oregon (as indicated above), make available the funds in the NOAA Reserve account by renaming and repurposing account, repay the Business Oregon loan, when the interest rate for the LGIP funds is at or below the Business Oregon borrowing rate

At the point in time the Interest rate for the LGIP funds falls below the rate of the borrowed funds, repay the loans to Business Oregon.

Borrowing the money will require a \$150 fee. But the Port earnings would be much higher than this. The rates earned with the Local Government investment Pool have been above 3.4% since May of 2023. However, I see Interest rates and thus earnings rates beginning to fall in the near term.

This option maximizes the return, but it will take longer to get the funds, many times 4-6 months.

Port Staff recommend moving forward with Option 1

MOTION

I move to approve Option 1, renaming and repurposing the NOAA Capital Reserve Fund, and adopt Resolution No. 2024-02 Regarding a Supplemental Budget.

**PORT OF NEWPORT
RESOLUTION NO. 2024-02**

WHEREAS, the Port is a public entity;

WHEREAS, The Commission set aside funds for NOAA Capital improvements;

WHEREAS, the NOAA Lease Revenue fund contains approximately \$1.76 million in restricted funds that only be used in case of NOAA default;

WHEREAS, the NOAA Capital Improvement fund contains approximately \$1.95 million in committed funds;

WHEREAS, The NOAA Lease expires on April 30, 2031;

WHEREAS, NOAA Lease Revenue Bonds will be paid off in August of 2031;

WHEREAS, the NOAA Lease Revenue Fund, based on current cash flows, will contain an estimated balance of over \$3 million, after the final bond payment;

NOW THEREFORE, THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

The NOAA Capital Fund is renamed to: Reserve Fund

The redesignated purpose of this fund is:

“The Reserve Fund is to be used for matches to grants and other capital or non-capital projects at the Port. Any funds used from the Reserve Fund must be repaid within 6 years. In no case should be balance fall below \$300,000. The Executive Director may authorize use of the fund but must report use of said funds to the Port commission at the next commission meeting.”

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 30th day of January 2024.

ATTEST:

Gil Sylvia, President

Walter Chuck, Secretary/Treasurer

NOAA LEASE REVENUE FUNDS
CASHFLOW

Reserve		\$ (1,761,721)	Balance				
		Beginning		\$ 2,286,049.61			Assumptions:
		Owed to GOF	\$ (550,000)			CPI	3% Per year
		Remaining		\$ 1,736,049.61		Wages	5% wage increase
							next Dredge 2027, then every 3 years
Dec	2023	Payments	\$ 212,000	\$ 1,948,049.61	Income		
Dec	2023	Expense	\$ (10,000)	\$ 1,938,050	Payroll		
Dec	2023	Expense	\$ (164,713)	\$ 1,773,337	Flood Insurance		
Dec	2023	Expense	\$ (37,500)	\$ 1,735,837	M & S		
Jan	2023	Bond payments January	\$ (180,679)	\$ 1,555,158	Bond interest		
Jan	2024	Payments	\$ 212,000	\$ 1,767,158	Income		
Jan	2024	Expense	\$ (10,000)	\$ 1,757,158	Payroll		
Jan	2024	Expense	\$ (37,500)	\$ 1,719,658	M & S		
Feb	2024	Payments	\$ 212,000	\$ 1,931,658	Income		
Feb	2024	Expense	\$ (10,000)	\$ 1,921,658	Payroll		
Feb	2024	Expense	\$ (37,500)	\$ 1,884,158	M & S		
March	2024	Payments	\$ 212,000	\$ 2,096,158	Income		
March	2024	Expense	\$ (10,000)	\$ 2,086,158	Payroll		
March	2024	Expense	\$ (37,500)	\$ 2,048,658	M & S		
april	2024	Payments	\$ 212,000	\$ 2,260,658	Income		
april	2024	Expense	\$ (10,000)	\$ 2,250,658	Payroll		
april	2024	Expense	\$ (37,500)	\$ 2,213,158	M & S		
may	2024	Payments	\$ 218,360	\$ 2,431,518	Income		
may	2024	Expense	\$ (10,300)	\$ 2,421,218	Payroll		
may	2024	Expense	\$ (38,625)	\$ 2,382,593	M & S		
june	2024	Payments	\$ 218,360	\$ 2,600,953	Income		
june	2024	Expense	\$ (10,300)	\$ 2,590,653	Payroll		
june	2024	Expense	\$ (38,625)	\$ 2,552,028	M & S		
july	2024	Payments	\$ 218,360	\$ 2,770,388	Income		
july	2024	Expense	\$ (10,815)	\$ 2,759,573	Payroll		
july	2024	Expense	\$ (38,625)	\$ 2,720,948	M & S		
august	2024	Payments	\$ 218,360	\$ 2,939,308	Income		
august	2024	Bond Payment August	\$ (1,415,000)	\$ 1,524,308	Bond payment & Interest		
august	2024	Expense	\$ (40,556)	\$ 1,483,752	Payroll		
august	2024	Expense	\$ (38,625)	\$ 1,445,127	M & S		
September	2024	Payments	\$ 218,360	\$ 1,663,487	Income		
September	2024	Expense	\$ (10,500)	\$ 1,652,987	Payroll		
September	2024	Expense	\$ (38,625)	\$ 1,614,362	M & S		
October	2024	Payments	\$ 218,360	\$ 1,832,722	Income		
October	2024	Expense	\$ (10,500)	\$ 1,822,222	Payroll		
October	2024	Expense	\$ (38,625)	\$ 1,783,597	M & S		
November	2024	Payments	\$ 218,360	\$ 2,001,957	Income		
Dec	2024	Expense	\$ (10,500)	\$ 1,991,457	Payroll		
Dec	2024	Expense	\$ (38,625)	\$ 1,952,832	M & S		
December	2024	Payments	\$ 218,360	\$ 2,171,192	Income		
Dec	2024	Expense	\$ (10,500)	\$ 2,160,692	Payroll		
Dec	2024	Expense	\$ (162,687)	\$ 1,998,005	Flood Insurance		
Dec	2024	Expense	\$ (38,625)	\$ 1,959,380	M & S		
Jan	2025	Payments	\$ 218,360	\$ 2,177,740	Income		
Jan	2025	Expense	\$ (10,500)	\$ 2,167,240	Payroll		
Jan	2025	Expense	\$ (162,687)	\$ 2,004,553	Bond interest		
Jan	2025	Expense	\$ (38,625)	\$ 1,965,928	M & S		
Feb	2025	Payments	\$ 218,360	\$ 2,184,288	Income		
Feb	2025	Expense	\$ (10,500)	\$ 2,173,788	Payroll		
Feb	2025	Expense	\$ (50,000)	\$ 2,123,788	Capital		
Feb	2025	Expense	\$ (38,625)	\$ 2,085,163	M & S		
March	2025	Payments	\$ 218,360	\$ 2,303,523	Income		
March	2025	Expense	\$ (10,500)	\$ 2,293,023	Payroll		

NOAA LEASE REVENUE FUNDS
CASHFLOW

March	2025	Expense	\$ (38,625)	\$ 2,254,398	M & S				
april	2025	Payments	\$ 218,360	\$ 2,472,758	Income				
april	2025	Expense	\$ (10,500)	\$ 2,462,258	Payroll				
april	2025	Expense	\$ (38,625)	\$ 2,423,633	M & S				
may	2025	Payments	\$ 224,911	\$ 2,648,544	Income				
may	2025	Expense	\$ (10,500)	\$ 2,638,044	Payroll				
may	2025	Expense	\$ (39,784)	\$ 2,598,260	M & S				
june	2025	Payments	\$ 224,911	\$ 2,823,171	Income				
june	2025	Expense	\$ (10,500)	\$ 2,812,671	Payroll				
june	2025	Expense	\$ (39,784)	\$ 2,772,887	M & S				
july	2025	Payments	\$ 224,911	\$ 2,997,798	Income				
july	2025	Expense	\$ (11,025)	\$ 2,986,773	Payroll				
july	2025	Expense	\$ (39,784)	\$ 2,946,989	M & S				
august	2025	Payments	\$ 224,911	\$ 3,171,900	Income				
august	2025	Bond Payment 08/01/2025	\$ (1,455,000)	\$ 1,716,900	Bond payment & Interest				
august	2025	Expense	\$ (11,025)	\$ 1,705,875	Payroll				
august	2025	Expense	\$ (39,784)	\$ 1,666,091	M & S				
September	2025	Payments	\$ 224,911	\$ 1,891,002	Income				
September	2025	Expense	\$ (11,025)	\$ 1,879,977	Payroll				
September	2025	Expense	\$ (39,784)	\$ 1,840,193	M & S				
October	2025	Payments	\$ 224,911	\$ 2,065,104	Income				
October	2025	Expense	\$ (11,025)	\$ 2,054,079	Payroll				
October	2025	Expense	\$ (39,784)	\$ 2,014,295	M & S				
November	2025	Payments	\$ 224,911	\$ 2,239,206	Income				
Dec	2025	Expense	\$ (11,025)	\$ 2,228,181	Payroll				
Dec	2025	Expense	\$ (39,784)	\$ 2,188,397	M & S				
December	2025	Payments	\$ 224,911	\$ 2,413,308	Income				
Dec	2025	Expense	\$ (11,025)	\$ 2,402,283	Payroll				
Dec	2025	Expense	\$ 165,000	\$ 2,567,283	Flood Insurance				
Dec	2025	Expense	\$ (39,784)	\$ 2,527,499	M & S				
Jan	2026	Payments	\$ 224,911	\$ 2,752,410	Income				
Jan	2026	Expense	\$ (11,025)	\$ 2,741,385	Payroll				
Jan	2026	Expense	\$ (39,784)	\$ 2,701,602	M & S				
Jan	2026	Expense	\$ (143,539)	\$ 2,558,062	Bond interest				
Feb	2026	Payments	\$ 224,911	\$ 2,782,973	Income				
Feb	2026	Expense	\$ (11,025)	\$ 2,771,948	Payroll				
Feb	2026	Expense	\$ (39,784)	\$ 2,732,165	M & S				
March	2026	Payments	\$ 224,911	\$ 2,957,075	Income				
March	2026	Expense	\$ (11,025)	\$ 2,946,050	Payroll				
March	2026	Expense	\$ (39,784)	\$ 2,906,267	M & S				
april	2026	Payments	\$ 224,911	\$ 3,131,177	Income				
april	2026	Expense	\$ (11,025)	\$ 3,120,152	Payroll				
april	2026	Expense	\$ (39,784)	\$ 3,080,369	M & S				
may	2026	Payments	\$ 224,911	\$ 3,305,279	Income				
may	2026	Expense	\$ (11,025)	\$ 3,294,254	Payroll				
may	2026	Expense	\$ (75,000)	\$ 3,219,254	Capital				
may	2026	Expense	\$ (40,977)	\$ 3,178,277	M & S				
june	2026	Payments	\$ 224,911	\$ 3,403,188	Income				
june	2026	Expense	\$ (11,025)	\$ 3,392,163	Payroll				
june	2026	Expense	\$ (40,977)	\$ 3,351,186	M & S				
july	2026	Payments	\$ 224,911	\$ 3,576,097	Income				
july	2026	Expense	\$ (11,576)	\$ 3,564,520	Payroll				
july	2026	Expense	\$ (40,977)	\$ 3,523,543	M & S				
august	2026	Payments	\$ 224,911	\$ 3,748,454	Income				
august	2026	Bond Payment	\$ (1,490,000)	\$ 2,258,454	Bond payment & Interest				
august	2026	Expense	\$ (11,576)	\$ 2,246,878	Payroll				
august	2026	Expense	\$ (40,977)	\$ 2,205,900	M & S				
September	2026	Payments	\$ 224,911	\$ 2,430,811	Income				

NOAA LEASE REVENUE FUNDS
CASHFLOW

September	2026	Expense	\$ (11,576)	\$ 2,419,235	Payroll				
September	2026	Expense	\$ (40,977)	\$ 2,378,258	M & S				
October	2026	Payments	\$ 224,911	\$ 2,603,168	Income				
October	2026	Expense	\$ (11,576)	\$ 2,591,592	Payroll				
October	2026	Expense	\$ (40,977)	\$ 2,550,615	M & S				
November	2026	Payments	\$ 224,911	\$ 2,775,526	Income				
Dec	2026	Expense	\$ (11,576)	\$ 2,763,949	Payroll				
Dec	2026	Expense	\$ (40,977)	\$ 2,722,972	M & S				
December	2026	Payments	\$ 224,911	\$ 2,947,883	Income				
Dec	2026	Expense	\$ (11,576)	\$ 2,936,307	Payroll				
Dec	2026	Expense	\$ 175,000	\$ 3,111,307	Flood Insurance				
Dec	2026	Expense	\$ (40,977)	\$ 3,070,329	M & S				
Jan	2027	Payments	\$ 224,911	\$ 3,295,240	Income				
Jan	2027	Expense	\$ (11,576)	\$ 3,283,664	Payroll				
Jan	2027	Expense	\$ (40,977)	\$ 3,242,687	M & S				
Jan	2027	Expense	\$ (123,186)	\$ 3,119,501	Bond interest				
Feb	2027	Payments	\$ 224,911	\$ 3,344,412	Income				
Feb	2027	Expense	\$ (11,576)	\$ 3,332,836	Payroll				
Feb	2027	Expense	\$ (40,977)	\$ 3,291,858	M & S				
March	2027	Payments	\$ 224,911	\$ 3,516,769	Income				
March	2027	Expense	\$ (11,576)	\$ 3,505,193	Payroll				
March	2027	Expense	\$ (1,400,000)	\$ 2,105,193	Dredging				
March	2027	Expense	\$ (40,977)	\$ 2,064,216	M & S				
april	2027	Payments	\$ 224,911	\$ 2,289,126	Income				
april	2027	Expense	\$ (11,576)	\$ 2,277,550	Payroll				
april	2027	Expense	\$ (40,977)	\$ 2,236,573	M & S				
may	2027	Payments	\$ 231,658	\$ 2,468,231	Income				
may	2027	Expense	\$ (11,576)	\$ 2,456,655	Payroll				
may	2027	Expense	\$ (75,000)	\$ 2,381,655	Capital				
may	2027	Expense	\$ (42,207)	\$ 2,339,448	M & S				
june	2027	Payments	\$ 231,658	\$ 2,571,106	Income				
june	2027	Expense	\$ (11,576)	\$ 2,559,530	Payroll				
june	2027	Expense	\$ (42,207)	\$ 2,517,324	M & S				
july	2027	Payments	\$ 231,658	\$ 2,748,982	Income				
july	2027	Expense	\$ (12,155)	\$ 2,736,827	Payroll				
july	2027	Expense	\$ (42,207)	\$ 2,694,620	M & S				
august	2027	Payments	\$ 231,658	\$ 2,926,278	Income				
august	2027	Bond Payment	\$ (1,535,000)	\$ 1,391,278	Bond payment & Interest				
august	2027	Expense	\$ (12,155)	\$ 1,379,123	Payroll				
august	2027	Expense	\$ (42,207)	\$ 1,336,916	M & S				
September	2027	Payments	\$ 231,658	\$ 1,568,575	Income				
September	2027	Expense	\$ (12,155)	\$ 1,556,420	Payroll				
September	2027	Expense	\$ (42,207)	\$ 1,514,213	M & S				
October	2027	Payments	\$ 231,658	\$ 1,745,871	Income				
October	2027	Expense	\$ (12,155)	\$ 1,733,716	Payroll				
October	2027	Expense	\$ (42,207)	\$ 1,691,509	M & S				
November	2027	Payments	\$ 231,658	\$ 1,923,168	Income				
Dec	2027	Expense	\$ (12,155)	\$ 1,911,013	Payroll				
Dec	2027	Expense	\$ (42,207)	\$ 1,868,806	M & S				
December	2027	Payments	\$ 231,658	\$ 2,100,464	Income				
Dec	2027	Expense	\$ (12,155)	\$ 2,088,309	Payroll				
Dec	2027	Expense	\$ (175,000)	\$ 1,913,309	Flood Insurance				
Dec	2027	Expense	\$ (42,207)	\$ 1,871,102	M & S				
Jan	2028	Payments	\$ 231,658	\$ 2,102,761	Income				
Jan	2028	Expense	\$ (12,155)	\$ 2,090,605	Payroll				
Jan	2028	Expense	\$ (42,207)	\$ 2,048,399	M & S				
Jan	2028	Expense	\$ (101,343)	\$ 1,947,056	Bond interest				
Feb	2028	Payments	\$ 231,658	\$ 2,178,714	Income				

NOAA LEASE REVENUE FUNDS
CASHFLOW

Feb	2028	Expense	\$ (12,155)	\$ 2,166,559	Payroll				
Feb	2028	Expense	\$ (42,207)	\$ 2,124,353	M & S				
March	2028	Payments	\$ 231,658	\$ 2,356,011	Income				
March	2028	Expense	\$ (12,155)	\$ 2,343,856	Payroll				
March	2028	Expense	\$ (42,207)	\$ 2,301,649	M & S				
April	2028	Payments	\$ 231,658	\$ 2,533,307	Income				
April	2028	Expense	\$ (12,155)	\$ 2,521,152	Payroll				
April	2028	Expense	\$ (42,207)	\$ 2,478,946	M & S				
May	2028	Payments	\$ 238,608	\$ 2,717,554	Income				
May	2028	Expense	\$ (12,155)	\$ 2,705,399	Payroll				
May	2028	Expense	\$ (75,000)	\$ 2,630,399	Capital				
May	2028	Expense	\$ (43,473)	\$ 2,586,926	M & S				
June	2028	Payments	\$ 238,608	\$ 2,825,534	Income				
June	2028	Expense	\$ (12,155)	\$ 2,813,379	Payroll				
June	2028	Expense	\$ (43,473)	\$ 2,769,906	M & S				
July	2028	Payments	\$ 238,608	\$ 3,008,514	Income				
July	2028	Expense	\$ (12,763)	\$ 2,995,751	Payroll				
July	2028	Expense	\$ (43,473)	\$ 2,952,278	M & S				
August	2028	Payments	\$ 238,608	\$ 3,190,886	Income				
August	2028	Bond Payment	\$ (1,535,000)	\$ 1,655,886	Bond payment & Interest				
August	2028	Expense	\$ (10,000)	\$ 1,645,886	Payroll				
August	2028	Expense	\$ (43,473)	\$ 1,602,413	M & S				
September	2028	Payments	\$ 238,608	\$ 1,841,021	Income				
September	2028	Expense	\$ (12,763)	\$ 1,828,258	Payroll				
September	2028	Expense	\$ (43,473)	\$ 1,784,785	M & S				
October	2028	Payments	\$ 238,608	\$ 2,023,393	Income				
October	2028	Expense	\$ (12,763)	\$ 2,010,630	Payroll				
October	2028	Expense	\$ (43,473)	\$ 1,967,158	M & S				
November	2028	Payments	\$ 238,608	\$ 2,205,766	Income				
Dec	2028	Expense	\$ (12,763)	\$ 2,193,003	Payroll				
Dec	2028	Expense	\$ (43,473)	\$ 2,149,530	M & S				
December	2028	Payments	\$ 238,608	\$ 2,388,138	Income				
Dec	2028	Expense	\$ (12,763)	\$ 2,375,375	Payroll				
Dec	2028	Expense	\$ (175,000)	\$ 2,200,375	Flood Insurance				
Dec	2028	Expense	\$ (43,473)	\$ 2,156,902	M & S				
Jan	2029	Payments	\$ 231,658	\$ 2,388,560	Income				
Jan	2029	Expense	\$ (12,763)	\$ 2,375,798	Payroll				
Jan	2029	Expense	\$ (43,473)	\$ 2,332,325	M & S				
Jan	2029	Expense	\$ (78,069)	\$ 2,254,256	Bond interest				
Feb	2029	Payments	\$ 231,658	\$ 2,485,914	Income				
Feb	2029	Expense	\$ (12,763)	\$ 2,473,151	Payroll				
Feb	2029	Expense	\$ (43,473)	\$ 2,429,678	M & S				
March	2029	Payments	\$ 231,658	\$ 2,661,336	Income				
March	2029	Expense	\$ (12,763)	\$ 2,648,573	Payroll				
March	2029	Expense	\$ (43,473)	\$ 2,605,101	M & S				
April	2029	Payments	\$ 231,658	\$ 2,836,759	Income				
April	2029	Expense	\$ (12,763)	\$ 2,823,996	Payroll				
April	2029	Expense	\$ (43,473)	\$ 2,780,523	M & S				
May	2029	Payments	\$ 245,766	\$ 3,026,289	Income				
May	2029	Expense	\$ (12,763)	\$ 3,013,526	Payroll				
May	2029	Expense	\$ (75,000)	\$ 2,938,526	Capital				
May	2029	Expense	\$ (44,777)	\$ 2,893,749	M & S				
June	2029	Payments	\$ 245,766	\$ 3,139,516	Income				
June	2029	Expense	\$ (12,763)	\$ 3,126,753	Payroll				
June	2029	Expense	\$ (44,777)	\$ 3,081,976	M & S				
July	2029	Payments	\$ 245,766	\$ 3,327,742	Income				
July	2029	Expense	\$ (13,401)	\$ 3,314,341	Payroll				
July	2029	Expense	\$ (44,777)	\$ 3,269,564	M & S				

NOAA LEASE REVENUE FUNDS
CASHFLOW

august	2029	Payments	\$ 245,766	\$ 3,515,330	Income				
august	2029	Bond Payment	\$ (1,580,000)	\$ 1,935,330	Bond payment & Interest				
august	2029	Expense	\$ (13,401)	\$ 1,921,929	Payroll				
august	2029	Expense	\$ (44,777)	\$ 1,877,152	M & S				
September	2029	Payments	\$ 245,766	\$ 2,122,918	Income				
September	2029	Expense	\$ (13,401)	\$ 2,109,517	Payroll				
September	2029	Expense	\$ (44,777)	\$ 2,064,740	M & S				
October	2029	Payments	\$ 245,766	\$ 2,310,506	Income				
October	2029	Expense	\$ (13,401)	\$ 2,297,106	Payroll				
October	2029	Expense	\$ (44,777)	\$ 2,252,329	M & S				
November	2029	Payments	\$ 245,766	\$ 2,498,095	Income				
Dec	2029	Expense	\$ (13,401)	\$ 2,484,694	Payroll				
Dec	2029	Expense	\$ (44,777)	\$ 2,439,917	M & S				
December	2029	Payments	\$ 245,766	\$ 2,685,683	Income				
Dec	2029	Expense	\$ (13,401)	\$ 2,672,282	Payroll				
Dec	2029	Expense	\$ (175,000)	\$ 2,497,282	Flood Insurance				
Dec	2029	Expense	\$ (44,777)	\$ 2,452,505	M & S				
Jan	2030	Payments	\$ 231,658	\$ 2,684,163	Income				
Jan	2030	Expense	\$ (13,401)	\$ 2,670,762	Payroll				
Jan	2030	Expense	\$ (44,777)	\$ 2,625,985	M & S				
Jan	2030	Expense	\$ (53,652)	\$ 2,572,333	Bond interest				
Feb	2030	Payments	\$ 231,658	\$ 2,803,991	Income				
Feb	2030	Expense	\$ (13,401)	\$ 2,790,591	Payroll				
Feb	2030	Expense	\$ (44,777)	\$ 2,745,814	M & S				
March	2030	Payments	\$ 231,658	\$ 2,977,472	Income				
March	2030	Expense	\$ (13,401)	\$ 2,964,071	Payroll				
March	2030	Expense	\$ (44,777)	\$ 2,919,294	M & S				
april	2030	Payments	\$ 231,658	\$ 3,150,952	Income				
april	2030	Expense	\$ (13,401)	\$ 3,137,551	Payroll				
april	2030	Expense	\$ (44,777)	\$ 3,092,774	M & S				
may	2030	Payments	\$ 253,139	\$ 3,345,913	Income				
may	2030	Expense	\$ (13,401)	\$ 3,332,512	Payroll				
may	2030	Expense	\$ (75,000)	\$ 3,257,512	Capital				
may	2030	Expense	\$ (46,120)	\$ 3,211,392	M & S				
june	2030	Payments	\$ 253,139	\$ 3,464,531	Income				
june	2030	Expense	\$ (13,401)	\$ 3,451,130	Payroll				
june	2030	Expense	\$ (46,120)	\$ 3,405,010	M & S				
july	2030	Payments	\$ 253,139	\$ 3,658,149	Income				
july	2030	Expense	\$ (14,071)	\$ 3,644,078	Payroll				
july	2030	Expense	\$ (46,120)	\$ 3,597,957	M & S				
august	2030	Payments	\$ 253,139	\$ 3,851,097	Income				
august	2030	Bond Payment	\$ (1,680,000)	\$ 2,171,097	Bond payment & Interest				
august	2030	Expense	\$ (14,071)	\$ 2,157,026	Payroll				
august	2030	Expense	\$ (46,120)	\$ 2,110,905	M & S				
September	2030	Payments	\$ 253,139	\$ 2,364,044	Income				
September	2030	Expense	\$ (14,071)	\$ 2,349,973	Payroll				
September	2030	Expense	\$ (46,120)	\$ 2,303,853	M & S				
October	2030	Payments	\$ 253,139	\$ 2,556,992	Income				
October	2030	Expense	\$ (14,071)	\$ 2,542,921	Payroll				
October	2030	Expense	\$ (46,120)	\$ 2,496,801	M & S				
November	2030	Payments	\$ 253,139	\$ 2,749,940	Income				
Dec	2030	Expense	\$ (14,071)	\$ 2,735,869	Payroll				
Dec	2030	Expense	\$ (46,120)	\$ 2,689,749	M & S				
December	2030	Payments	\$ 253,139	\$ 2,942,888	Income				
Dec	2030	Expense	\$ (14,071)	\$ 2,928,817	Payroll				
Dec	2030	Expense	\$ (175,000)	\$ 2,753,817	Flood Insurance				
Dec	2030	Expense	\$ (46,120)	\$ 2,707,697	M & S				
Jan	2031	Payments	\$ 231,658	\$ 2,939,355	Income				

NOAA LEASE REVENUE FUNDS
CASHFLOW

Jan	2031	Expense	\$ (14,071)	\$ 2,925,284	Payroll				
Jan	2031	Expense	\$ (46,120)	\$ 2,879,163	M & S				
Jan	2031	Expense	\$ (27,645)	\$ 2,851,518	Bond interest				
Feb	2031	Payments	\$ 231,658	\$ 3,083,176	Income				
Feb	2031	Expense	\$ (14,071)	\$ 3,069,105	Payroll				
Feb	2031	Expense	\$ (46,120)	\$ 3,022,985	M & S				
March	2031	Payments	\$ 231,658	\$ 3,254,643	Income				
March	2031	Expense	\$ (14,071)	\$ 3,240,572	Payroll				
March	2031	Expense	\$ (46,120)	\$ 3,194,452	M & S				
april	2031	Payments	\$ 231,658	\$ 3,426,110	Income				
april	2031	Expense	\$ (14,071)	\$ 3,412,039	Payroll				
april	2031	Expense	\$ (75,000)	\$ 3,337,039	Capital				
april	2031	Expense	\$ (46,120)	\$ 3,365,919	M & S				
may	2031	Payments		\$ 3,365,919	Income				LEASE ENDS
may	2031	Expense	\$ (14,071)	\$ 3,351,848	Payroll				
may	2031	Expense	\$ 1,600,000	\$ 4,951,848	Dredging				
may	2031	Expense	\$ (47,504)	\$ 4,904,344	M & S				
june	2031	Payments		\$ 4,904,344	Income				
june	2031	Expense	\$ (14,071)	\$ 4,890,273	Payroll				
june	2031	Expense	\$ (47,504)	\$ 4,842,769	M & S				
july	2031	Payments		\$ 4,842,769	Income				
july	2031	Expense	\$ (14,775)	\$ 4,827,994	Payroll				
july	2031	Expense	\$ (47,504)	\$ 4,780,490	M & S				
august	2031	Payments		\$ 4,780,490	Income				
august	2031	Bond Payment	\$ (1,730,000)	\$ 3,050,490	Bond payment & Interest				
august	2031	Expense	\$ (14,775)	\$ 3,035,716	Payroll				Final Bond Pymt
august	2031	Expense	\$ (47,504)	\$ 2,988,212	M & S			No reserve Requirement	
September	2031	Payments	\$ 253,139	\$ 3,241,351	Income				
September	2031	Expense	\$ (14,775)	\$ 3,226,576	Payroll				
September	2031	Expense	\$ (47,504)	\$ 3,179,073	M & S				
October	2031	Payments	\$ 253,139	\$ 3,432,212	Income				
October	2031	Expense	\$ (14,775)	\$ 3,417,437	Payroll				
October	2031	Expense	\$ (47,504)	\$ 3,369,933	M & S				
November	2031	Payments	\$ 253,139	\$ 3,623,072	Income				
Dec	2031	Expense	\$ (14,775)	\$ 3,608,298	Payroll				
Dec	2031	Expense	\$ (47,504)	\$ 3,560,794	M & S				
December	2031	Payments	\$ 253,139	\$ 3,813,933	Income				
Dec	2031	Expense	\$ (14,775)	\$ 3,799,158	Payroll				
Dec	2031	Expense	\$ (175,000)	\$ 3,624,158	Flood Insurance				
Dec	2031	Expense	\$ (47,504)	\$ 3,576,655	M & S				

December 19, 2023
6:00 P.M.
Newport, OR

PORT OF NEWPORT COMMISSION MINUTES

This is not an exact transcript. The video of the session is available on the Port's website.

The Port of Newport Commission met on the above date and time at the Administration Building, 600 SE Bay Blvd., and virtually via Microsoft Teams. In attendance were Commissioners Sylvia, Retherford, Ruddiman, Chuck, and Lackey. Also in attendance were Executive Director Paula Miranda, Director of Business and Finance Services Mark Brown, Operations Director Aaron Bretz, Administrative Assistant Gloria Tucker, Terminal Facilities Manager Don Moon, Good Work Architects Representative Mark Kuykendall, and PR Consultant Angela Nebel. Visitors included Moon's daughter.

CHANGES TO THE AGENDA

Miranda suggested moving up Item C. Employee Recognition to Item A. in Presentations. Sylvia agreed.

CONSENT CALENDAR

MOTION was made by Ruddiman, seconded by Chuck, to approve the consent calendar as presented. The motion carried unanimously in a voice vote.

PRESENTATIONS

Employee Recognition – 7 Year Anniversary — Don Moon. Sylvia introduced the agenda item. Miranda, Bretz, and the Commission thanked Moon for his service.

RV Annex Plan – Good Work Architects. Sylvia introduced the agenda item. Kuykendall overviewed the presentation included in the packet. He noted the consultants determined the Dry Camp site (referring to the graveled overflow dry camp area) worked best as the new site for the RV Annex. He explained the target customers would be young families. He emphasized the importance of creating a great experience for the RV campers. Bretz reported there is room in the market to support this facility. He stated the capabilities of the Dry Camp site can improve the quality of the Annex vastly. He noted the current Annex lot could be used many ways, and it could double parking capacity in South Beach. Kuykendall added lane widening at the boat ramp could happen concurrently with a construction project at the Dry Camp site, resulting in some construction savings. Bretz noted there are more spaces available at the Dry Camp than at the Annex. Sylvia noted the consultant's recommendations on the website and social media presence for the RV Park and RV Annex. Kuykendall replied branding and marketing are important as well as the experience. Miranda replied, unfortunately, a lot of the negative reviews have to do with the deterioration of the RV Annex site. Chuck asked what road accesses would need to be maintained for Port tenants near the Dry Camp. Kuykendall replied the drive to one tenant would need to be maintained. Chuck asked how many more spaces can fit at the Dry Camp. Kuykendall replied it is not double, but roughly 10 more spaces.

Bretz reported there are a couple of swales in the Dry Camp that the Port maintains. He stated those would continue to be maintained through either rain gardens or culverts. Sylvia noted the recommendations included optimizing the utilities through wind or solar. He asked if there is any interest in that from RVers who are sensitive to environmental or green issues. Kuykendall replied certain people care about that, but most people care more about the experience of the place, a nice view of the bridge, vegetation, and room between spaces. Brown reported initial projections for a new Annex show a revenue increase of \$200,000 to \$300,000 per year. Bretz indicated the fee projections for the next level of planning include a site survey that will cost about \$20,000. He added the construction documents, permitting, architecture, engineering, and landscaping design fees for Dry Camp would cost \$175,000. He explained the current Annex design fees would be \$169,000, and if the current Annex was turned into parking and Dry Camp redeveloped at the same time, that total fees would be \$216,000.

Bretz reported there is money in the budget, but staff are concerned about cash flow. He stated he will work with Mark Brown to determine the best time to start the next phase. He noted it will be a couple of years before the Port identifies a funding source for construction. Miranda added funding in general is not readily available for tourism infrastructure. She noted she is working with legislators and Business Oregon. She indicated construction could be \$2-\$4 million. Sylvia added he mentioned green energy because the state may award funding for green projects. He clarified with staff that construction numbers would be refined in the next phase of planning.

Chuck asked if the consultants considered the noise generation with being located next to the boat launch lane. Kuykendall replied that is a concern, and creating a vegetative buffer and berm would mitigate that. Chuck noted that some of the users of the Annex will be using the lane too. He asked if this location would impact NOAA's expansion. Miranda replied it should not affect NOAA because the Port still has property adjacent available for them. Chuck asked if a kayak launch access could be placed between NOAA and the new Annex site. Bretz replied an access could be placed there, but there is eel grass planted in that area. He stated he would look into it to see if it is something the Port could do.

Lackey stated he understands the pros and cons of the different sites. He asked if staff considered what could go wrong, for example traffic flow or safety concerns. Bretz replied winds blow sand from the disposal pile when there is no vegetation. He noted there is sentimental value for the old Annex. He stated because of the location of the trash totes, RVers could smell the fish waste. Lackey confirmed with staff that arborvitae pines could be used for vegetation in the area. Kuykendall noted water line pressure will also need to be addressed, since the Dry Camp site is further down the line.

Miranda asked what permitting may be required by the city because of the zoning. Bretz replied all the areas are zoned water related, and there would need to be a conditional use permit through the city for parking or RVs. Brown suggested providing storage for kayaks as another potential revenue. Bretz noted using the Annex as a new parking lot, the Port has to take into account increased foot traffic. He suggested better pedestrian access across Marine Science Drive with a lighted crosswalk. Ruddiman asked if there is possibility of running a shuttle service. Bretz replied that would have to be outsourced, but it is an option.

OLD BUSINESS

Approval of Lease Renewal with Carver for Commercial Marina Fuel. Sylvia introduced the agenda item. Bretz reported Carver is trying to get a new float constructed and

replace the shack and is in the building permit process with the state. He explained the Port is holding him on an old lease as staff go over infrastructure concerns prior to renegotiating a whole new lease. He stated in the meantime, Carver needs to be on a current lease with the Port. He indicated his solution is to give a one-year lease and renegotiate the long-term lease. He added the Port would not change anything else or fees and would work on negotiation over the year. Sylvia pointed out the term in the lease provided needs to be corrected to one year without option to renew.

MOTION was made by Chuck, seconded by Ruddiman, to approve the attached lease with Carver's Inc. as amended. The motion carried unanimously in a voice vote.

Approval of Resolution 2023-04 Regarding Business Oregon Loan for NIT Crane.

Sylvia introduced the agenda item. Miranda reported the Port purchased a crane with general funds and needs this to move forward with the loan from Business Oregon. She overviewed the terms of the loan included in the packet.

MOTION was made by Lackey, seconded by Chuck, to adopt Resolution 2023-04 authorizing a loan from the Oregon Business Development Department in the amount of \$583,345 with interest rate of 3.57 percent. The motion carried unanimously in a voice vote.

Approval of OSU Sublease. Sylvia introduced the agenda item. Miranda reported this was added yesterday because, due to some unforeseen circumstances, Ultra Life Café couldn't continue its sublease. She explained OSU was immediately contacted by the folks that operate Clearwater Restaurant. She stated OSU is trying to work on the sublease, and it should be similar to the attached one. She noted she will review the sublease before signing, but doesn't want to slow them down. She indicated they want to move in on January 8. She added the Port's next meeting isn't until January 30. Chuck asked if they have to do competitive bids on this. Miranda replied her understanding is they do not need to do that.

MOTION was made by Lackey, seconded by Retherford, to authorize the Executive Director to provide an approval letter allowing OSU to enter into a lease with Hans & Janell Goplen and its affiliate, once she had reviewed the sublease and is satisfied with its content.

NEW BUSINESS

Approval of IGA with Oregon State Police for cameras. Sylvia introduced the agenda item. Bretz reported this intergovernmental agreement with Oregon State Police is very similar to the Newport Police Department one. He stated without this, staff require them to go through a public records request process for footage. He explained this process is a little more abbreviated and doesn't involve any fees.

MOTION was made by Ruddiman, seconded by Chuck, to approve the OSP IGA to facilitate the transfer of security camera footage when requested. The motion carried unanimously in a voice vote.

Approval of Port Dock 7 Temporary Improvements. Sylvia introduced the agenda item. Bretz reported this a project on the list to hold Port Dock 7 until we get the new docks in place. He stated Bergerson Construction still has the leg up because they are already mobilized in the bay and can immediately perform this work. He noted this is replacement of 15 pilings, and there are permits in hand. Chuck clarified with staff there will be floats installed along the pilings. Miranda

asked if the pilings can be reused for the Port Dock 7 project. Bretz replied sometimes when driving piles, the piles can bend at the bottom. He stated he hopes that doesn't occur much, and Bergerson will keep them long and not cut off the tops, so the Port can pull them and use them in the docks later.

MOTION was made by Lackey, seconded by Retherford, to authorize the Executive Director or her designee to contract with Bergerson Construction to drive 15 pilings at Port Dock 7 in an amount not to exceed \$185,000, which includes 3% contingency. The motion carried unanimously in a voice vote.

Approval of Admin Space Lease with TCB. Sylvia introduced the agenda item. Bretz reported this is a tenant for the extra space in the new Port Administration Building. He stated staff have been working on this for close to a year. He noted the rental rates are pretty low around here. He indicated this will be good for the Port because the Port will get some secondary benefits for having the security contractor onsite. He explained he can ask about tickets or appeals in person or inform them of problems immediately. Chuck clarified with staff TCB will have a vinyl sign, but no other changes to the building. Miranda added no one who has to pay the taxes will lease the space. Sylvia asked if staff were aware the commercial rates were low. Miranda replied staff were aware and would have liked to get a non-profit. She noted staff were considering Customs at first, but they have moved away completely. Lackey asked what the Port's monthly payment is on the Admin Building. Brown replied the Port has not received an invoice yet. He explained he is working with Business Oregon on the issue.

MOTION was made by Chuck, seconded by Ruddiman, to authorize the Executive Director or her designee to sign and approve the attached lease to TCB Management Group, Inc. The motion carried unanimously in a voice vote.

STAFF REPORTS

Executive Director. Miranda presented her report included in the packet. She noted Heather Mann sent an email regarding a potential legislative bill on offshore wind that had the Port of Newport's name added to it. She stated she would send it to the Commission to review.

PUBLIC COMMENT

Tucker noted Kenneth Lindstrom signed up during the meeting but had no public comment.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:27 p.m.



PON BALANCE SHEET

Period: 07/01/23..12/31/23

Port of Newport

General Operating Fund

Description	Balance
Assets	
Current Assets	
Cash Deposits	1,657,468.67
Cash on hand - Cash Drawers	825.00
Accounts Receivable	622,153.36
Property Tax Receivable	5,472.09
Grants Receivable	13,005.74
Allowance for Bad Debt	(50,000.00)
Interfund Activity Receivable	418,791.42
Prepaid Expenses	137,674.67
Total Current Assets	400,047.50
TOTAL FIXED ASSETS	49,425,542.74
Deferred Outflows of Resources	
Advanced Refunding (DOR)	0.00
PERS NPA(L)	(1,069,107.00)
PERS Deferred Outflow	1,139,912.00
Total Deferred Outflow Resrcs	70,805.00
TOTAL ASSETS	49,896,395.24
LIABILITIES	
Current Liabilities	
Accounts Payable	77,172.49
Credit Cards Payable	(9,504.85)
Accrued Lodging Taxes	7,342.87
Accrued Property Tax	(10,362.11)
Unclaimed Property	75,514.92
Interfund Activity Payable	674,263.84
Payroll Payable	(1,701.74)
Compensated Absences	88,501.14
Accrued Payroll Taxes	(18,105.21)
Retirement Payable	16,856.30
Benefit Payable	93.41
Accrued Interest	11,368.00
Deposits - SB	100,680.32
Deposits - CM and NIT	6,334.87
Deferred Revenue	176,043.10
Current Portion - Notes Payable	454,043.00
Current Portion - Bonds Payable	235,000.00
Total Current Liabilities	1,883,540.35
Non-current Liabilities	
Long-term Debt	6,369,260.06
Less Current Portion - Long-term Debt	(689,043.00)
Bond Premiums	70,939.00



PON BALANCE SHEET

Period: 07/01/23..12/31/23

Port of Newport

Fiscal Start Date: 07/01/23

Fund Filter: 100

All amounts are in USD.

Description	Balance
Total Non-current Liabilities	5,751,156.06
Deferred Inflows of Resources	1,012,495.00
Total Liabilities	8,647,191.41
Equity (Fund Balance)	
Restricted Fund Balance	1,140,000.00
Committed Fund Balance	0.00
Assigned Fund Balance	667,000.00
Unrestricted Fund Balance	35,040,331.98
Contributed Capital	7,130,788.00
Prior Period Adjustment	0.00
Total Equity (Fund Balance)	43,978,119.98
Retained Earnings	(2,276,812.43)
Net Assets	41,249,203.83
Total Liabilities and Equity	49,896,395.24



Period: 07/01/23..12/31/23

Port of Newport

General Operating Fund

Description	Current	Budget	Variance
OPERATING REVENUE			
Lease Revenue	444,051	402,119	41,932
Moorage	1,166,980	1,080,630	86,350
Services	149,208	275,369	(126,161)
Cargo	18,118	2,300	15,818
RV Park Space Rentals	825,137	778,400	46,737
Fees	480,459	351,940	128,519
Property Tax Revenue	120,779	0	120,779
Discounts and Refunds	(9,149)	0	(9,149)
Miscellaneous Operating Revenue	92,673	22,650	70,022
Total Operating Revenue	3,289,166	2,913,408	375,758
OPERATING EXPENSES			
Personnel Services	1,285,700	1,469,020	(183,320)
Materials, Services	1,363,730	1,832,245	(468,515)
Total Operating Expenses	2,649,430	3,301,264	(651,835)
OPERATING INCOME (LOSS)	639,737	(387,856)	1,027,593
NON-OPERATING REVENUES			
Grant Revenue	32,245	0	32,245
Interest	26,960	3,250	23,710
Gain/Loss on Sale of Assets	107,450	0	107,450
Transfers In from Other Funds	133,155	0	133,155
Total Non-operating Revenues	299,811	3,250	296,561
NON-OPERATING EXPENSES			
Debt Service	718,474	719,764	(1,290)
Capital Outlays	831,999	849,930	(17,931)
Transfers Out to Other Funds	7,516	7,516	0
Total Non-Operating Expenses	1,557,989	1,577,209	(19,221)
Non-Operating Income (Loss)	(1,258,178)	(1,573,959)	315,782
Net Income (Loss)	(618,441)	(1,961,816)	1,343,374
GAAP Adjustments			
GAAP Adj - Capital Expenditures	615,207	0	615,207
GAAP Adj - Depreciation Expense	(759,309)	0	(759,309)
GAAP Adj - Debt Service Principal	516,899	0	516,899
Total GAAP Adjustments	(372,796)	0	(372,796)
Net Income (Loss)	(991,238)	(1,961,816)	970,578



Financial Report - Budget Vs. Actual

Port of Newport

Period 07/01/23..12/31/23

DEPARTMENT: 000-Unallocate

Description	Current	Budget	Variance
OPERATING REVENUE			
OPERATING EXPENSES			
Personnel Services			
Materials, Services	2,500	53,168	(50,668)
Total Operating Expenses	2,500	53,168	(50,668)
OPERATING INCOME (LOSS)	(2,500)	(53,168)	50,668
NON-OPERATING REVENUES			
Grant Revenue			
Transfers In from Other Funds	133,155		133,155
Total Non-operating Revenues	133,155		133,155
NON-OPERATING EXPENSES			
Debt Service	718,474	719,764	(1,290)
Transfers Out to Other Funds	1,540	7,516	(5,976)
Total Non-Operating Expenses	720,014	727,280	(7,266)
Non-Operating Income (Loss)	(586,858)	(727,280)	140,421
Net Income (Loss)	(589,358)	(780,447)	191,089
GAAP Adj - Debt Service Principal	501,546		501,546
Total GAAP Adjustments	(501,546)		(501,546)
Net Income (Loss)	(1,090,904)	(780,447)	(310,457)



Financial Report - Budget Vs. Actual

Port of Newport

Period 07/01/23..12/31/23

DEPARTMENT: 100-Administra

Description	Current	Budget	Variance
OPERATING REVENUE			
Property Tax Revenue	120,779		120,779
Discounts and Refunds	3,137		3,137
Miscellaneous Operating Revenue	1,738		1,738
Total Operating Revenue	125,654		125,654
OPERATING EXPENSES			
Personnel Services	449,814	564,334	(114,520)
Materials, Services	366,591	558,607	(192,016)
Total Operating Expenses	816,406	1,122,942	(306,536)
OPERATING INCOME (LOSS)	(690,751)	(1,122,942)	432,190
NON-OPERATING REVENUES			
Grant Revenue			
Interest	18,539	3,250	15,289
Gain/Loss on Sale of Assets	107,450		107,450
Total Non-operating Revenues	125,989	3,250	122,739
NON-OPERATING EXPENSES			
Capital Outlays	(6,025)		(6,025)
Total Non-Operating Expenses	(6,025)		(6,025)
Non-Operating Income (Loss)	132,014	3,250	128,764
Net Income (Loss)	(558,737)	(1,119,692)	560,954
GAAP Adjustments			
GAAP Adj - Capital Expenditures	615,207		615,207
GAAP Adj - Depreciation Expense	(22,286)		(22,286)
Total GAAP Adjustments	(592,921)		(592,921)
Net Income (Loss)	(1,151,658)	(1,119,692)	(31,967)



Financial Report - Budget Vs. Actual

Port of Newport

Period 07/01/23..12/31/23

DEPARTMENT: 300-Commerci

Description	Current	Budget	Variance
OPERATING REVENUE			
Lease Revenue	98,367	77,500	20,867
Moorage	415,677	327,500	88,177
Services	129,659	176,819	(47,160)
Fees	173,322	77,500	95,822
Discounts and Refunds	(6,099)		(6,099)
Miscellaneous Operating Revenue	8,496	6,000	2,496
Total Operating Revenue	820,333	665,319	155,014
OPERATING EXPENSES			
Personnel Services	265,781	315,276	(49,495)
Materials, Services	251,683	281,000	(29,317)
Total Operating Expenses	517,465	596,276	(78,812)
OPERATING INCOME (LOSS)	302,868	69,042	233,826
NON-OPERATING REVENUES			
Grant Revenue	32,245		32,245
Total Non-operating Revenues	32,245		32,245
NON-OPERATING EXPENSES			
Capital Outlays	72,065	123,091	(51,026)
Total Non-Operating Expenses	72,065	123,091	(51,026)
Non-Operating Income (Loss)	(39,820)	(123,091)	83,271
Net Income (Loss)	263,048	(54,049)	317,096
GAAP Adj - Depreciation Expense	(559,181)		(559,181)
Total GAAP Adjustments	559,181		559,181
Net Income (Loss)	822,229	(54,049)	876,278

Financial Report - Budget Vs. Actual

Port of Newport

Period 07/01/23..12/31/23

DEPARTMENT: 500-Internation

Description	Current	Budget	Variance
OPERATING REVENUE			
Lease Revenue	89,771	87,119	2,652
Moorage	9,207	110,000	(100,793)
Services	43,750	98,000	(54,250)
Cargo	18,028	2,300	15,728
Fees	154,574	142,500	12,074
Discounts and Refunds	217		217
Miscellaneous Operating Revenue	83,984	1,000	82,984
Total Operating Revenue	399,531	440,919	(41,388)
OPERATING EXPENSES			
Personnel Services	104,844	145,508	(40,664)
Materials, Services	114,134	211,500	(97,367)
Total Operating Expenses	218,977	357,008	(138,030)
OPERATING INCOME (LOSS)	180,554	83,912	96,642
NON-OPERATING REVENUES			
Grant Revenue			
Loans		560,000	(560,000)
Total Non-operating Revenues		560,000	(560,000)
NON-OPERATING EXPENSES			
Capital Outlays	600,622	607,353	(6,730)
Total Non-Operating Expenses	600,622	607,353	(6,730)
Non-Operating Income (Loss)	(600,622)	(47,353)	(553,270)
Net Income (Loss)	(420,069)	36,559	(456,628)
GAAP Adj - Depreciation Expense	(25,892)		(25,892)
Total GAAP Adjustments	25,892		25,892
Net Income (Loss)	(394,177)	36,559	(430,736)



Financial Report - Budget Vs. Actual

Port of Newport

Period 07/01/23..12/31/23

DEPARTMENT: 700-South Bea

Description	Current	Budget	Variance
OPERATING REVENUE			
Lease Revenue	255,912	237,500	18,412
Moorage	740,771	643,130	97,641
Services	(24,200)	550	(24,750)
Cargo	90		90
RV Park Space Rentals	825,137	778,400	46,737
Fees	149,991	131,940	18,051
Discounts and Refunds	(7,185)		(7,185)
Miscellaneous Operating Revenue	(1,546)	15,651	(17,196)
Total Operating Revenue	1,938,971	1,807,171	131,800
OPERATING EXPENSES			
Personnel Services	365,060	443,902	(78,841)
Materials, Services	624,496	727,970	(103,474)
Total Operating Expenses	989,556	1,171,872	(182,316)
OPERATING INCOME (LOSS)	949,415	635,299	314,116
NON-OPERATING REVENUES			
Grant Revenue			
Interest	8,422		8,422
Total Non-operating Revenues	8,422		8,422
NON-OPERATING EXPENSES			
Capital Outlays	165,336	215,542	(50,206)
Transfers Out to Other Funds	5,976		5,976
Total Non-Operating Expenses	171,312	215,542	(44,230)
Non-Operating Income (Loss)	(162,891)	(215,542)	52,652
Net Income (Loss)	786,524	419,757	366,768
GAAP Adj - Depreciation Expense	(151,950)		(151,950)
Total GAAP Adjustments	151,950		151,950
Net Income (Loss)	938,474	419,757	518,718



PON BALANCE SHEET

Period: 07/01/23..12/31/23

Port of Newport

NOAA Capital Lease

Description	Balance
Assets	
Current Assets	
Cash Deposits	3,146,957.64
Property Tax Receivable	0.00
Grants Receivable	0.00
Interfund Activity Receivable	578,002.63
Prepaid Expenses	199,928.27
Total Current Assets	3,604,082.69
TOTAL FIXED ASSETS	19,388,347.86
Deferred Outflows of Resources	
Advanced Refunding (DOR)	390,615.04
PERS NPA(L)	(56,269.00)
PERS Deferred Outflow	59,995.00
Total Deferred Outflow Resrcs	394,341.04
TOTAL ASSETS	23,386,771.59
LIABILITIES	
Current Liabilities	
Accounts Payable	10,449.26
Interfund Activity Payable	1,028,833.21
Compensated Absences	9,880.27
Accrued Payroll Taxes	2,659.42
Retirement Payable	5,933.24
Benefit Payable	(250.00)
Accrued Interest	164,613.00
Current Portion - Bonds Payable	1,380,000.00
Total Current Liabilities	2,602,118.40
Non-current Liabilities	
Long-term Debt	12,515,000.00
Less Current Portion - Long-term Debt	(1,380,000.00)
Total Non-current Liabilities	11,135,000.00
Deferred Inflows of Resources	53,290.00
Total Liabilities	13,790,408.40
Equity (Fund Balance)	
Restricted Fund Balance	1,761,721.00
Committed Fund Balance	432,000.00
Assigned Fund Balance	432,000.00
Unrestricted Fund Balance	7,938,139.25
Contributed Capital	0.00
Prior Period Adjustment	0.00
Total Equity (Fund Balance)	10,131,860.25
Retained Earnings	(1,294,692.63)
Net Assets	9,596,363.19



PON BALANCE SHEET

1/22/2024
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MBROWN

Period: 07/01/23..12/31/23

Port of Newport

Fiscal Start Date: 07/01/23

Fund Filter: 500

All amounts are in USD.

Description

Balance

Total Liabilities and Equity

23,386,771.59

Period: 07/01/23..12/31/23

Port of Newport

NOAA Lease Revenue Fund

Description	Current	Budget	Variance
OPERATING REVENUE			
Lease Revenue	1,293,972	1,288,620	5,352
Total Operating Revenue	1,293,972	1,288,620	5,352
OPERATING EXPENSES			
Personnel Services	53,301	114,063	(60,762)
Materials, Services	988,111	1,359,563	(371,452)
Total Operating Expenses	1,041,412	1,473,626	(432,214)
OPERATING INCOME (LOSS)	252,559	(185,006)	437,566
NON-OPERATING REVENUES			
Grant Revenue	0	0	0
Interest	36,043	3,250	32,793
Total Non-operating Revenues	36,043	753,250	(717,207)
NON-OPERATING EXPENSES			
Debt Service	1,577,535	1,578,100	(565)
Capital Outlays	5,760	40,000	(34,240)
Total Non-Operating Expenses	1,583,295	1,618,100	(34,805)
Non-Operating Income (Loss)	(1,547,252)	(864,850)	(682,402)
Net Income (Loss)	(1,294,693)	(1,049,856)	(244,837)
GAAP Adj - Depreciation Expense	(620,804)	0	(620,804)
GAAP Adj - Debt Service Principal	1,380,000	0	1,380,000
Total GAAP Adjustments	(759,196)	0	(759,196)
Net Income (Loss)	(2,053,888)	(1,049,856)	(1,004,032)



PON BALANCE SHEET

Period: 07/01/23..12/31/23

Port of Newport

NOAA Capital Reserve
Fund

Description	Balance
Assets	
Current Assets	
Cash Deposits	1,966,594.85
Property Tax Receivable	0.00
Grants Receivable	0.00
Interfund Activity Receivable	357,758.81
Total Current Assets	2,324,295.79
Deferred Outflows of Resources	
Advanced Refunding (DOR)	0.00
PERS NPA(L)	0.00
PERS Deferred Outflow	0.00
Total Deferred Outflow Resrcs	0.00
TOTAL ASSETS	2,324,295.79
LIABILITIES	
Current Liabilities	
Interfund Activity Payable	3,526.14
Total Current Liabilities	3,526.14
Non-current Liabilities	
Total Non-current Liabilities	0.00
Deferred Inflows of Resources	0.00
Total Liabilities	3,526.14
Equity (Fund Balance)	
Restricted Fund Balance	2,278,074.94
Committed Fund Balance	0.00
Assigned Fund Balance	0.00
Unrestricted Fund Balance	0.00
Contributed Capital	0.00
Prior Period Adjustment	0.00
Total Equity (Fund Balance)	2,278,074.94
Retained Earnings	42,694.71
Net Assets	2,320,769.65
Total Liabilities and Equity	2,324,295.79

Period: 07/01/23..12/31/23

Port of Newport

NOAA Capital Reserve Fund

Description	Current	Budget	Variance
OPERATING REVENUE			
OPERATING EXPENSES			
Personnel Services	0	0	0
Materials, Services	0	0	0
Total Operating Expenses	0	0	0
OPERATING INCOME (LOSS)	0	0	0
NON-OPERATING REVENUES			
Grant Revenue	0	0	0
Interest	42,695	1,500	41,195
Transfers In from Other Funds	0	186,744	(186,744)
Total Non-operating Revenues	42,695	188,244	(145,549)
NON-OPERATING EXPENSES			
Total Non-Operating Expenses	0	0	0
Non-Operating Income (Loss)	42,695	188,244	(145,549)
Net Income (Loss)	42,695	188,244	(145,549)
Total GAAP Adjustments	0	0	0
Net Income (Loss)	42,695	188,244	(145,549)

Period: 07/01/23..12/31/23
Port of Newport

Bonded Debt Fund

Description	Balance
Assets	
Current Assets	
Cash Deposits	272,386.91
Property Tax Receivable	31,469.43
Grants Receivable	0.00
Total Current Assets	303,856.34
TOTAL FIXED ASSETS	139,746.00
Deferred Outflows of Resources	
Advanced Refunding (DOR)	553,083.64
PERS NPA(L)	0.00
PERS Deferred Outflow	0.00
Total Deferred Outflow Resrcs	553,083.64
TOTAL ASSETS	996,685.98
LIABILITIES	
Current Liabilities	
Current Portion - Bonds Payable	435,000.00
Total Current Liabilities	435,000.00
Non-current Liabilities	
Long-term Debt	10,380,000.25
Less Current Portion - Long-term Debt	(435,000.00)
Bond Premiums	572,487.00
Total Non-current Liabilities	10,517,487.25
Deferred Inflows of Resources	0.00
Total Liabilities	10,952,487.25
Equity (Fund Balance)	
Restricted Fund Balance	(10,520,959.61)
Committed Fund Balance	0.00
Assigned Fund Balance	0.00
Unrestricted Fund Balance	0.00
Contributed Capital	0.00
Prior Period Adjustment	0.00
Total Equity (Fund Balance)	(10,520,959.61)
Retained Earnings	130,158.34
Net Assets	(9,955,801.27)
Total Liabilities and Equity	996,685.98



Period: 07/01/23..12/31/23

Port of Newport

Bonded Debt Fund

Description	Current	Budget	Variance
OPERATING REVENUE			
Property Tax Revenue	756,084	0	756,084
Total Operating Revenue	756,084	0	756,084
OPERATING EXPENSES			
Personnel Services	0	0	0
Materials, Services	0	0	0
Total Operating Expenses	0	0	0
OPERATING INCOME (LOSS)	756,084	0	756,084
NON-OPERATING REVENUES			
Grant Revenue	0	0	0
Interest	4,877	0	4,877
Total Non-operating Revenues	4,877	0	4,877
NON-OPERATING EXPENSES			
Debt Service	630,802	197,028	433,774
Total Non-Operating Expenses	630,802	197,028	433,774
Non-Operating Income (Loss)	(625,925)	(197,028)	(428,897)
Net Income (Loss)	130,158	(197,028)	327,186
GAAP Adj - Debt Service Principal	435,000	0	435,000
Total GAAP Adjustments	(435,000)	0	(435,000)
Net Income (Loss)	(304,842)	(197,028)	(107,814)



PON BALANCE SHEET

Period: 07/01/23..12/31/23

Port of Newport

Facilities Maintenance Fund

Description	Balance
Assets	
Current Assets	
Cash Deposits	426,451.64
Property Tax Receivable	0.00
Grants Receivable	0.00
Total Current Assets	453,749.44
Deferred Outflows of Resources	
Advanced Refunding (DOR)	0.00
PERS NPA(L)	0.00
PERS Deferred Outflow	0.00
Total Deferred Outflow Resrcs	0.00
TOTAL ASSETS	453,749.44
LIABILITIES	
Current Liabilities	
Total Current Liabilities	0.00
Non-current Liabilities	
Total Non-current Liabilities	0.00
Deferred Inflows of Resources	0.00
Total Liabilities	0.00
Equity (Fund Balance)	
Restricted Fund Balance	0.00
Committed Fund Balance	0.00
Assigned Fund Balance	489,484.67
Unrestricted Fund Balance	74,780.71
Contributed Capital	0.00
Prior Period Adjustment	0.00
Total Equity (Fund Balance)	564,265.38
Retained Earnings	(110,515.94)
Net Assets	453,749.44
Total Liabilities and Equity	453,749.44

Period: 07/01/23..12/31/23

Port of Newport

Facilities Maintenance Fund

Description	Current	Budget	Variance
OPERATING REVENUE			
OPERATING EXPENSES			
Personnel Services	0	0	0
Materials, Services	0	0	0
Total Operating Expenses	0	0	0
OPERATING INCOME (LOSS)	0	0	0
NON-OPERATING REVENUES			
Grant Revenue	0	0	0
Interest	9,066	0	9,066
Transfers In from Other Funds	13,574	750,000	(736,426)
Total Non-operating Revenues	22,640	750,000	(727,360)
NON-OPERATING EXPENSES			
Transfers Out to Other Funds	133,155	133,156	(1)
Total Non-Operating Expenses	133,155	133,156	(1)
Non-Operating Income (Loss)	(110,516)	616,844	(727,360)
Net Income (Loss)	(110,516)	616,844	(727,360)
Total GAAP Adjustments	0	0	0
Net Income (Loss)	(110,516)	616,844	(727,360)

Period: 07/01/23..12/31/23
Port of Newport

Construction Fund

Description	Balance
Assets	
Current Assets	
Cash Deposits	13,198.25
Property Tax Receivable	0.00
Grants Receivable	0.00
Total Current Assets	13,198.25
Deferred Outflows of Resources	
Advanced Refunding (DOR)	0.00
PERS NPA(L)	0.00
PERS Deferred Outflow	0.00
Total Deferred Outflow Resrcs	0.00
TOTAL ASSETS	13,198.25
LIABILITIES	
Current Liabilities	
Total Current Liabilities	0.00
Non-current Liabilities	
Total Non-current Liabilities	0.00
Deferred Inflows of Resources	0.00
Total Liabilities	0.00
Equity (Fund Balance)	
Restricted Fund Balance	0.00
Committed Fund Balance	0.00
Assigned Fund Balance	0.00
Unrestricted Fund Balance	13,146.21
Contributed Capital	0.00
Prior Period Adjustment	0.00
Total Equity (Fund Balance)	13,146.21
Retained Earnings	52.04
Net Assets	13,198.25
Total Liabilities and Equity	13,198.25

Period: 07/01/23..12/31/23

Port of Newport

Construction Fund

Description	Current	Budget	Variance
OPERATING REVENUE			
OPERATING EXPENSES			
Personnel Services	0	0	0
Materials, Services	0	0	0
Total Operating Expenses	0	0	0
OPERATING INCOME (LOSS)	0	0	0
NON-OPERATING REVENUES			
Grant Revenue	0	0	0
Interest	52	0	52
Total Non-operating Revenues	52	0	52
NON-OPERATING EXPENSES			
Transfers Out to Other Funds	0	14,695	(14,695)
Total Non-Operating Expenses	0	14,695	(14,695)
Non-Operating Income (Loss)	52	(14,695)	14,747
Net Income (Loss)	52	(14,695)	14,747
Total GAAP Adjustments	0	0	0
Net Income (Loss)	52	(14,695)	14,747

Document No.	Posting Date	Vendor	Description	Fund Name	Department	Amount Includ
EFT24024	12/28/2023	PERS-Autopay	Retirement Payable	General Fund	Multiple	20,127.25
EFT24023	12/28/2023	PERS-Autopay	Retirement Payable	General Fund	Multiple	20,074.86
EFT24022	12/28/2023	Asure - ***AUTOPOST***	Payroll taxes - PPE	General Fund	Multiple	217.03
PPI03589	12/31/2023	Windcave - AutoPay	SB - Credit Card Transaction Fee	General Fund	South Beach	20.00
PPI03589	12/31/2023	Windcave - AutoPay	CM - Credit Card Transaction Fees	General Fund	Commercial Marina	155.00
12768	12/29/2023	Sherwin-Williams	Repairs and Maintenance	General Fund	Commercial Marina	155.82
12768	12/29/2023	Sherwin-Williams	Repairs and Maintenance	General Fund	Commercial Marina	211.23
12767	12/29/2023	Pye-Barker	Contract and Support Services	NOAA Lease Fund		1,560.00
12766	12/29/2023	Platt Electric Supply Inc	Repairs and Maintenance	General Fund	Commercial Marina	1,273.76
12765	12/29/2023	Pioneer Printing Inc	Office Expense	General Fund	South Beach	249.55
12765	12/29/2023	Pioneer Printing Inc	Office Expense	General Fund	Administration	249.50
12764	12/29/2023	Paula Miranda	Benefits	General Fund	Administration	1,000.00
12763	12/29/2023	Papé Material Handling, Inc	Repairs and Maintenance	General Fund	International Terminal	385.21
12762	12/29/2023	NW Natural	Utilities	General Fund	South Beach	332.76
12762	12/29/2023	NW Natural	Utilities	General Fund	South Beach	255.92
12761	12/29/2023	Amazon Capital Services Inc	Office Expense	General Fund	Administration	53.98
12761	12/29/2023	Amazon Capital Services Inc	Operating Supplies	General Fund	Commercial Marina	242.17
12760	12/29/2023	WHA Insurance Agency Inc	Prepaid Expenses	NOAA Lease Fund		164,713.00
12759	12/29/2023	Verizon Wireless	SB Lines	General Fund	South Beach	76.44
12759	12/29/2023	Verizon Wireless	NOAA Lines	NOAA Lease Fund		64.81
12759	12/29/2023	Verizon Wireless	NIT Line	General Fund	International Terminal	33.88
12759	12/29/2023	Verizon Wireless	CM Lines	General Fund	Commercial Marina	64.99
12759	12/29/2023	Verizon Wireless	Admin Lines	General Fund	Administration	208.83
12758	12/29/2023	Suburban Propane	Operating Supplies	General Fund	South Beach	81.00
12757	12/29/2023	Alsea Bay Power Products Inc	Repairs and Maintenance	NOAA Lease Fund		81.24
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612073 - 600 SE Bay Blvd - New Admin	General Fund	Administration	112.82
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612072 - 2591 SE Pacific Way	General Fund	Administration	38.69
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612071 - SB Marina Temp Dock	General Fund	South Beach	75.00
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612068 - 1430 SE Bay Blvd	General Fund	International Terminal	903.35
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612067 - 1430 SE Bay Blvd	General Fund	International Terminal	803.00
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612063 - 2591 SE Pacific Way # 61	General Fund	South Beach	52.60
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612062 - 1410 SE Bay Blvd Bldg # 1	General Fund	International Terminal	485.59
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612060 - 2320 SE OSU Dr	General Fund	South Beach	93.74
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612059 - 600 SE Bay Blvd	General Fund	Commercial Marina	76.68
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612058 - 2146 SE Marine Science Dr	General Fund	South Beach	868.37
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612057 - 2120 SE Marine Science Dr	General Fund	South Beach	434.87
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612056 - 2120 SE Marine Science Dr	General Fund	South Beach	805.64
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612054 - 2124 SE Marine Science Dr	General Fund	South Beach	168.37
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612053 - 2301 SE Marine Science Dr	General Fund	South Beach	123.74
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612051 - SE OSU Dr Marina Pole 21 East	General Fund	South Beach	522.93
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612045 - Port Dock 1	General Fund	Commercial Marina	31.47
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612042 - Port Dock 7	General Fund	Commercial Marina	1,190.90
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612040 - SE Bay Blvd by 213 SE Bay Blvd	General Fund	Commercial Marina	572.53
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612032 - 2591 SE Pacific Way	General Fund	South Beach	119.45
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612031 - 2591 SE Pacific Way, SP 7	General Fund	South Beach	27.41
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612030 - 2591 SE Pacific Way, Sp 8	General Fund	South Beach	27.41
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612029 - 2591 SE Pacific Way	General Fund	South Beach	81.48
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612028 - 2591 SE Pacific Way, SP 41	General Fund	South Beach	43.77
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612027 - 2591 SE Pacific Way - SP 74	General Fund	South Beach	68.63
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612026 - 2591 SE Pacific Way - SP 60	General Fund	South Beach	103.98
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612025 - 2591 SE Pacific Way -SP 86	General Fund	South Beach	84.10
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612024 - 2591 SE Pacific Way- SP 9	General Fund	South Beach	31.47
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612023 - Port Dock 7	General Fund	Commercial Marina	2,203.26
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612022 - 2591 SE Pacific Way	General Fund	South Beach	219.88
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612021 - PD 7 Hoist Dock	General Fund	Commercial Marina	400.93
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612019 - Port Dock 5	General Fund	Commercial Marina	3,435.22
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612016 - SB Marina Dock J	General Fund	South Beach	81.89
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612015 - SB Marina Unit H	General Fund	South Beach	1,231.58
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612014 - SB Marina Unit G	General Fund	South Beach	712.21
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612013 - SB Marina Sewer & Lift	General Fund	South Beach	39.87
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612012 - SB Marina	General Fund	South Beach	527.82
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612011 - SB Boat Slip E	General Fund	South Beach	707.16
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612010 - SB Boat Slip D	General Fund	South Beach	986.18
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612009 - SB Boat Slip C	General Fund	South Beach	340.74
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612008 - SB Boat Slip B	General Fund	South Beach	1,419.52
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612007 - SB Boat Slip A	General Fund	South Beach	1,336.19
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612006 - SB Fuel Dock	General Fund	South Beach	223.08
PPI03551	12/29/2023	Central Lincoln PUD**AUTOPOST**	302612000 - 600 SE Bay Blvd	General Fund	Administration	721.19
EFT240014	12/20/2023	Asure - ***AUTOPOST***	Payroll taxes - PPE 20231215	General Fund	Multiple	26,010.55
EFT240013	12/20/2023	Asure - ***AUTOPOST***	Payroll taxes - PPE 20231215 Bonuses	General Fund	Multiple	975.71
PPI03531	12/18/2023	First Interstate Bank**AUTOPOST**-Debt Svc	Debt Service - Interest	General Fund	Unallocated	259.01
PPI03531	12/18/2023	First Interstate Bank**AUTOPOST**-Debt Svc	Debt Service - Principal	General Fund	Unallocated	4,846.30
12756	12/22/2023	City of Newport	Utilities	General Fund	Commercial Marina	156.50

12756	12/22/2023	City of Newport	Utilities	General Fund	South Beach	156.50
12755	12/22/2023	Century Link	Utilities	General Fund	South Beach	41.33
12754	12/22/2023	Carver Inc	Operating Supplies	General Fund	South Beach	376.71
12753	12/22/2023	Business Oregon - IFA	Debt Service - Principal	General Fund	Unallocated	2,083.33
12752	12/22/2023	Bio-Med Testing Services Inc	Contract and Support Services	General Fund	Administration	58.00
12751	12/22/2023	Barrelhead Supply Inc	Operating Supplies	General Fund	South Beach	176.85
12750	12/22/2023	TWGW Inc NAPA Auto Parts	Repairs and Maintenance	General Fund	International Terminal	63.98
12750	12/22/2023	TWGW Inc NAPA Auto Parts	Repairs and Maintenance	General Fund	International Terminal	57.97
12750	12/22/2023	TWGW Inc NAPA Auto Parts	Repairs and Maintenance	General Fund	South Beach	47.90
12749	12/22/2023	Toyota Lift Northwest	Repairs and Maintenance	General Fund	Commercial Marina	1,621.54
12749	12/22/2023	Toyota Lift Northwest	Repairs and Maintenance	General Fund	Commercial Marina	233.28
12749	12/22/2023	Toyota Lift Northwest	Equipment	General Fund	Commercial Marina	34.42
12749	12/22/2023	Toyota Lift Northwest	Equipment	General Fund	Commercial Marina	225.22
12749	12/22/2023	Toyota Lift Northwest	Equipment	General Fund	Commercial Marina	276.00
12748	12/22/2023	TOPCON	Operating Supplies	General Fund	South Beach	119.40
12747	12/22/2023	T & L Chemical Toilet Service LLC	Contract and Support Services	General Fund	Commercial Marina	740.00
12747	12/22/2023	T & L Chemical Toilet Service LLC	Contract and Support Services	General Fund	Commercial Marina	105.00
12747	12/22/2023	T & L Chemical Toilet Service LLC	Contract and Support Services	General Fund	South Beach	105.00
12747	12/22/2023	T & L Chemical Toilet Service LLC	Contract and Support Services	General Fund	International Terminal	85.00
12747	12/22/2023	T & L Chemical Toilet Service LLC	Contract and Support Services	General Fund	South Beach	105.00
12746	12/22/2023	Summit Public Relations Strat LLC	Professional Services	General Fund	Administration	3,292.50
12745	12/22/2023	Astound CoastCom By Wave	7201-1213135-01	General Fund	South Beach	1,032.68
12745	12/22/2023	Astound CoastCom By Wave	7201-1213135-01	General Fund	Administration	960.00
12744	12/22/2023	Streamline	Utilities	General Fund	Administration	535.00
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	International Terminal	41.99
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	Commercial Marina	41.99
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	Administration	41.99
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	International Terminal	28.32
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	International Terminal	41.99
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	Commercial Marina	41.99
12743	12/22/2023	Staples Advantage	Office Expense	General Fund	Administration	41.99
12742	12/22/2023	Special Districts Insurance Services	NOAA	NOAA Lease Fund		1,945.29
12742	12/22/2023	Special Districts Insurance Services	NIT	General Fund	International Terminal	1,956.00
12742	12/22/2023	Special Districts Insurance Services	SB- RV	General Fund	South Beach	4,364.65
12742	12/22/2023	Special Districts Insurance Services	SB Ops	General Fund	South Beach	2,911.45
12742	12/22/2023	Special Districts Insurance Services	CM	General Fund	Commercial Marina	7,285.68
12742	12/22/2023	Special Districts Insurance Services	Admin	General Fund	Administration	6,015.80
12742	12/22/2023	Special Districts Insurance Services	Compensated Absence Expense	General Fund	Administration	213.00
12741	12/22/2023	Special Districts Association of Oregon	Prepaid Expenses	General Fund	Multiple	17,303.00
12740	12/22/2023	Sierra Springs	Operating Supplies	General Fund	Commercial Marina	39.76
12740	12/22/2023	Sierra Springs	Operating Supplies	General Fund	Administration	116.34
12739	12/22/2023	Quadient Finance USA Inc	Office Expense	General Fund	Administration	448.15
12738	12/22/2023	Platt Electric Supply Inc	Repairs and Maintenance	General Fund	Commercial Marina	121.13
12738	12/22/2023	Platt Electric Supply Inc	Operating Supplies	General Fund	International Terminal	19.97
12737	12/22/2023	Pioneer Printing Inc	Office Expense	General Fund	Administration	180.55
12736	12/22/2023	PBS Engineering and Environmental Inc.	Capital Outlay - Land Improvements	General Fund	South Beach	136,060.82
12735	12/22/2023	Pacific Coast Lock & Safe LLC	Repairs and Maintenance	General Fund	Commercial Marina	135.00
12734	12/22/2023	Amazon Capital Services Inc	Repairs and Maintenance	General Fund	Commercial Marina	31.32
12734	12/22/2023	Amazon Capital Services Inc	Repairs and Maintenance	General Fund	South Beach	149.31
12734	12/22/2023	Amazon Capital Services Inc	Repairs and Maintenance	NOAA Lease Fund		39.59
12734	12/22/2023	Amazon Capital Services Inc	Repairs and Maintenance	NOAA Lease Fund		177.79
12734	12/22/2023	Amazon Capital Services Inc	Office Expense	General Fund	Administration	17.60
12734	12/22/2023	Amazon Capital Services Inc	Office Expense	General Fund	International Terminal	34.88
12734	12/22/2023	Amazon Capital Services Inc	Office Expense	General Fund	Administration	92.72
12734	12/22/2023	Amazon Capital Services Inc	Repairs and Maintenance	NOAA Lease Fund		122.22
12734	12/22/2023	Amazon Capital Services Inc	Repairs and Maintenance	NOAA Lease Fund		64.97
12733	12/22/2023	Orrco	Utilities	General Fund	Commercial Marina	1,295.00
12732	12/22/2023	OR Dept of Environmental Quality	Licenses and Permits	General Fund	Administration	1,527.73
12731	12/22/2023	Newport Gutter Cleaning	Contract and Support Services	General Fund	South Beach	1,033.00
12730	12/22/2023	MacPherson, Gintner & Diaz	Professional Services	General Fund	Administration	1,400.00
12729	12/22/2023	Industrial Welding Supply, Inc.	Repairs and Maintenance	General Fund	Commercial Marina	276.31
12728	12/22/2023	IconiPro Security Alarms Inc	Contract and Support Services	General Fund	South Beach	135.33
12728	12/22/2023	IconiPro Security Alarms Inc	Contract and Support Services	NOAA Lease Fund		88.56
12727	12/22/2023	Ground FX Landscape Management LLC	Contract and Support Services	General Fund	Commercial Marina	369.00
12726	12/22/2023	ESI Employee Assistance Group	Compensated Absence Expense	General Fund	Administration	2,700.00
12725	12/22/2023	DOWL	Capital Outlay - Docks and Piers	General Fund	Commercial Marina	9,829.46
12724	12/22/2023	Copeland Lumber Yards Inc	Equipment	General Fund	Commercial Marina	80.08
12723	12/22/2023	Alsea Bay Power Products Inc	Repairs and Maintenance	General Fund	South Beach	1,136.88
PPI03514	12/21/2023	VOYA- **AUTOPOST**	Benefits Payable	General Fund	Multiple	525.00
PPI03513	12/21/2023	VOYA- **AUTOPOST**	Benefits Payable	General Fund	Multiple	630.00
PPI03512	12/20/2023	Washington State Support Registry **AUTOPOST***	Garnishment Withholdings Payable	General Fund	Multiple	408.50
12716	12/15/2023	Edge Analytical Inc	Contract and Support Services	General Fund	International Terminal	204.00
12715	12/15/2023	Critical Repairs LLC	Capital Outlay - Equipment	General Fund	International Terminal	7,000.00
12714	12/15/2023	Copeland Lumber Yards Inc	Repairs and Maintenance	General Fund	Commercial Marina	47.51

12713	12/15/2023	Bay Area Enterprises Inc	SB	General Fund	South Beach	9,432.24
12713	12/15/2023	Bay Area Enterprises Inc	Admin	General Fund	Administration	835.77
12713	12/15/2023	Bay Area Enterprises Inc	NIT	General Fund	International Terminal	835.77
12713	12/15/2023	Bay Area Enterprises Inc	CM	General Fund	Commercial Marina	835.77
12713	12/15/2023	Bay Area Enterprises Inc	SB	General Fund	South Beach	835.76
12713	12/15/2023	Bay Area Enterprises Inc	Admin	General Fund	Administration	74.06
12713	12/15/2023	Bay Area Enterprises Inc	NIT	General Fund	International Terminal	74.06
12713	12/15/2023	Bay Area Enterprises Inc	CM	General Fund	Commercial Marina	74.06
12713	12/15/2023	Bay Area Enterprises Inc	SB	General Fund	South Beach	835.76
12713	12/15/2023	Bay Area Enterprises Inc	Admin	General Fund	Administration	74.06
12713	12/15/2023	Bay Area Enterprises Inc	NIT	General Fund	International Terminal	74.06
12713	12/15/2023	Bay Area Enterprises Inc	CM	General Fund	Commercial Marina	74.06
12713	12/15/2023	Bay Area Enterprises Inc	SB	General Fund	South Beach	835.76
12713	12/15/2023	Bay Area Enterprises Inc	Admin	General Fund	Administration	74.06
12713	12/15/2023	Bay Area Enterprises Inc	NIT	General Fund	International Terminal	74.06
12713	12/15/2023	Bay Area Enterprises Inc	CM	General Fund	Commercial Marina	74.06
12712	12/15/2023	Barrelhead Supply Inc	Repairs and Maintenance	General Fund	South Beach	11.42
12711	12/15/2023	Barrelhead Supply Inc	Repairs and Maintenance	General Fund	South Beach	430.19
12710	12/15/2023	Newport Fishermen's Wives	Advertising and Promotion	General Fund	Administration	3,000.00
12709	12/15/2023	Old Republic Surety Group	Insurance	General Fund	Administration	100.00
12708	12/15/2023	Spiro Landscapes Inc	Contract and Support Services	NOAA Lease Fund		495.00
12707	12/15/2023	Performance System Integration LLC	Contract and Support Services	NOAA Lease Fund		3,380.63
12706	12/15/2023	Ground FX Landscape Management LLC	Contract and Support Services	NOAA Lease Fund		3,765.00
12705	12/15/2023	Amazon Capital Services Inc	Repairs and Maintenance	NOAA Lease Fund		121.87
12704	12/15/2023	Amazon Capital Services Inc	Repairs and Maintenance	NOAA Lease Fund		49.35
12703	12/15/2023	Alsea Bay Power Products Inc	Operating Supplies	NOAA Lease Fund		60.62
12702	12/15/2023	Sure Clean Northwest	Repairs and Maintenance	General Fund	International Terminal	356.00
12701	12/15/2023	Amazon Capital Services Inc	Office Expense	General Fund	Administration	81.69
12701	12/15/2023	Amazon Capital Services Inc	IT Hardware and Software	General Fund	Administration	411.39
12700	12/15/2023	Suburban Propane	Operating Supplies	General Fund	South Beach	385.56
12699	12/15/2023	Suburban Propane	Operating Supplies	General Fund	South Beach	140.08
12698	12/15/2023	Suburban Propane	Operating Supplies	General Fund	South Beach	192.21
12697	12/15/2023	Pioneer Printing Inc	Office Expense	General Fund	South Beach	55.90
12696	12/15/2023	Pioneer Connect	Utilities	General Fund	International Terminal	181.91
12695	12/15/2023	Pioneer Connect	Utilities	General Fund	South Beach	41.99
12694	12/15/2023	Pioneer Connect	Utilities	General Fund	South Beach	228.32
12693	12/15/2023	Pacific Habitat Services Inc	Contract and Support Services	NOAA Lease Fund		270.00
12692	12/15/2023	Pacific Coast Lock & Safe LLC	Repairs and Maintenance	General Fund	Commercial Marina	135.00
12691	12/15/2023	Orkin	Contract and Support Services	General Fund	Administration	62.99
12690	12/15/2023	Amazon Capital Services Inc	Office Expense	General Fund	Administration	71.91
12689	12/15/2023	Newport Rental Service	Equipment	General Fund	South Beach	574.00
12688	12/15/2023	Newport Rental Service	Equipment	General Fund	South Beach	100.80
12687	12/15/2023	Newport News Times	Advertising and Promotion	General Fund	Administration	-43.85
12687	12/15/2023	Newport News Times	Advertising and Promotion	General Fund	Administration	320.00
12686	12/15/2023	Newport News Times	Advertising and Promotion	General Fund	South Beach	2.00
12686	12/15/2023	Newport News Times	Advertising and Promotion	General Fund	South Beach	123.75
12685	12/15/2023	Newport Fab Shop	Contract and Support Services	General Fund	South Beach	36,694.46
12684	12/15/2023	MASA	10060 - ED/2543931	General Fund	Administration	39.00
12684	12/15/2023	MASA	10044 - DW/2252902	General Fund	South Beach	14.00
12684	12/15/2023	MASA	10031 - ST/2463165	General Fund	Administration	14.00
12684	12/15/2023	MASA	10025 - WS/2221583	General Fund	South Beach	14.00
12684	12/15/2023	MASA	10021 - DM/2495837	General Fund	International Terminal	14.00
12684	12/15/2023	MASA	10048 - BR/2329895	General Fund	South Beach	14.00
12684	12/15/2023	MASA	10036 - RM/2220087	General Fund	Commercial Marina	14.00
12684	12/15/2023	MASA	10045 - EL/2257962	General Fund	Commercial Marina	14.00
12684	12/15/2023	MASA	10013 - MH/2220034	General Fund	Administration	14.00
12684	12/15/2023	MASA	10049 - JG/2299411	General Fund	Commercial Marina	14.00
12684	12/15/2023	MASA	10005 - MB/2465189	General Fund	Administration	39.00
12684	12/15/2023	MASA	10057 - MB/2523337	General Fund	South Beach	14.00
12683	12/15/2023	Lincoln County Public Works	Operating Supplies	NOAA Lease Fund		37.25
12683	12/15/2023	Lincoln County Public Works	Operating Supplies	General Fund	International Terminal	36.87
12683	12/15/2023	Lincoln County Public Works	Operating Supplies	General Fund	South Beach	150.02
12683	12/15/2023	Lincoln County Public Works	Operating Supplies	General Fund	Commercial Marina	102.83
12682	12/15/2023	KPFF	Capital Outlay - Docks and Piers	General Fund	International Terminal	3,572.20
12681	12/15/2023	Industrial Welding Supply, Inc.	Equipment	General Fund	South Beach	92.42
12680	12/15/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	International Terminal	111.57
12680	12/15/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	International Terminal	92.00
12680	12/15/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	International Terminal	118.29
12680	12/15/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	International Terminal	15.30
12680	12/15/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	International Terminal	6.27
12680	12/15/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	International Terminal	11.47
12679	12/15/2023	Amazon Capital Services Inc	IT Hardware and Software	General Fund	Administration	243.96
12679	12/15/2023	Amazon Capital Services Inc	Benefits	General Fund	Administration	109.51
12679	12/15/2023	Amazon Capital Services Inc	Office Expense	General Fund	Administration	64.86

EFT240012	12/8/2023	Asure - ***AUTOPOST***	Payroll taxes - PPE 20231215 Add'l PR	General Fund	Multiple	913.27
PPI03491	12/7/2023	Carson Oil Co Inc **AUTOPOST**	Operating Supplies	General Fund	International Terminal	1,210.23
PPI03490	12/13/2023	Central Lincoln PUD**AUTOPOST**	Utilities	General Fund	Administration	404.61
PPI03485	12/12/2023	Direct TV**AUTOPOST**	Utilities	General Fund	South Beach	447.20
PPI03477	12/12/2023	DE LAGE LANDEN **AUTOPOST**	50369481_2-South Beach	General Fund	South Beach	323.75
PPI03477	12/12/2023	DE LAGE LANDEN **AUTOPOST**	50369481_1-Admin	General Fund	Administration	323.75
12678	12/11/2023	Michelle Blank	Payroll Payable	General Fund	South Beach	636.15
PPI03469	12/11/2023	City of Newport Water**AUTOPOST**	172421.00 - PON RV Dump	General Fund	South Beach	99.04
PPI03459	12/11/2023	Central Lincoln PUD**AUTOPOST**	Utilities	General Fund	South Beach	668.80
12676	12/8/2023	Newport Brewing Company Holdings LLC	Benefits	General Fund	Administration	2,832.00
12675	12/8/2023	Mo's Enterprises, Inc	Contract and Support Services	General Fund	Commercial Marina	375.00
12674	12/8/2023	Internal Revenue Service	Payroll Taxes	General Fund	Administration	275.58
12673	12/8/2023	Integrity Data	IT Hardware and Software	General Fund	Administration	820.00
12672	12/8/2023	Hyak	Contract and Support Services	General Fund	Administration	5,084.99
12671	12/8/2023	Barrelhead Supply Inc	Operating Supplies	General Fund	Commercial Marina	27.92
12670	12/8/2023	Wiggins Hauling Works	Repairs and Maintenance	General Fund	International Terminal	1,450.00
12669	12/8/2023	Barrelhead Supply Inc	Operating Supplies	General Fund	Commercial Marina	-59.99
12669	12/8/2023	Barrelhead Supply Inc	Operating Supplies	General Fund	Commercial Marina	123.61
12668	12/8/2023	Wiggins Hauling Works	Repairs and Maintenance	General Fund	International Terminal	700.00
12667	12/8/2023	Thompson's Sanitary Service Inc	Utilities	General Fund	South Beach	2,608.27
12666	12/8/2023	Thompson's Sanitary Service Inc	Utilities	NOAA Lease Fund		494.00
12665	12/8/2023	Thompson's Sanitary Service Inc	Utilities	General Fund	Commercial Marina	3,282.65
12664	12/8/2023	Thompson's Sanitary Service Inc	Utilities	General Fund	International Terminal	2,467.22
12663	12/8/2023	Thompson's Sanitary Service Inc	Utilities	General Fund	International Terminal	1,647.54
12662	12/8/2023	Robin Ripka	Payroll Payable	General Fund	International Terminal	600.87
12661	12/8/2023	Platt Electric Supply Inc	Repairs and Maintenance	General Fund	Commercial Marina	545.90
12660	12/8/2023	Orrco	Utilities	General Fund	Commercial Marina	1,000.00
12659	12/8/2023	NW Natural	Utilities	General Fund	South Beach	228.03
12658	12/8/2023	Barrelhead Supply Inc	Repairs and Maintenance	General Fund	South Beach	177.41
12657	12/8/2023	Newport Sign Shop	Repairs and Maintenance	General Fund	Commercial Marina	1,868.00
12656	12/8/2023	Verizon Wireless	SB Lines	General Fund	South Beach	76.44
12656	12/8/2023	Verizon Wireless	NOAA Lines	NOAA Lease Fund		64.81
12656	12/8/2023	Verizon Wireless	NIT Line	General Fund	International Terminal	33.88
12656	12/8/2023	Verizon Wireless	CM Lines	General Fund	Commercial Marina	37.13
12656	12/8/2023	Verizon Wireless	Admin Lines	General Fund	Administration	208.83
12655	12/8/2023	Newport Fab Shop	Operating Supplies	General Fund	South Beach	1,225.00
12654	12/8/2023	Staples Advantage	Office Expense	General Fund	Administration	78.35
12653	12/8/2023	Spiro Landscapes Inc	Contract and Support Services	General Fund	South Beach	1,050.00
12652	12/8/2023	Newport Fab Shop	Repairs and Maintenance	General Fund	South Beach	613.20
12651	12/8/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	South Beach	594.53
12650	12/8/2023	Englund Marine Supply Co Inc	Operating Supplies	General Fund	Commercial Marina	72.68
12649	12/8/2023	Copeland Lumber Yards Inc	Operating Supplies	General Fund	Commercial Marina	12.15
12648	12/8/2023	Builders FirstSource Inc	Repairs and Maintenance	General Fund	South Beach	81.91
12647	12/8/2023	Arthur Rogers	Payroll Payable	General Fund	Commercial Marina	114.60
12644	12/5/2023	Robin Ripka	Payroll Payable	General Fund	Multiple	1,207.82
12643	12/5/2023	Arthur Rogers	Payroll Payable	General Fund	Multiple	1,620.00
12642	12/5/2023	Rick Mabe	Payroll Payable	General Fund	Multiple	1,653.51
12641	12/5/2023	John Tucker	Payroll Payable	General Fund	Multiple	149.37
12640	12/3/2023	City of Newport Room Tax	Fees	General Fund	South Beach	-154.98
12640	12/3/2023	City of Newport Room Tax	Accrued Lodging Taxes	General Fund	Multiple	3,099.50
12639	12/1/2023	OR Business Development Dept. -OBDD	Debt Service - Interest	General Fund	Unallocated	1,766.82
12639	12/1/2023	OR Business Development Dept. -OBDD	Debt Service - Principal	General Fund	Unallocated	6,033.18
12638	12/1/2023	OR Business Development Dept. -OBDD	Debt Service - Interest	General Fund	Unallocated	1,781.86
12638	12/1/2023	OR Business Development Dept. -OBDD	Debt Service - Principal	General Fund	Unallocated	6,018.14
PPI03378	12/2/2023	OR Dept of Revenue TLT** Autodraft	Accrued Payroll Taxes	General Fund	Multiple	25.33
12637	12/1/2023	Business Oregon - IFA	Debt Service - Interest	General Fund	Unallocated	26,400.65
12636	12/1/2023	Business Oregon - IFA	Debt Service - Interest	General Fund	Unallocated	17,692.80
12635	12/1/2023	Business Oregon - IFA	Debt Service - Principal	General Fund	Unallocated	2,083.33
PPI03371	12/1/2023	Asure - ***AUTOPOST***	Payroll taxes - PPE	General Fund	Multiple	25,632.20
PPI03370	12/1/2023	VOYA- **AUTOPOST**	Benefits Payable	General Fund	Multiple	630.00
PPI03369	12/1/2023	VOYA- **AUTOPOST**	Benefits Payable	General Fund	Multiple	525.00
PPI03368	12/1/2023	Washington State Support Registry **AUTOPOST***	Garnishment Withholdings Payable	General Fund	Multiple	408.50
12630	12/1/2023	Newport Plumbing Inc	Contract and Support Services	General Fund	South Beach	1,223.25
12629	12/1/2023	KPFF	Capital Outlay - Docks and Piers	General Fund	International Terminal	3,547.50
12628	12/1/2023	Bill's Pest Control LLC	Utilities	NOAA Lease Fund		155.00
12627	12/1/2023	Platt Electric Supply Inc	Operating Supplies	NOAA Lease Fund		55.24
12627	12/1/2023	Platt Electric Supply Inc	Operating Supplies	NOAA Lease Fund		55.32
12626	12/1/2023	Pacific Source Administrators Inc	Flat Monthly Fee	General Fund	Administration	85.00
12626	12/1/2023	Pacific Source Administrators Inc	PM (0002663414)	General Fund	Administration	254.16
12626	12/1/2023	Pacific Source Administrators Inc	DD (0001767159)	General Fund	Administration	90.00
12626	12/1/2023	Pacific Source Administrators Inc	MB (0001767155)	General Fund	Administration	72.92
12625	12/1/2023	TCB Security Services Inc	SB	General Fund	South Beach	5,868.46
12625	12/1/2023	TCB Security Services Inc	Admin	General Fund	Administration	519.99
12625	12/1/2023	TCB Security Services Inc	NIT	General Fund	International Terminal	519.99

12625	12/1/2023	TCB Security Services Inc	CM	General Fund	Commercial Marina	519.99
12625	12/1/2023	TCB Security Services Inc	SB	General Fund	South Beach	1,553.43
12625	12/1/2023	TCB Security Services Inc	Admin	General Fund	Administration	137.64
12625	12/1/2023	TCB Security Services Inc	NIT	General Fund	International Terminal	137.64
12625	12/1/2023	TCB Security Services Inc	CM	General Fund	Commercial Marina	137.64
12625	12/1/2023	TCB Security Services Inc	SB	General Fund	South Beach	2,934.22
12625	12/1/2023	TCB Security Services Inc	Admin	General Fund	Administration	260.00
12625	12/1/2023	TCB Security Services Inc	NIT	General Fund	International Terminal	260.00
12625	12/1/2023	TCB Security Services Inc	CM	General Fund	Commercial Marina	260.00

2024 ANNUAL REPORT TO THE
PORT OF NEWPORT BOARD OF COMMISSIONERS

This Annual Report is filed with the Port of Newport Board of Commissioners by the President, Vice-President, and Secretary/Treasurer

Action	Date	Type	Vote Y/N
Authorize General Manager to sign ASCO Power Services Agreement for NOAA Emergency Power.....	1/24/2023	Contract	5 - 0
Authorize General Manager to add testing for dioxins and furans to the sampling contract with Advanced Remediation Technologies in an amount not to exceed \$2,500, which includes a 10 percent contingency...	1/24/2023	Contract	5 - 0
Approve Cherry Plant Siding Improvement.....	2/28/2023	Contract	4 - 0
Accept SDAO Board Practice Assessment.....	2/28/2023	Other	4 - 0
Approve Commercial Marina Dumpsters Purchase.....	3/28/2023	Contract	4 - 0
Approve the match letter for the PIDP grant and allow the Port President to execute it.....	4/25/2023	Finance	5 - 0
Authorize General Manager to execute the DSL Lease 62518 ML.....	4/25/2023	Lease	5 - 0
Authorize General Manager to execute the purchase and sale agreement and any closing documents necessary to complete the sales transaction of 343 SW Bay Blvd to Ocean's Edge, LLC.....	4/25/2023	Finance	5 - 0
Adopt Resolution 2023-01 setting Rates, Fees, and Charges.....	4/25/2023	Finance	5 - 0
Authorize the General Manager to enter into an Interagency Offset Agreement for uncollectable accounts with the Oregon Department of Revenue.....	4/25/2023	Finance	5 - 0
Approve the Bergerson Construction Contract for dredging the NOAA MOC-P Facility.....	4/25/2023	Contract	5 - 0
Authorize the General Manager to accept a grant from Business Oregon in the amount of \$175,000, and to execute the purchase of a Hyster forklift not to exceed \$132,000.....	4/25/2023	Contract	5 - 0
Adopt Ordinance No. 2022-02 Regarding Code Changes.....	5/23/2023	Policy	5 - 0
Authorize General Manager to amend the Federal Cost Share Agreement with the Army Corps of Engineers for the project not to exceed \$675,000 for the Port's share.....	5/23/2023	Contract	5 - 0
Approve the Paid Leave Oregon Policy.....	5/23/2023	Policy	5 - 0
Adopt the budget and make appropriations for Fiscal Year 2023-2024 as stated in Resolution No. 2023-02....	5/31/2023	Finance	3 - 0
Authorize General Manager to execute the amendment to the purchase and sale agreement and any closing documents necessary to complete the sales transaction for 343 SW Bay Blvd to Ocean's Edge, LLC.....	6/27/2023	Finance	5 - 0
Adopt the updated Capital Improvement List.....	6/27/2023	Policy	5 - 0
Authorize General Manager to contract with Summit Public Relations Strategies, LLC, not to exceed \$29,000 plus another 10 percent contingency.....	6/27/2023	Contract	5 - 0

Action	Date	Type	Vote Y/N
Authorize General Manager to contract with PBS Engineering, not to exceed an additional \$225,865 plus 10 percent contingency, and authorize General Manager to contract with GRI to complete additional geotechnical consultation, not to exceed \$20,000 plus 10 percent contingency, for the Final Design of Rogue Seawall.....	6/27/2023	Contract	5 - 0
Ratify the General Manager's signature to the two previous supplemental lease agreements and authorize the General Manager to execute the new supplemental lease agreement for NOAA property improvements...	6/27/2023	Lease	5 - 0
Approve the lease amendment with Rondys Inc.....	6/27/2023	Lease	5 - 0
Approve the lease for Oregon State Police.....	6/27/2023	Lease	5 - 0
Increase the General Manager's salary by 10 percent retroactive to her anniversary date in May, rounded up to the nearest \$100, and add one week of PTO.....	6/27/2023	Contract	5 - 0
Appoint Sylvia President of the Commission, Retherford as Vice President, and Chuck as Secretary and Treasurer.....	7/25/2023	Policy	5 - 0
Appoint Budget Officer.....	7/25/2023	Finance	5 - 0
Approve Second Amendment to Purchase and Sale Agreement for 343 SW Bay Blvd.....	7/25/2023	Contract	5 - 0
Approve new fees for Energy Cargo, Board Room use, and Fish Seller permits.....	7/25/2023	Finance	5 - 0
Authorize General Manager to contract with Good Work Architects in an amount not to exceed \$80,000 to complete the conceptual redesign of the RV Annex.....	7/25/2023	Contract	5 - 0
Approve the agreement with Pasha Stevedoring to provide line handling services at the Terminal.....	7/25/2023	Contract	5 - 0
Authorize General Manager to execute the agreement with KOPIS for support of Business Central.....	7/25/2023	Contract	5 - 0
Adopt Ordinance No. 2023-01, an Ordinance Amending the Bylaws of the Port of Newport to change General Manager to Executive Director.....	8/22/2023	Policy	5 - 0
Authorize Executive Director to sign the lease amendment to terminate the Customs lease.....	8/22/2023	Lease	5 - 0
Authorize Executive Director to amend the contract with Good Work Architects in an amount not to exceed \$89,600 to complete the conceptual redesign of the RV Annex with a site comparison as specified in the new project scope.....	8/22/2023	Contract	5 - 0
Authorize Executive Director to sign the special procurement sales contract and execute financing documents through Business Oregon to procure a crane for NIT.....	8/22/2023	Finance	5 - 0
Authorize Executive Director to execute the Memorandum of Understanding with Surfrider and SOLVE for Bay Cleanup.....	8/22/2023	MOU	5 - 0
Accept the audit report for FY 2021-2022.....	9/26/2023	Finance	5 - 0
Adopt Resolution 2023-03, a Resolution Replacing the Authority of the General Manager to the Executive Director throughout the Port of Newport.....	9/26/2023	Policy	5 - 0
Authorize Executive Director to increase the parking rate for annual passes on the north side of the Port to \$100 per year and \$25 per month effective on January 1, 2024.....	10/24/2023	Finance	5 - 0
Authorize Executive Director to contract with Tri Coast Construction for NOAA painting, not to exceed \$44,000.....	10/24/2023	Contract	5 - 0

Action	Date	Type	Vote Y/N
Appoint Commissioner liasons to stakeholder organizations.....	10/24/2023	Other	5 - 0
Authorize Executive Director to execute all documentation necessary to complete the assignment from Goplen to the Port for Port Dock 1.....	10/24/2023	Lease	5 - 0
Authorize Executive Director to amend the DOWL contract up to and including work for Port Dock 7 planning to include the Army Corps Section 107 Project sediment sampling scope of work in an amount not to exceed \$1.1 million.....	10/24/2023	Contract	5 - 0
Adopt the 3-year RV Park plan to reduce long term stays in the RV Park.....	10/24/2023	Policy	5 - 0
Approve addendum to Rondys Lease.....	11/21/2023	Lease	4 - 0
Authorize Executive Director to amend the PBS contract to include the addition of a monitoring well and the associated monitoring and lab work for the Rogue Seawall Stabilization Project in an amount not to exceed \$29,960.....	11/21/2023	Contract	4 - 0
Authorize Executive Director to contract with Bergerson Construction to drive two pilings at Port Dock 3 in an amount not to exceed \$56,000.....	11/21/2023	Contract	4 - 0
Authorize Executive Director to execute the EAP program contract for the period of December 1, 2023, to November 30, 2024, for \$2,700.....	11/21/2023	Contract	4 - 0
Authorize Executive Director to apply for \$50,000 in grant funding for the migration of the Port to a .gov environment.....	11/21/2023	Finance	4 - 0
Declare NIT crane Surplus Property.....	12/19/2023	Other	5 - 0
Approve Amendment 3 to Sand and Gravel License 11865.....	12/19/2023	Other	5 - 0
Provide Consent Letter to OSU to provide a permit to University of Oregon to install Seismic Monitoring Equipment and Antennae.....	12/19/2023	Other	5 - 0
Approve the lease with Carver's Inc. for Commercial Marina fuel for one year without the option to renew...	12/19/2023	Contract	5 - 0
Adopt Resolution 2023-04, authorizing a loan for the NIT crane from the Oregon Business Development Department in the amount of \$583,345 with interest rate of 3.57 percent.....	12/19/2023	Finance	5 - 0
Authorize Executive Director to provide an approval letter allowing OSU to enter into a lease with Hans and Janell Goplin and its affliate once she reviews the sublease.....	12/19/2023	Lease	5 - 0
Approve the Oregon State Police IGA to facilitate the transfer of security camera footage when requested...	12/19/2023	IGA	5 - 0
Authorize Executive Director to contract with Bergerson Construction to drive 15 pilings at Port Dock 7 in an amount not to exceed \$185,000, which includes 3 percent contingency.....	12/19/2023	Contract	5 - 0
Authorize Executive Director to sign and approve the lease to TCB Management Group, Inc. at the Administration Building.....	12/19/2023	Lease	5 - 0

Action	Date	Type	Vote Y/N
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2023 ... The President, Vice President, and Secretary/Treasurer are proud of the work accomplished by our Commission and staff in supporting the essential industries served by the Port and continuing to move forward with needed projects. We look forward to a successful 2024. This Annual Report is submitted to the Port of Newport by:

Gil Sylvia, President

Kelley Retherford, Vice President

Walter Chuck, Secretary/Treasurer
at their January 30, 2024 Regular Board Meeting.



Staff Report – Employee Handbook

DATE: January 30, 2024
TO: Paula Miranda, General Manager
ISSUED BY: Mark Brown, Director of Finance and Business Services

Background

Every one to two years new laws are enacted in the State of Oregon or at the Federal level that makes updating the employee handbook essential. Since the last handbook was written, the state of Oregon has passed Paid Leave Oregon. This handbook has been updated to clarify certain items, such as pay while working on a holiday, how employee accrue PTO, and to account how staff should submit certain changes in payroll.

Details

This handbook contains too many changes to detail in this memo. Major changes include:

- Adding Title VI and ADA complaint procedures to handbook
- Eliminates non-disclosure agreements
- Clarifies that all Port employees are public officials and what they can and cannot do
- Adds Political Activity to the handbook
- Changes General Manager to Executive Director throughout the handbook
- Clarifies the pay increase policy
- Clarifies how employees are paid for working on holidays
- Gives Prorated benefits to Part time employees
- No longer allows Employees Partners and dependant to receive benefits
- Modifies enrollment date from the first of the month following 30 days of employment, to the first day of the month following employment.
- Clarifies how PTO is earned, requires staff to take 5 consecutive days off each calendar year, and eliminates max payout
- Adds informaiton on Paid Leave Oregon

Recommendation:

I RECOMMEND A MOTION TO APPROVE RESOLUTION 2024-01 ADOPTING A NEW EMPLOYEE HANDBOOK AND RESINDING THE OLD HANDBOOK.

**PORT OF NEWPORT
RESOLUTION NO. 2024-01**

A RESOLUTION ADOPTING REPLACEMENT OF THE EMPLOYEE HANDBOOK

WHEREAS, the Port of Newport By-laws for the Port of Newport requires the Commission to create personnel rules by resolution; and

WHEREAS, the Port Commission adopted an Employee Handbook on June 23rd, 2020 and has amended the personnel policies periodically; and

WHEREAS, Oregon Statute related to employment practices have dramatically changed since the adoption of the previous handbook; and

WHEREAS, the Employee Handbook sets forth the policies, practices and procedures that are to be followed by the Port of Newport in the administration of its personnel program, and is authorized by the By-laws for the Port of Newport Board of Commissioners, Ordinance No. 100, adopted May 22, 2014;

**NOW THEREFORE THE PORT OF NEWPORT BOARD OF COMMISSIONERS
RESOLVES AS FOLLOWS:**

- Section 1.** Adopt the Port of Newport Employee Handbook (Exhibit A).
- Section 2.** Staff is directed to codify this policy according to past administrative practices.
- Section 3.** Prior versions of the Personnel Manual are hereby repealed.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 30th day of January 2024.

ATTEST:

Gil Sylvia, President

Walter Chuck, Secretary/Treasurer

Port of Newport Employee Handbook

January 2024

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Mission:

Build and maintain waterfront facilities and promote/support projects and programs in cooperation with other community organizations and businesses that will retain and create new jobs and increase community economic development.

Vision:

The Port of Newport will serve as the premier Oregon coast port for the commercial fishing fleets, for recreational fishing and tourism, and for ocean observation and marine research support. We will be one of the top two Oregon coast ports for waterborne commerce while protecting and enhancing the beauty and integrity of the natural environment which is the foundation of our working waterfront community.

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INTRODUCTION

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WELCOME TO THE PORT OF NEWPORT

We are happy to welcome you to the Port of Newport – we are glad you have joined us! We take pride in selecting people such as you to join our organization, and we genuinely believe you will be a positive addition to our most important asset – our employees.

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

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

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

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

Paula J. Miranda
Executive Director

OUR HISTORY

The Port of Newport is located on the central Oregon coast in the City of Newport, Lincoln County seat and major business/economic hub of the area and encompasses approximately 59 square miles and has an estimated population of 10,800 persons. Port boundaries reach north to Otter Rock, east up to six miles inland, south to Seal Rock, and west to the Pacific Ocean. Commercial and sport fishing, fish processing, shipping, tourism, recreation, lumber, and science research are the area's major industries.

The Port of Newport serves as the premier Oregon coast port for the commercial fishing fleets, for recreational fishing and tourism, and for ocean observation and marine research support. We are one of the top Oregon coast ports for waterborne commerce while protecting and enhancing the beauty and integrity of the natural environment which is the foundation of our working waterfront community.

History of the Port of Newport

On May 26, 1910, the first meeting of Newport's Port Commission was held, where four men appointed by Governor Frank Benson proceeded to elect officers and establish the foundation of what continues to operate today as the Port of Newport. In 1923, the Port of Newport purchased dock frontage and a building, establishing its headquarters on the waterfront. The development of commercial fishing docks occurred over the years, helped considerably by the construction of the first breakwater on the north side of the bay in 1946 to protect commercial boats working halibut, salmon, and other fisheries.

In 1948, a private company - Yaquina Bay Dock and Dredge – began constructing a new shipping dock utilizing two sunken World War II ships as the foundation for the structure. The dock, known today at the International Terminal, opened for business in 1949 in the area known as McLean's Point. Over the next several decades, the dock thrived with the shipping of lumber. In 1952, for instance, 164 million feet of lumber shipped from Newport via McLean's Point.

In 1965 Oregon State University's Marine Science Center opened its doors. Although the institution's Yaquina Fisheries Laboratory had dated back to 1939, the center represented a tremendous leap forward with the lease of 50 acres from the Port of Newport on which to construct the main building and visitor center. By 1969, the site had seen more than a half million visitors. In 1982, the Marine Science Center surpassed five million visitors. A year later, it was named for Senator Mark Hatfield and today Hatfield Marine Science Center welcomes more than 150,000 visitors annually. In 2018, the University broke ground on a new \$61.7 million Marine Studies Building, in which was completed in 2020.

The 1970s saw continued demand for boat moorage and launches, as both commercial and recreational fishing interests thrived around Yaquina Bay, leading to the construction of the South Beach Marina. The first phase was completed in 1979 and included a 600-berth recreational boat basin and a four-lane launch. The second phase, finished in 1981, included a boat storage building, launch hoist, fish cleaning facilities, restrooms, showers, a public fishing pier, picnic area, and more.

Port properties saw other unique developments in the 1990s. The Oregon Brewing Company occupied the west end of the South Beach Marina exhibition hall starting in 1991. Over time, that lease arrangement grew to include the 47,000-square-foot building headquarters of Rogue Ales and their restaurant, as well as a distillery and cooperage now located on Port property.

Recreation and tourism took another big leap forward in 1992, when the Oregon Coast Aquarium, constructed on Port of Newport property, opened its doors. As of early 2019, the Aquarium had welcomed more than 14 million visitors and continues to further enhance the facility.

In 2006, the Port completed a \$3.2 million RV Park that included 92 spaces, store, operations building and registration/activity center on its South Beach campus. Around that same time, the boat ramp was relocated and a multi-use area was created that allowed for a dry camping.

The Port of Newport became the homeport for NOAA's Marine Operations Center in April of 2009, which includes state of the art training and ship operations for six NOAA research and survey ships and provides administration, engineering, maintenance, and logistical support to NOAA's entire Pacific fleet. With a budget of \$38 million and a firm deadline for completion, Port officials worked with community stakeholders to deliver a new facility ahead of schedule.

In August of 2013, the International Terminal construction was completed. The multi-use facility was developed to accommodate a wide variety of users in conjunction with the Port's mission of "retaining and creating business opportunities and increasing economic development for the Port and the community." The project was so successful at resolving the environmental issues surrounding the site, the Port of Newport was awarded the national Phoenix Award – a prestigious award that honors individuals and groups working to solve critical environmental or social challenges and turn them into productive new uses and sustainable development projects.

In 2015, the Port paved that multi-use area located on the South Beach campus, which is still used for dry camping but is also known as the location of Newport's Seafood and Wine Festival and the Loyalty Days carnival.

Today, the Port of Newport continues to be home to a thriving commercial fishing industry. In 2017, Newport ranked 12th in the nation for seafood landings, with 112 million pounds of seafood valued at \$53 million attributed to the vessels that work in and around the Port of Newport.

The Port is actively pursuing a partner for cargo business at the International Terminal with a commitment to maximizing the return on investment made by the community for this mixed-use facility.

. NOAA Marine Operations Center – Pacific continues to be a source of great pride to the Newport community.

The Port offices are spread across the North and South Side of Yaquina Bay. Located on the South Side of the Bay are the Port's RV Park office and the South Beach Operations Center. Located on the North Side of Yaquina Bay are the Commercial Marina Operations

Center and the Port Main office. In 2023 the Port completed construction of a new administrative building. The building includes a public meeting chamber for the Port of Newport Commission, 11 office spaces and accommodating breakroom, and rental space for tenant and community use. Once complete, the 5,490 square-foot Administration Building will serve not only the needs of employees but of the community as well. Located approximately one-half mile west of this site is the Port's International Terminal.

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ABOUT THIS HANDBOOK

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

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

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within this Handbook. In that event, we will try to make fair and equitable decisions while making sure that the best interests of the organization are served.

Neither this Handbook nor any other organizational document confers any express or implied contractual right to remain in Port of Newport's employment, nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific period of time and may be terminated at will, with or without reason, and without prior notice by Port of Newport or you for any reason, at any time.

This handbook is not intended to undermine or remove your rights as outlined by the National Labor Relations Board (NLRB). We fully acknowledge and respect your rights to engage in protected concerted activities, which include the right to discuss wages, working conditions, and other terms of employment with your fellow employees, as well as the right to form, join, or assist labor organizations. If you have any concerns or questions regarding your rights or any content in this handbook, please seek clarification from your HR representative or legal counsel.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them and will provide replacement pages so you can keep your Handbook current. The most current Handbook is online at Employee Intranet Hub – Home. Please note, all current agency policies and forms can be found on this site. Many are also available on HR system (<https://hr.idhrp.com/>).

Many subjects described in this Handbook, such as benefit plan information, are covered in detail in official policy documents. You should refer to these documents for specific information since this Handbook provides summaries only. Please note that when discrepancies occur between benefit language in this Handbook and in the official policy documents, the terms of the written policies are controlling. We encourage you to use caution when making decisions with long-term impact based on our current benefit offerings, given that we may find it necessary to make changes to these programs.

The Executive Director has the discretion to vary or modify the strict application of the provisions of the rules/policies in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships. The Executive Director shall not be required by any personnel to exercise their judgment or discretion to vary or modify any rule or policy.

You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read the Handbook carefully and share it with your family members so they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource. In addition, please visit [New Employee Orientation - Port of Newport](#) for additional onboarding materials and FAQs.

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EMPLOYMENT POLICIES

Employees, elected officials, commission members, volunteers or interns, customers, and members of the public are accountable for the impact of their behavior on others, regardless of intent.

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EMPLOYMENT RELATIONSHIP

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

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

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EQUAL EMPLOYMENT OPPORTUNITY

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

Our organization recognizes same-gender domestic partners, consistent with the law. If you have any questions regarding this matter, please direct them to the Director of Finance and Business Services.

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

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

All employees in the organization are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to Management's attention. If you believe you have been harassed, see the Harassment section of this manual, or if you witness or suspect any violation of this policy, you should report the matter immediately to the Director of Finance and Business Services, the Executive Director, or your direct supervisor. We also encourage that you document your concerns. We will not retaliate against you for filing a complaint or cooperating in an investigation and we will not tolerate or permit retaliation by Management or co-workers.

The Port of Newport has adopted an affirmative action plan that addresses efforts to seek out, hire, develop, and promote qualified members of protected groups (defined as racial minorities, women, the physically or mentally disabled, disabled, or other protected veterans, and those 40 years of age and older). This Affirmative Action Plan is on file in the office of the Director of Finance and Business Services.

AMERICANS WITH DISABILITIES ACT

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

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

- They currently have a physical or mental condition that significantly restricts their ability to normally conduct a major life function (walking, seeing, hearing, breathing, bodily functions, etc.),
- They have a history of such impairment; or,
- They are regarded as having such impairment.

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

The Port of Newport offers equal employment opportunities to qualified individuals who may have a physical or mental disability but are still able to perform essential job functions with reasonable accommodations. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.

Reasonable accommodations are available to employees and applicants, as long as the requested accommodations do not cause an undue hardship on the organization. Individuals protected by the ADA/ADAAA should discuss their needs for possible accommodation with the Director of Finance and Business Services.

Pregnancy Accommodation Policy

The Port of Newport will make reasonable accommodations to employees that are experiencing known limitations related to pregnancy, childbirth, or a related medical condition, to the extent the accommodation can be made without imposing an undue hardship on the organization. The Port of Newport seeks to comply with both the federal Pregnant Workers Fairness Act (PWFA) and any state provisions and rules it is subject to regarding pregnancy related conditions as well. Possible accommodations may include:

- Acquisition or modification of equipment or devices,
- More frequent or longer break periods or periodic rest,
- Assistance with manual labor, or
- Modification of work schedules or job assignments.

The Port of Newport will not take adverse action against an employee for inquiring about, requesting, or using a reasonable accommodation.

TITLE VI AND ADA DISCRIMINATION COMPLAINT PROCEDURES

Introduction

The Port of Newport has established this 'Complaint of Discrimination' Procedure as a mechanism for the review and resolution of allegations of discrimination. These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964 and The Americans with Disabilities Act (ADA) which prohibit discrimination based on race, color, national origin, and disability in any program or activity administered by the Port of Newport or its sub-recipients, consultants and/or contractors. Retaliation or intimidation of any kind is also prohibited by law.

These procedures do not negate or limit the right of the complainant to file formal complaints with other state or federal agencies. These procedures are part of an administrative process that does not provide for remedies such as compensatory damages for the complainant.

The Director of Finance and Business Services serves as a resource for members of the public who wish to file a discrimination complaint under Title VI, ADA, and related statutes. The Port of Newport is located in Newport, Oregon. The Port of Newport or designee is responsible for conducting counseling and investigations of alleged incidences of discrimination. The complainant, the individual making a complaint, is advised of his/her rights under State and Federal laws and is given a copy of this procedure.

Complaint Basis

Race	The perception based on physical characteristics that a person is a member of a racial group.	Black, White, Native American/Indian.
Color	The color and/or shade of skin within a racial group.	Black, white, dark, or light brown, etc.
National Origin	A group of people who share a common language, culture, ancestry and/or other social characteristics. Includes discrimination based on heritage or country of original citizenship. Also includes discrimination based on language or accent.	Cuban, Vietnamese, Mexican.

Disability	A disability is an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.	An individual with a visual impairment, or who uses a mobility device like a wheelchair.
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Allegations must be based on issues involving race, color, national origin, or disability. The term basis refers to the complainant’s protected group status. A Protected Group is a group of people with common characteristics who are legally protected from discrimination based on that or those characteristic(s).

Protected Group categories and definitions relevant to this procedure:

Complaint Process

Any individual or group of individuals who believe that he/she or they have been subjected to discrimination prohibited by Title VI and ADA nondiscrimination procedures based on race, color, or national origin (including Limited English Proficiency) or disability may file a written complaint to the Director of Finance and Business Services. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.

The complaint must meet the following requirements in that it must:

- Be made in writing or submitted electronically to civilrights@portofnewport.com
- Be submitted on the ‘Title VI and ADA Discrimination Complaint Form’ and signed by the
 - complainant(s),
 - Include the full name and address(es) of the complainant(s),
 - Include the date(s) of the alleged act(s) of discrimination,
 - Include the full name(s), job title(s), and work address(es) of the accused party(ies), if known,
 - Include a detailed description of the alleged act(s) of discrimination (specify all issues and circumstances of the alleged discrimination),
 - Identify the basis of the complaint (i.e., race, color, national origin, LEP, disability), and
 - Include the name(s), address(es), and telephone number(s) of any person who may have knowledge of the alleged incident.

For complaints to be accepted, they must be filed within 180 days of the alleged act of discrimination; meet the above procedures for filing; and allegations must be based on issues pertaining to race, color, or national origin (including limited English Proficiency).

A complaint may be dismissed if the complainant requests the withdrawal of the complaint; the complainant does not respond to requests for information on or before the date indicated in the request; or the complaint is not timely filed.

In cases where a complainant cannot provide a written complaint, assistance will be provided by the Director of Finance and Business Services. However, all complaints must be signed by the complainant or its legal designee.

A signature provided by a legal designee must be accompanied by written permission from the complainant.

Complaint Investigation

Following the receipt and review of the complaint the Director of Finance and Business Services or a designee will issue a letter acknowledging receipt of the complaint.

1. The accused party(ies) will be notified that a complaint has been filed against him/her/them within 10 days of accepting the complaint. When applicable, the accused party(ies) is/are advised of his/her/their right to representation by the union or any other appropriate representative of his/her/their choice.
2. Barring extenuating circumstances outside of the investigators control, the investigator will conduct a fact-finding investigation and provide a resolution, if one is possible, within ninety (90) business days of receipt of the complaint and notify all involved parties in writing whether there was a violation of Title VI. This will include notification to the complainant of his/her/their right to appeal the results to the Executive Director.
3. All investigation findings will be reported to the Executive Director or his/her/their designee.
4. Should the complainant elect to appeal the decision, he/she/they must do so in writing to the Executive Director within ten (10) business days after receipt of the complaint resolution proposed by the Director of Finance and Business Services or investigator designee. Failure to appeal within this period shall be interpreted as acceptance of this resolution.
5. The Executive Director or designee will review the case to determine what, if any additional information is needed. If additional information is required from the appellant, he/she will be provided reasonable advance notice of a meeting and will be advised of his/her/their right to present relevant information at that time.
6. The Executive Director or designee will render a written decision regarding the appeal, no later than thirty (30) business days from the date of the filing of the appeal which will be sent to the appellant. Should this decision differ from the findings of the investigation, it will also be sent to all parties involved and the Director of Finance and Business Services. **The decision of the Executive Director or designee is final.** However, does not preclude the complainant from pursuing other means of resolution under federal and/or state law.
7. All records of complaints and dispositions thereof shall be maintained and regularly reviewed by the Director of Finance and Business Services who will pay particular attention to the detection of any patterns in the nature of the complaints. All such records shall be retained on a strictly confidential basis, except where disclosure is required by law.

PORT OF NEWPORT -TITLE VI & ADA COMPLAINT FORM

Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Requirements?	Large Print		Audio Tape
	TDD		Other
Section II:			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are complaining:			
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
Section III:			
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Disability			
Date of Alleged Discrimination (Month, Day, Year): _____			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as			

names and contact information
of any witnesses. If more space is needed, please use the back of this form.

Empty rectangular box for providing names and contact information of witnesses.

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Port of Newport, Director of Finance and Business Services

600 SE Bay Blvd

Newport, OR 97365

HARASSMENT

The Port of Newport will not tolerate conduct by any employee that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment. All forms of harassment are prohibited. We want to maintain a working environment free from all forms of harassment, whether based upon race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, or any other legally protected characteristic or status. Retaliation associated with a complaint of harassment is also prohibited.

Behavior such as telling ethnic jokes; making religious slurs; using offensive slang or other derogatory terms regarding a person's race, sexual orientation, age, sex, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct and will not be tolerated. Harassing individuals by making derogatory comments regarding protected status or characteristics is strictly prohibited, as well as using any other words or conduct that might create a hostile or offensive work environment.

Sexual harassment is a form of harassment we have chosen to address in additional detail. Conduct is considered to be sexual harassment if:

- Submission to the conduct is in any way deemed to be a term or condition of employment.
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; and inappropriate touching are not tolerated at the Port of Newport. Cell phone use, including text messages and other similar electronic communications, can also be considered harassing behavior.

Each manager/supervisor has a responsibility to maintain a workplace free of any form of sexual harassment. No manager/supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, customers, etc.) is prohibited.

This policy explicitly applies conduct in the workplace, at social functions sponsored by the organization (holiday dinners, picnics, sporting events, etc.), and at business functions (conventions, trade shows, etc.). This policy applies to any conduct, however, as described above, which impacts the organization or work environment, regardless of where it occurs.

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. As an employee of the Port of Newport, you have the responsibility to immediately report any actions or words from a supervisor, co-worker, vendor, or other individual, which you find to be harassing. The organization will not retaliate against you for filing a complaint or cooperating in an investigation and will not tolerate or permit retaliation by management, co-workers, or non-employees such as clients, vendors, or contractors.

Reporting Incidents of Harassment

If you believe that you have been harassed, have witnessed harassment, or suspect any violation of our harassment policy, you must immediately report the matter to the Director of Finance and Business Services or the Executive Director who are responsible for ensuring that all complaints are promptly and thoroughly investigated without prejudice or retaliation. The investigation will be conducted promptly, but no specific timeframe can be guaranteed because each situation is likely to be different, and individuals may have varying schedules. Every effort will be made to complete the investigation within two weeks. In all cases, you will be notified of the outcome of the investigation. (See the section in this Handbook on Dispute Resolution for information on the appeal process).

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

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

External Complaint Procedure

We encourage employees to bring their concerns and complaints to the organization, and understand that, at times, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address: https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275.

Non-Disclosure Agreements

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to change their mind.

Additional Employee Support Services

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

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

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WORKPLACE PROFESSIONALISM

While harassment due to a person's protected class is prohibited, so too is unprofessionalism, such as incivility, due to personality clashes or issues. We want our focus to be on customer service, productivity, and the ability for each employee to flourish here. This makes it essential that our employees treat each other and those with whom they come into contact with courtesy, respect, and professionalism. Further, we require that employees work cooperatively and constructively in resolving issues or problems on-the-job to foster satisfactory working relationships. In that light, bullying or similar disruptive behavior does nothing positive to enhance our working conditions and will not be tolerated here.

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

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

We will consider the following examples as unprofessional; however, this is not considered a comprehensive list. Any actions that create the same or similar result will also be considered.

- Making comments on Facebook, texting, misuse of other forms of social media
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person's performance or job description,
- Spreading rumors and gossip regarding individuals
- Interfering with the ability of someone to perform job duties or consistently assigning menial tasks not central to the job.
- Taking credit for another person's ideas

*Any The Port of Newport employee who experiences unprofessionalism should **immediately** report the behavior according to the reporting process outlined in our anti-harassment policy. All reports will be investigated and addressed. Making false/baseless or malicious complaints of unprofessionalism will be regarded as a serious offense, which may also lead to corrective action, up to and including termination.*

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DISPUTE RESOLUTION

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

Reporting Issues Other than Harassment/Discrimination

Any other questions or concerns you may have should be discussed with your immediate manager/supervisor, absent special circumstances, as soon as you are aware there is a problem or have a question. Your manager will generally follow up to your concern.

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

Appeal Process

Honest differences of opinion occur, and some situations will require the review or decision of a higher management level. A higher-management review, however, is only intended to occur after you have discussed a situation with your immediate supervisor and a satisfactory solution has not been reached.

If you feel a policy has been inappropriately applied, or you have been unfairly treated or unjustly disciplined by your manager/supervisor, you may present the matter to the Director of Finance and Business Services, or the Director of Operations, as it may apply to your department. That official will review the issue and make a decision. If you are not satisfied with this decision, you may present the matter to the Executive Director for review and settlement. The decision of this individual will be final.

All cases will be reviewed on an individual basis and without regard to precedent.

EMPLOYMENT

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

Our goal will always be to select the most qualified person for each available job, favoring existing employees over outside applicants when possible. External recruiting may be initiated concurrently with the internal posting process, but no hiring commitment or decision will be made until the position has been posted internally for a minimum of five (5) working days. The Port of Newport reserves the right to deviate from this policy as it deems appropriate.

Former employees and relatives of current employees may be considered for employment in the same manner as other applicants. We may refuse to place a spouse, domestic partner, or immediate family member under the direct supervision of a spouse, domestic partner, or family member, if such placement adversely affects supervision, safety, security, or morale.

In order to be eligible to transfer to a different job, you must have completed a minimum of 6-month tenure in your current position, have completed your initial introductory period, and may not be under any corrective action.

You may, from time-to-time, be temporarily transferred or assigned to perform work outside of your regular job classification, schedule, shift, or department. Depending upon the circumstances, you may be subject to a wage adjustment while performing such work. We may also reassign employees on a long-term basis whose placements are determined to be unsuited to their individual skills and transfer any employee who has an illness or disability that requires modified duty without posting the position.

NEW EMPLOYEES, PROMOTIONS, AND TRANSFERS

New Employee Orientation

New employees are expected to receive a thorough orientation within the first month of employment, this typically is provided by the employee's supervisor. This helps to ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies. Orientation sessions are documented using the notes section in our HR system.

Introductory Period

As a new employee, you are hired on a 180-day (6-month) introductory period. The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by supervisors. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position and provides an opportunity for us to see if your abilities and the requirements of the position match. It is also a chance to see if we meet your expectations as an employer.

Your performance will be evaluated at the end of the introductory period, and a decision about your employment status will be made and shared with you. If you have successfully completed the introductory period, you will be moved to regular status. Movement to regular status does not alter the at-will condition of your employment. If your skills border on satisfactory, but fall a little short, the introductory period may be extended if there is reason to believe that your skills will improve within 60 days. This period may be extended only by approval of the Executive Director. The request for an extension will not be approved if it is submitted after the normal conclusion of your introductory period. If expectations are not met or if your skills are not satisfactory, it is unlikely that your employment will continue.

Completion of the introductory period does not alter the at-will employment relationship. Employment may be terminated at our will or discretion or by you at any time during or after the probationary period, with or without reason or notice, if either party regards it as necessary or appropriate.

Promotions and Transfer Training Period

If you are promoted or transferred to a new position, you must also complete an introductory period of 180 days to determine the suitability of the placement and your ability to satisfactorily perform the required work. If it is determined that the job change is not working during this period, you will be returned to your original job if a vacancy exists. Otherwise, you will be assigned to any other vacant job we deem suitable. If no such job is vacant, your employment may be terminated. If you are placed in a job other than your original job, the pay and benefits may be adjusted.

Re-employment

Employees who resign from the organization in good standing may be eligible for re-employment consideration. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. Previous performance with the organization will be evaluated if the reference check phase is reached. We are not obligated to hire former employees.

Credit for Prior Seniority

Employees who are rehired by Port of Newport will receive credit for prior time worked as follows:

- Employees who were separated because of a reduction in workforce will receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within one (1) year after the separation date.
- Employees who voluntarily resigned from their employment with Port of Newport may receive credit for prior time worked for the purposes of benefit eligibility, subject to management approval, if re-employed within six (6) months after the resignation date. However, a new anniversary date will be established based on the date of rehire.
- All other rehires shall be considered new employees, except where federal or state law requires otherwise (e.g., the Employee Retirement Income Security Act rules which apply to pensions, where state law applies to health insurance benefit reinstatement)

Employment Classifications

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

<u>Introductory*</u> :	Newly hired or promoted employees within the 180-day introductory period. New hires earn Paid Time Off (PTO) but cannot use PTO until the 91st day.
<u>Regular Full-time</u> :	An employee who is regularly scheduled to work 32 hours or more per week. Classification normally is eligible for benefits.
<u>Regular Part-time</u> :	An employee who is regularly scheduled to work at less than at least 15 but less than 32 hours per week. This classification is normally eligible for benefits, but on a pro-rata basis. Example: If an employee works 20 of the 32 hours, the Port would pay 20/32 ^{nds} of the insurance cost. The remainder 12/32 ^{nds} is deducted from the paycheck.
<u>Seasonal/Temporary*</u> :	An employee who is hired for a specified period of time, usually no more than six (6) months (1040 hrs. per calendar year). This classification is typically not eligible for benefits, except for those mandated by law.

On-Call*: An employee who does not have a set schedule and works only when called upon.

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

Exempt: An employee who is exempt from the overtime pay and minimum wage requirements under federal and state laws. Exempt employees typically include managers, executives, supervisors, professional staff, outside sales representatives, owners, and others who are generally paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.

Non-exempt: An employee who is paid an hourly wage and whose job generally calls for the payment of minimum wage and overtime as specified under state or federal regulations.

*May be eligible for benefits under the Affordable Care Act depending on hours worked.

Continuous Service Date

The continuous service date is the date a new employee is appointed on a probationary appointment. Time spent as a temporary employee, is not included in determining an employee's continuous service date.

The continuous service date will be used for determining benefits, PTO accumulation, Port contribution to the retirement program, length of service in connection with layoff, and any other matters involving length of service.

Employees who leave Port service for military service shall receive credit for such service upon returning to Port employment. Credit also shall be accumulated while on authorized leave of absence with pay and authorized educational leave with or without pay. Other authorized or unauthorized leave of absence without pay for five (5) consecutive working days or more shall result in an adjustment of the continuous service date.

An employee who has been re-employed following a layoff or authorized leave of absence without pay shall receive credit for previous time spent in a Regular Full-time or Part-time position in the determination of their continuous service date.

ALLOCATION OF POSITIONS

New Positions

When a department head or director desires to establish the classification of a new position, a description of the duties and responsibilities of the position shall be submitted to the Executive Director or designee in order that a determination of the proper classification be made.

Reclassification of Positions

Whenever a department head or director desires to make any permanent and substantial change in the duties, authority, or responsibilities of a position, notification of the proposed change shall be submitted to the Executive Director or designee for determination, if any, on the classification of the position. Positions may be reclassified whenever the duties of the position change materially, provided however, that any reclassification can be accomplished within the current budget.

CLASSIFICATION PLAN

Purpose

The purpose of the classification plan is to provide a complete and continuous inventory of all positions, to provide accurate job descriptions and specifications for each class of employment. The classification plan shall be maintained so that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

Maintenance of Plan

The Executive Director or designee is responsible for maintaining and revising a position classification plan, which groups all positions into classes based upon their duties, authority, and responsibilities.

Amendment of Plan

The Executive Director or designee shall be responsible for keeping the classification plan current through periodic studies of the positions within the Port; however, a Director, Department Head, or employee may initiate a request to amend the classification plan, by requesting a modification in writing to their immediate supervisor.

Allocation of Positions – New Positions

When a department head desires to establish the classification of a new position, a description of the duties and responsibilities of the position shall be submitted to the Executive Director or designee in order that a determination of the proper classification may be made. New positions may only be established within the budgetary and FTE specified in the current fiscal year budget, which includes the abolishment of existing position to establish a new position.

Allocation of Positions – Reclassification

Whenever a department head desires to make any permanent and substantial change in the duties, authority, or responsibilities of a position, written notification of the proposed change shall be submitted to the Executive Director or designee for determination, if any, on the classification of the position. Positions may be reclassified whenever the duties of the position change materially, provided however, that any reclassification can be accomplished within the limitations of the current budget of the Port.

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CLASS DESCRIPTIONS

Content of Specifications

Each class specification shall include the class title, a description of the duties and responsibilities of the work, and a statement of the minimum qualifications a person should possess to perform the work with reasonable prospects of success.

Interpretation of Specifications

Each class shall have a specification that includes a concise, descriptive title, and a description of the duties and responsibilities of each position in the class. Each position shall identify each essential duty, not all duties are considered essential. Position specifications take into consideration the requirements of the job and are merely descriptive and explanatory of the work to be performed. They may not include all of the duties and are not intended to replace detailed work assignments. Each position shall be allocated to an appropriate class on the basis of the duties and responsibilities of the position.

Minimum Qualifications Statement

The desirable minimum qualifications enumerated in a class specification shall relate to the reasonable standards of experience and training required at the time of original appointment of a new employee and shall not be construed as representing or measuring qualifications which employees already working in such a class may actually possess.

Class Titles

The class title shall be the official title of every position allocated to the class, not the individual filling the particular position, for the purpose of personnel actions and shall be used on all personnel, budget and financial records, and reports relating to the position.

Working Titles

The Department Head may further break down the position by using a working title, Working titles are to be used by the department head to further delineate in position for internal administration or in contacts with the public.

Position Numbers

To clarify position authority, position numbers shall be assigned to each position authorized in the budget, filled or unfilled.

Appeal of Allocations

Any Department Head or employee affected by the classification of a position may file a written request for reconsideration with the Executive Director or designee. The Executive Director or designee shall review the classification of the position and submit their findings to the department head and/or employee concerned. The Dispute Resolution Policy may also be used to appeal the allocation of a position.

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

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

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

Change in Personal Data

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

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

The Port uses an HR system (<https://hr.idhrp.com/>) to store this information. You have been provided access to make changes to certain information such as Emergency Contacts, w-4's, and Dependents. Other changes can be submitted via email to the Director of Finance and Business Services.

No Direct Deposit changes are accepted via email.

This is to prevent fraud and to protect you. All Direct Deposit changes must be submitted using the "Direct Deposit Change Request" in the Port's HR System (<https://hr.idhrp.com/>).

EMPLOYMENT RELATIONS AND CONDUCT

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ETHICS

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

Public Officials

A public official includes anyone serving the State of Oregon or any of its political subdivisions or any other public body in any of the listed capacities, including as an “agent.” An “agent” means any individual performing governmental functions. Governmental functions are services provided on behalf of the government as distinguished from services provided to the government. This may include private contractors and volunteers, depending on the circumstances.

Upon employment with the Port, you became a Public Official.

Gifts

During a calendar year, a public official, a candidate or a relative or member of the household of the public official or candidate may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest.

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

Use of Official Position or Office

A public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official’s holding of the official position or office.

Except:

- Any part of an official compensation package as determined by the public body that the public official serves.
- The receipt by a public official or a relative or member of the household of the public official of an honorarium or any other item allowed under ORS 244.042 (Honoraria).
- Reimbursement of expenses.
- An unsolicited award for professional achievement.
- Gifts that do not exceed the limits specified in ORS 244.025 (Gift limit) received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest.

- Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest.
- The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of “gift” in ORS 244.020 (Definitions).
- Contributions made to a legal expense trust fund established under ORS 244.209 (Application to establish fund) for the benefit of the public official.

A public official may not solicit or receive, either directly or indirectly, and a person may not offer or give to any public official any pledge or promise of future employment, based on any understanding that the vote, official action, or judgment of the public official would be influenced by the pledge or promise.

A public official may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official.

A person who has ceased to be a public official may not attempt to further or further the personal gain of any person through the use of confidential information gained in the course of or by reason of holding position as a public official or the activities of the person as a public official.

A person may not attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member. This subsection does not apply to the person’s employer, business partner or other associate.

The provisions of this section apply regardless of whether actual conflicts of interest or potential conflicts of interest are announced or disclosed under ORS 244.120

Honoraria

A public official may not solicit or receive, whether directly or indirectly, honoraria for the public official or any member of the household of the public official if the honoraria are solicited or received in connection with the official duties of the public official.

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

Financial Interest in Public Contracts

A person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract for two years after the date the contract was authorized.

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

Failure to meet these standards will result in investigation and, depending on the outcome, result in discipline up to and including separation.

Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, customer/client, or any individual or organization doing or seeking business with the Port of Newport. This means you may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interests of the organization or interferes with your ability to fully perform job responsibilities. For example, if job responsibilities include purchasing, or being in a position to influence purchasing, the individual responsible must disclose any financial interest and recuse themselves from transactions from any business that furnishes products, materials, or services to the organization or in any related transaction. An employee may not benefit directly or indirectly from a third party who furnishes products, materials, or services to the organization either.

Misrepresentation

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

Outside Employment

While employed at the Port of Newport, you may not engage in outside employment that conflicts with the nature of the Port's business, competes with the Port, or that otherwise interferes with your ability to perform according to established standards of performance and work rules. Additionally, you may not work at an organization that conducts business with the Port. During hours you are scheduled to work for the Port or use company equipment for such purposes, you may not conduct any business connected with outside employment. Discuss any outside employment with your supervisor prior to accepting an outside position so the Port can determine if there is a conflict of interest.

Off-Duty Conduct

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

Solicitation and Bulletin Boards

To make sure employees are not disturbed or interrupted while on work duty, we have established the following non-solicitation policy:

Individuals who are not employed at the organization may not solicit our employees or distribute literature on organization property at any time.

If you wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society, you may do so only during times when you are on a rest or lunch break. You may solicit or distribute literature only to those employees who are also on a rest or lunch break. The distribution of literature in work areas is prohibited at all times, but you may place it in established break areas or lunchrooms.

Obscene, profane, or inflammatory items and political advertisements or solicitations are strictly prohibited.

You may not solicit, expect, or accept contributions from vendors, clients, or anyone doing business with the Port.

You may not sell merchandise or collect funds of any kind without prior written approval from the Executive Director or designee, a copy of which will be maintained in your HR file.

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

Political Activity

The State of Oregon law (ORS 260.432) restricts political activity by public employees. As a Port employee you are considered a public employee. This policy does not apply to volunteers.

Port employees may not use their work time to support or oppose measures, candidates, recalls, political committees or petitions. Engaging in "political activity" or "advocacy", means only that political activity or advocacy which is restricted by the statute- supporting or opposing measures, candidates, recalls, political committees or petitions. Supporting or opposing political issues which do not fall into any of those categories is not restricted by the statute.

Oregon election law does not specify any amount of work time that may be used before a violation occurs, so you may be found in violation even though you used a minimal amount of work time. Port employees may not distribute material that contains political advocacy while on the job during work hours, except public employees may, as part of their job duties, process and distribute incoming mail addressed to specific employees that contains political advocacy.

Port employees cannot give a speech or presentation advocating a political position if they are on the job or acting in their official capacity.

A spokesperson for the Port may respond to media inquiries about the possible effects of a measure or initiative so long as the information they provide is impartial. The Port employee must not state or imply support or opposition.

A Port employee who, on their own computer on the weekend, drafts a press release about how a measure might affect the Port, and signs the document with their title, is acting in their official capacity.

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CONFIDENTIALITY

Organization and Customers

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

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

Employee Records

The Port of Newport's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of this information. Additionally, the organization will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the organization includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefit plan enrollment information, which may include dependents' personal information, and school/college or certification credentials. All pre-employment inquiries, including reference check records, as well as former employee files are maintained in locked, separate areas and are not used by the organization in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in locked, secured areas with access limited to those who have a need for such access. Personal employee information used in business system applications will be protected under company proprietary electronic transmission and Virtual Private Network policies and security systems. Participants in company benefit plans should be aware that personal information will be shared with plan providers as required for claim handling or record keeping needs.

Organization-assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, company coding and recording systems, telephone directories, e-mail lists, and company facility or location information and addresses, is considered by the Port to be proprietary information to be used for

internal purposes only. The Port retains the right to communicate and distribute such information as it feels necessary to conduct business operations.

If an employee becomes aware of a breach in maintaining the confidentiality of any personal information, the employee should report the incident to the Director of Finance and Business Services. The Director of Finance and Business Services has the responsibility to investigate or have an independent third party investigate the incident and recommend corrective action. Please understand that the reasonableness of actions taken in these circumstances will be taken into consideration. Examples of the release of personal employee information that will not be considered a breach include the following:

- Release of partial employee birth dates (*i.e.*, day and month, which is not considered confidential and will be shared with supervisors/managers who elect to recognize employees on such dates).
- Personal telephone numbers or e-mail addresses may be distributed to supervisors/managers in order to facilitate company work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes, and for timekeeping purposes will be shared with supervisors/managers.
- Employees' company anniversary dates will be distributed to appropriate supervisors/managers periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes, for periodic benefit plan changes, or for benefit statement updates.

Should a security breach occur, you will be notified in writing as soon as possible.

WORKPLACE RESPONSIBILITIES

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

- Arrive at work on time, stay until the workday ends, and carry out the work assigned or requested. If you are unable to be at work on time, please contact your immediate supervisor promptly.
- Treat the workplace with respect and attention, including Port of Newport records, equipment, and property. The items in your custody are under your responsibility to maintain, use appropriately, and keep accurate.
- The standard of conduct for all employees in the service of the Port shall be in the public's interest as opposed to individual interest.
- Act as an agent of the Port, representing the Port's interests and standpoint in a positive manner.
- Respect other's work time.
- Excellent public relations/customer service is an integral part of your job.
- Remain professional. Exhibit a high regard for customers, vendors, business associates, and for co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, *etc.*) will be condoned. This also applies to alcohol consumption when representing the Port of Newport in a business or social capacity.
- Refer all media inquiries to the Executive Director. Do not participate in interviews unless you receive express permission from the Executive Director
- Maintain the confidentiality of organization information or customer information in your possession (*i.e.*, personnel information, trade secrets, *etc.*).
- Dress in clothing that is neat in appearance and consistent with a professional atmosphere, keeping in mind the impression it has on customers, visitors, and other employees as well as the need to promote organization and employee safety. Good individual judgment is the best guideline, but management retains the right to decide what dress is appropriate.
- Act in accordance with all appropriate codes, laws, regulations, and policies set by the Port of Newport, the state, and other outside regulatory bodies.

This information regarding our behavioral expectations should help guide employee actions. You are urged to use reasonable judgment and to seek advice in doubtful or unclear situations. If all employees do their best to meet both the spirit and intent of these guidelines, disciplinary issues will be minimal. It is our policy to resolve conduct and performance problems in the most informal and positive manner possible; however,

conduct which falls outside of the above guidelines will result in corrective action, up to and including termination.

We also believe that all of our employees should have an opportunity to be heard in matters involving discipline; therefore, we have adopted a formal Dispute Resolution Procedure, the location of which can be found in the Table of Contents.

IMPROPER EMPLOYEE CONDUCT

The term "improper conduct" shall mean not only any improper action by an employee in his/her official capacity, but also any conduct by an employee not connected with his/her official duties tending to bring the Port into discredit, or which tends to affect the employee's ability to perform his/her duties officially, or any improper use of their position as an employee for his/her personal advantage. In addition, improper conduct includes the following:

- Violation of the criminal laws of the United States or of any state thereof.
- Being adjudged guilty of a crime involving moral turpitude or infamous or disgraceful conduct.
- Insubordination or disloyalty.
- Offensive or unbecoming conduct or language toward the public or towards fellow Port employees or officers thereof.
- Inattention to duty, tardiness, indolence, carelessness, or damage to, or negligence in the care and handling of, Port property.
- Improper or unauthorized use of equipment and supplies.
- Being absent from work without first notifying the employee's supervisor.
- Outside employment that interferes with Port responsibilities or performance.
- Absence from duty without leave, failure to report after leave of absence has expired or after such leave of absence has been disapproved or revoked and canceled by proper authorities.
- Willful violation of any of the provisions of ordinances, these rules, or any rules or regulations which may be prescribed by the Executive Director or a department head.
- Solicitation in an official capacity, or as an employee of the Port, of the public for money, goods, or services not specifically authorized by the Executive Director.
- Violation of provisions in the Employee Handbook.

Vehicle Use

Port vehicles may only be used for legitimate Port business.

Port vehicles (and/or vehicles rented for Port Business) will not be used to transport any individual who is not directly or indirectly related to Port business. Passengers shall be limited to Port employees, volunteers, and individuals who are directly associated with Port work activity. Family members and other non-family members shall not be transported in Port vehicles, except if an employee travels out of town for a conference.

With approval from the Director of Finance and Business Services or the Director of Operations, they may be allowed to take a family member.

Vehicles should contain only those items for which the vehicle is designed. The Port is not be liable for the loss or damage of any personal property transported in the vehicle.

Employees assigned to operate Port vehicles are responsible for the operation, care, and condition of such vehicle and are also expected to keep Port vehicles clean.

Employees may not operate Port vehicles under the influence of alcohol, marijuana, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operation.

Employees who operate Port vehicles must have a valid Oregon driver's license and may be required to provide proof of a valid license once every six (6) months. To operate certain Port vehicles, the law requires a Commercial Driver's License (CDL) and/or a hazmat endorsement. The Port will cover the costs associated with obtaining and maintaining a CDL, including test, license fees and medical exams. Receipts must be submitted for reimbursement of these costs.

Employees driving while on Port business shall obey all applicable traffic and parking regulations, ordinances, and laws.

Employees who incur fines in Port vehicles are personally responsible for payment of such fines.

Employees who are issued citations for any offense while operating a Port vehicle must notify their supervisor immediately, when practicable, but in no case later than twenty-four (24) hours. Failure to provide such notice will be grounds for disciplinary action.

An employee who is arrested for, or charged with, a motor vehicle offense for which the punishment includes suspension or revocation of their license, whether in his or her personal vehicle or in a Port vehicle, must notify his or her supervisor immediately, when practicable, but in no case later than twenty-four (24) hours. Conviction for such an offense may be grounds for loss of Port vehicle privileges and/or further disciplinary action.

Reporting and Investigating Accidents

When any Port vehicle is involved in an accident resulting in property damage or injury to any person, the following procedures shall be observed:

- Employee shall immediately report the accident to their supervisor and remain at the scene until a police report is made in a case of a fatality, injury, extensive damage, or damage that renders a vehicle inoperative. Do not remove any vehicle until authorized by your supervisor unless non-removal creates undue hazard.
- In cases where the vehicle(s) suffer only minor damage, other people should not be delayed any longer than is necessary to exchange the required information. All vehicles should carry a list of the necessary information to collect from the other driver and the information the employee would need to

collect from them. The operator should also promptly complete the accident report upon returning to the Port office.

- The supervisor or other designated individual shall respond to the scene and request and facilitate a police investigation. He/she shall gather information for the Port's insurance carrier, submit independent reports, and report all findings and conclusions to the Port Executive Director.

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WHISTLEBLOWER PROTECTIONS

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

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

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

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

DRESS CODE

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

We are committed to creating a diverse, inclusive, and equitable workplace that values and respects all individuals, regardless of their natural hair texture and hairstyle. We recognize that natural hair is an essential part of self-expression and cultural identity and discrimination based on these attributes is not acceptable in our organization.

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

Supervisors and Directors have the discretion to determine appropriateness in appearance. A basic essential of appropriate dress includes the need for clothing to be neat and clean, and appropriate for the area where you are working.

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

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

Management may make exceptions to the Dress Code for special occasions.

An employee unsure of what is appropriate should check with the designated director, manager, or supervisor.

Casual shirts: All shirts with collars. This includes shirts and blouses, golf, and polo shirts.

Pants: Casual slacks and trousers. Jeans are acceptable, but must be without holes, frays, etc.

Inappropriate: Shirts with inappropriate slogans, tank tops, muscle shirts, and crop tops. Logo Port of Newport T-shirts provided by the Port are acceptable.

Inappropriate: Athletic sandals, flip-flops.

Specific safety related apparel may be required of the employee by the Port's safety plan. If so, that apparel shall be purchased and provided by the Port, and instructions for wear shall be determined by the employee's supervisor/manufacture's specifications, and OSHA requirements. Port safety policies may require additional apparel not required by

OSHA such as safety shoes, high visibility colors, etc. Individual employees are responsible to maintain issued equipment, gear, and apparel, and are required to request replacement when no longer serviceable.

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COMMUNICATION AND SOFTWARE SYSTEMS

Electronic Communications Systems

For the complete security policy please see the “IT Security Policy.” The Port of Newport provides electronic communication systems to maintain superior communications both within the organization and with outside clients and vendors. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the organization who may use the systems are expected to be aware of and support this policy.

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

These systems and any other informational, storage, or retrieval services that the organization provides are organization tools and are to be used for business purposes only during business hours.

Use of company systems during business hours for other than work-related purposes should be minimal and must not impact business operations.

The use of these systems is not private or confidential. Within the bounds of current and future laws, the organization reserves and intends to exercise the right to review, audit, intercept, access, and search these business systems at will, monitor data and messages within them at any time and for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the organization.

As an employee, you must not permit any proprietary or confidential information of the Port of Newport to enter the public domain through electronic transmissions. Examples of the organization’s proprietary and confidential information are provided in the Confidentiality Policy. Also, these systems shall not be used to receive or distribute copyrighted materials, trade secrets, proprietary information, or similar materials from/to outside the organization without prior authorization.

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

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

Email System

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

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

Organization-owned Personal Computers/Laptops/Tablets/

To protect the integrity of our systems, all software used on our computers must be registered with the Director of Finance and Business Services and purchased according to the "Technology Replacement and Upgrade Policy". Personal or downloaded software may only be installed after written authorization from the Director of Finance and Business Services, or the Executive Director. A virus check of all such software must be made immediately before it is installed on any organization computer. A virus check must also be conducted on any electronic devices originating from or used on any computer outside of the organization prior to its use with an organization-owned computer. The copy or transfer of organization-owned software may occur only with the written authorization of the Director of Finance and Business Services.

Laptop/Tablet Security

All staff who are issued laptops and other computer-related equipment will be given a copy of the Port of Newport's computer-related equipment guidelines. Every device is tagged with an Asset Number. These guidelines include security precautions and procedures as recommended by the Port of Newport.

Laptops and other applicable equipment will only be replaced by the company if the laptop and other equipment were secured by two anti-theft devices at the time they were stolen. For example, a computer camera stored in a locked cabinet within a locked office; a laptop locked in a safe in a locked motel room; a laptop secured in a locked drawer within a locked residence. An exception applies for a laptop or equipment taken during an assault situation, or when the equipment is in Port Offices.

In other situations, a deductible will apply to lost or stolen laptops and computer equipment. Employees should always follow company guidelines in safeguarding equipment. If an employee has followed these recommendations, the laptop and other equipment will be replaced. If the employee has not, however, the Executive Director or designee has the option of paying the deductible or, for example, having the laptop replaced with a non-laptop computer.

Mobile Devices/Cell Phones

Where job or business needs necessitate immediate access to an employee, the organization will provide or require a business cell phone for work-related communications.

This phone is provided for business use only. Business cell phones are not to be used for purposes not related to work. Continued use of the business phone for personal may result in disciplinary action up to and including termination.

Keep in mind that cell phone internet usage, phone records, voice mail, and text messages are not private and may be accessed. If an organization-provided phone is used for personal business, any phone charges incurred by an employee related to the personal usage will be the sole responsibility of the employee.

Personal calls during the workday using employee-owned cell phones can be distracting to others and can interfere with employee productivity. Use of a personal phone for any reason should therefore be limited to breaks and lunches and used in the lunchroom or outside of working areas

Any use of a cell phone while driving may present an unsafe condition for the driver, other employees, and the general public. The organization prohibits the use of cell phones while driving while on Port business, except when hands-free accessories are used. In cases where a cell phone call is necessary, employees must adhere to all federal, state, and local rules and regulations regarding such to help ensure the safe operation of both organization-owned and private vehicles. If an employee is using a cell phone while driving and has an accident, any costs, fees, and fines shall be solely the responsibility of the employee.

Likewise, employees who need to receive or make a business call while driving when they are not on Port business, should find a lawfully designated area to park and pull over for the call. Employees may use hands-free cell phones for these business calls, but only in emergency situations.

Allowing Remote Wipe Provisions/Data Liability

If you are connected to the organization's server, understand that making this connection via a mobile device may compromise the privacy of certain sensitive information. Confidential electronic information, including personally identifiable information, must be protected to prevent it from being exposed if the device on which the information was accessed is lost or stolen. In order to protect this information, the organization retains the right to delete data and applications from any device that contains the organization's information.

This right to delete such information may be exercised remotely or on-site if the organization determines such action is necessary to protect confidential, sensitive, or proprietary information. Please understand that in downloading any such information to a personal mobile device, you are consenting to the organization's ability to delete this information at any time.

This policy covers mobile devices such as smart phones, tablets, laptops, and any similar devices. Please ensure that you regularly synchronize any personal data (e.g., applications, information, photos) to another device/computer for safekeeping, as the wipe command does not differentiate between business and personal information.

Mobile devices should be set to lock after every 10 minutes for security reasons. A PIN-based lockout is required, and the PIN must be given to the Administrative Assistant to the Executive Director

It is critical that any loss or theft of a mobile device, including laptops, be immediately reported to the Administrative Assistant to the Executive Director. Security of these devices should always include two (2) levels (i.e., locked in a trunk if kept in a car; locked in a hotel safe, not left out in a hotel room; etc.) for safeguarding. Failure to ensure this minimum level of protection may leave an employee responsible for the cost of the device or loss of company-related information addressed in this policy, and further corrective action, up to and including termination.

Use of Internet, VPN (Virtual Private Network), and Commercial Online Systems

The Port of Newport recognizes that the Internet has useful applications to our business, you may only engage in limited personal use of the Internet use during work time. You are responsible for exercising good judgment regarding the reasonableness of personal use. If there is any uncertainty, you should consult your supervisor or manager.

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

Social Media and Networking

Social networking websites and online communities, such as, but not limited to, Twitter, LinkedIn, Facebook, and Flickr are increasingly used and can be accessed by individuals not only from computer systems, but also from smart phones. These tools have value because they can be used to promote the Port of Newport and share information; employees may also use these systems as a quick communications and networking tool to complete projects. It is not the intent to unduly limit employees' access to these conduits, however, guidelines and expectations surrounding their use are necessary as there are liabilities inherent in such use. When any employee is using organization-provided computers or cell phones or is representing the organization via social networking activity, that individual is expected to represent the organization in a professional and positive light. The Port of Newport wishes to use social networking exclusively to its advantage, preventing and minimizing any negative outcomes. This includes ensuring that all employees will be free from harassment and unprofessional behavior when utilizing or consuming social media; therefore, employees authorized for its

use must abide by all applicable laws (including copyright) and ethical considerations. Please refer to the “IT Security Policy” for complete details.

Business Use

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

Ownership of Social Media Accounts

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

Monitoring

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

Protection

Social networking sites collect profile information for advertising opportunities and criminal reasons. Phishing (e-mail messages asking for username and passwords, etc.) and spamming are two downsides. Never click on links asking for personal or confidential information. Heed security warnings and pop-ups. Use of these sites may mean more SPAM sent to your e-mail account. If possible, disable the ability of others to post HTML comments to your home page. When accessing these sites, use caution when you see a posting or link that looks suspicious; when in doubt, delete it. Viruses and spyware may damage the organization’s operating system, compromise data, or expose your privacy and that of others you communicate with via e-mail and social media sites.

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

Prohibited Conduct

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

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

Telephone Usage

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

Voice Mail System

The voice mail system at the Port of Newport is the property of the Port and is provided for use in conducting organization business. All communications and information transmitted by, received from, or stored in this system are organization records and property of the Port of Newport, occasional use is allowed. You have no right to personal privacy in any matter stored in, created, received, or sent over the voice mail system. The Port of Newport, in its discretion as owner of the voice mail system, reserves the right to monitor, access, retrieve, and delete any messages stored in, created with, received by, or sent over the system for any reason and without employee permission. You are not authorized to retrieve or listen to any voice mail messages that are not sent to you.

Regardless of the media or device used, typically information generated or exchanged for the purpose of government work is subject to Public Records laws. While not all information is accessible by the public our organization is required to maintain these records, this includes information on employee-owned phones.

PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which the Port of Newport can continuously monitor the effectiveness of organizational operations and employee performance, all employees will receive regularly scheduled formal performance evaluations annually in June of each year.

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

- Ensure that employees know their individual performance against established performance standards,
- To honestly evaluate an employee's performance over the past year,
- Determine how well the organization is doing in assisting employees with work performance and meeting goals,
- Ensure communication and two-way feedback,
- Provide a consistent, objective, and fair method of making compensation decisions,
- Provide a tool for career planning; and,
- Provide a permanent record of employee performance and organizational contributions.

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

- Reasonable employee training,
- Assigning, directing, controlling, and reviewing employee work,
- Assisting employees in correcting deficiencies; and,
- Objectively and honestly evaluating employee performance during the evaluation period.

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

- Inquire about your performance periodically,
- Accept additional responsibilities and show initiative,
- Review opportunities for advancement within the organization,
- Ask for assistance in developing a goal-oriented path for advancement within the department or organization; and,
Learn about training available to assist you in improving your skills or qualify you for a promotion or lateral transfer.

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

CORRECTIVE ACTION

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

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

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

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

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

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

Counseling, verbal warning and written warnings may be undertaken by a Supervisor, Manager, or Director without prior approval from the Director of Finance and Business Services. However, the Director of Finance and Business Services must be informed by the Supervisor, Manager, or Director of any such actions taken.

Suspension with or without pay, demotion and discharge require prior approval from the Executive Director or designee before the action is taken.

Appeals from Disciplinary Action

Any Regular full-time or part-time employee may appeal disciplinary actions, except an employee serving on probation as a result of being promoted cannot appeal demotion back to the classification from which they were promoted. A newly hired employee on probation may not appeal his/her dismissal from Port employment. An employee may, within five (5) working days of the effective date of the disciplinary action, appeal the action. The appeal will be in accordance with the Dispute Resolution Policy as outlined in that section.

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COMPENSATION

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PAY ADMINISTRATION

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

Your pay as a new employee is established based on the pay level of current employees performing work of comparable character and based upon factors such as your previous experience and education. This policy will be administered and interpreted in accordance with applicable federal and state laws and regulations.

Pay Increases

It is Port of Newport's policy to reward you with increases in pay for dedication in your work, extra effort, and contributory performance. Management does not award merit increases on an automatic basis. Merit and COLA increases occur July 1 (reflected on the July 15 paycheck) of each year. Your supervisor/manager will determine if an increase is warranted at the time of your performance review; factors considered will include performance evaluation factors. Recommended increases are not effective until approved by both the next level of management and the Executive Director or designee.

Even though your pay is a matter of public record, but we realize information about your rate of pay and any increases is sensitive and personal, we ask that you exercise discretion and care regarding the discussion of these matters.

THE COMPENSATION PLAN

Maintenance of Plan

The Executive Director or designee, with input from the Division Directors, is responsible for the maintenance of the compensation plan. The compensation plan includes, for each class a minimum and maximum rate of pay and intermediate steps as are considered necessary and equitable. Annually the plan shall be reviewed and adjusted based on market rates, rates paid by other public and private employers for comparable work, unusual problems or recruitment issues, turnover, cost of living, and any other relevant factors.

Cost of Living Adjustments

The Executive Director or designee may include a cost-of-living adjustment when developing the annual compensation plan. The cost-of-living increase should be based on the Consumer Price Index, West Region. The cost-of-living increase is not guaranteed but will be included if sufficient funds are available.

Administration of Plan

Each employee shall be paid a rate of pay within the salary range for the class in which they are employed. The steps in the salary range are indicated only for purposes of the initial hiring salary, not as a basis for merit increases.

Entrance Salary

The entrance salary will be based on a pay equity analysis for positions with multiple staff in similar positions, if not available, a market analysis will be used to determine the entrance salary. The Executive Director or designee must approve any entrance salary of step 4 and above.

Step /Pay Increases

Steps are used in the initial hiring decision. The Port does not use step s increases to determine annual increases in pay. Pay increases are based on the Employee Performance Evaluation. . Pay increases will be granted based on the overall rating of the employee in their annual performance evaluation. Those scoring in the highest range will receive the largest increase available, those scoring in the lower ranges will receive less of an increase or no merit increase if the employee's performance is not acceptable.

Eligibility for Increases

Employees shall be eligible for an increase only at the start of a fiscal year (July) regardless of anniversary date unless an exception is made by the Executive Director or designee.

Salary Consideration at the end of the Probationary Period.

Increase in Salary as result of superior performance during the Probationary Period. Department Heads may request an increase, but only the *Executive Director, Executive Director or designee(s)* may approve a step(s) increase if an employee has superior performance during the probationary period (scored in the top 2 ranges in every category). Not every employee will receive an increase. The increase must be within the total amount budgeted for the position.

If an employee was in their probationary period at the start of the Fiscal Year and no merit increase was considered, it is appropriate to give a merit increase at the end of their probationary period consistent with their performance.

No obligation for this adjustment will be implied by any port employee during recruitment.

Movement to a Higher Classification

When an employee is promoted or reclassified to a classification having a higher salary range, they may be given an increase to a higher rate of pay in the new salary range. Employees moving to a higher classification must meet the Minimum Qualifications for the higher pay range within six (6) months of starting the new position. Failure to meet the minimum qualifications will result in demotion to the lower-class position, including a pay reduction. Movement to a higher position shall only occur if the position is reclassified via the process described earlier in this handbook or by applying and interviewing for a higher-class position. Time in a position or reaching the top of a pay range is not a valid reason to move an employee to a higher-class position.

Demotion

If any employee is demoted or reclassified to a class with a lower salary range for reasons which do not reflect discredit on his or her employment record, their salary rate shall remain the same as long as the rate is within the salary range of the lower classification. Demotion for cause will result in a corresponding reduction in salary.

Transfer

When an employee is transferred from one department to another, or from one classification to another classification having the same salary range, their pay will remain the same.

Consideration

The consideration and allowance or rejection of the issues in this chapter are subject to the existence of funds for said purposes and budgetary limitations.

Employment Contracts

Contracts with employees shall make every effort to meet the terms of the adopted compensation plan. However, the Port of Newport Board of Commissioners reserves the

right to approve employment contracts that may deviate from the plan. Employment contracts usurp the terms and policy laid forth in these rules.

Bonus Consideration

The Executive Director has the authority to issue, on behalf of the Port of Newport, a holiday bonus to employees in an amount not to exceed \$500 per employee based upon financial and other considerations. The Commission grants the Executive Director an equal bonus as may be issued to other Regular Full-Time and Part-Time employees.

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PAY PRACTICES

Paydays

You will be paid two times per month. Paydays are on the 5th and the 20th of the month. If a payday falls on a Saturday, Sunday, or recognized holiday, paychecks will be distributed or direct deposited on the Friday prior to the established payday. If a payday falls on an organizational holiday, you will receive your check on the last workday prior to the holiday.

Payroll Deductions

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

Pay Advances

Pay advances are not provided by the Port. Employees are encouraged to find other appropriate resources for any financial difficulties, please check with the Employee assistance program (theEAP.com) for assistance.

Method of Payment

Employees are normally paid by Direct Deposit; you may opt out of Direct Deposit in writing. A statement showing gross earnings, deductions, and net salary is available online in our HR system (<https://hr.idhrp.com/>). For those who do not have Direct Deposit, a paycheck will be hand-delivered to you or your supervisor each payday; paychecks will not be delivered to anyone else without your written request.

Employee Withholding Allowance Certificates (Form W-4)

You are required to furnish the organization with an Employee Withholding Exemption Certificate (W-4) at the time of hire. You may file a new W-4 form any time using the Port's HR system (https://hr.idhrp.com), when you submit an updated Form W-4 the Port will implement the desired changes as soon as is reasonably possible, generally the next pay period. We encourage employees to seek tax advice if they have questions about withholding amounts.

Time Records for Non-Exempt Employees

The timecard/timesheet is a record of time worked and should be filled out daily. It provides a permanent record of time spent on the job, indicating the exact time you worked. All employees fill out their timecards online.

Timecards should be reviewed carefully for completeness and accuracy at the end of each week, as they will be used to calculate pay. Supervisors will review and electronically sign timecards each pay period. Timecards must be completed via computer. Payroll staff is not responsible for the accuracy of your timecard, that is the employee/Supervisor's responsibility.

If there is a pattern of errors on your timecard, any makeup pay may be withheld until the next pay cycle.

If an error needs to be corrected, the timecard should be taken to the manager/supervisor for appropriate action. All manual entries or corrections must be made, reviewed, and approved by the supervisor or other appropriate management member.

Timecards should be reviewed, signed, and submitted at the end of the pay period. Your signature on the time sheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your timecard. Willfully falsifying a timecard will be grounds for corrective action, up to and including termination.

Time Records for Exempt Employees

Employees classified as exempt do not fill out timecards and no deduction of pay will be made for hours worked fewer than eight (8) hours per day, unless authorized by law. However, because The Port of Newport does have PTO benefits program, if you have earned time in the PTO bank, you must use PTO time first to cover any time off that is less than your normal workday. At the end of the pay period, you must notify your manager and payroll via email of any PTO used in pay period.

Dispute Resolution Process for Paycheck Errors

If you have any questions regarding your pay or feel a manager or supervisor has made a change to your pay that you do not believe is accurate, please contact the Payroll Department directly or speak with the Director of Finance and Business Services.

Final Paycheck

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

HOURS OF WORK AND WORK SCHEDULES

Organization Hours

The general office hours at the Port of Newport are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV Park Office is open a minimum of 8:00 a.m. to 5:00 p.m., 7 days per week, except Thanksgiving, Christmas, and New Years Day. On busy arrival days the shift start, and end time may vary.

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

The normal workday is 8 hours. The total hours in a normal workweek are 40, Sunday 12:00:01 a.m. through Saturday midnight, or another specified 7-day workweek. If you are a non-exempt employee, you should not begin work before your normal starting time or continue working beyond the normal quitting time without explicit advance approval from your supervisor.

Overtime

You may occasionally be required to work overtime. Overtime hours will be paid to non-exempt employees at one and one-half times (1.5) the regular rate of pay for all hours worked in excess of 40 in a regular workweek, or as otherwise required by state and federal laws. *Paid time and holidays off will not be considered when computing overtime.*

Your department supervisor must approve any overtime or compensation hours in advance or else you may face corrective action, up to, and including termination.

No Overtime is paid to exempt employees.

Compensation Time

Non-exempt employees may accrue compensatory time off when working in excess of 40 hours per week. Employees receive 1.5 hours of comp time for every hour worked beyond 40 in a work week. Employee may not accrue more **than 30 hours**. Upon separation employees are paid for any comp time hours they have on the books. The Executive Director or designee will determine when Compensation time if offered in lieu of cash compensation.

No compensation time is paid or granted to exempt employees.

Cash Payment

Any employee who terminates Port employment shall be entitled to cash compensation for overtime worked for which they have not been compensated. In case of death, compensation for accrued overtime shall be paid in the same manner that salary due the descendent is paid.

Work on Holidays

Non-Exempt

Non-exempt employees who are required to work on holidays will receive compensation in the form of cash compensation.

If the employee works on a port designated holiday (refer to the published list), overtime pay is paid for the designated holiday, regardless of the number of hours worked during the week. If the actual holiday is on a weekend, the standard payrate is paid.

Eight (8) hours of pay will be paid, regardless of the employee schedule. If the employee is scheduled to work 10 hours, two (2) will be at straight time, eight (8) at time and one-half (1 ½).

The non-exempt employee working on a holiday may prefer to take a different day off as the scheduled holiday, the scheduled day off must be within 2 weeks of the recognized holiday. When a non-exempt employee selects to use a different day as the holiday, the employee will be paid straight time for work on the recognized holiday.

Exempt

Exempt employees who are required to work on holidays will receive compensation in the form of cash compensation. In addition to receiving holiday pay, the employee will receive 8 hours of straight time pay.

Temporary or seasonal employees who are not eligible for holiday pay and have not worked more than thirty-two (32) hours in a regularly scheduled work week will be paid straight time for work performed on holidays.

Working Out of Class

Whenever an employee is assigned the duties of the supervisor for more than thirty (30) consecutive working days, the employee shall be compensated for such duties at the discretion of the Executive Director.

On Call

Definition: Time spent away from the workplace, but you are required to be available to work.

In the instance you are requested to do so via telephone or other means. You do not need to restrict your activities while on-call, **but must remain free of the influence of alcohol or drugs** and be within the defined area's boundaries. The On-Call policy applies to Regular Full-time non-exempt employees only.

In the event you are called to work, you will be paid for travel time (from your home) and for the time worked or a minimum of two hours, whichever is greater. You will receive an additional \$1.00 per hour for your travel time and for the time worked or a minimum of two hours, whichever is greater.

Meal and Rest Periods

Meal and rest periods are provided for you according to any applicable state regulations. Supervisors review the meal periods and state laws and establish schedules. Non-exempt employees are not permitted to work through a meal period unless advanced approval from a supervisor is received. This can be done only in an emergency situation. The approval must be obtained prior to the scheduled meal break. In these situations, the meal period will be paid time. State law requires a meal be taken as near to middle of the workday schedule as possible, if you take a meal period and it is not near the middle of the workday schedule, you should seek managerial approval.

Lactation

The Port of Newport promotes and supports the practice and need for employees to express breast milk on its premises upon their return to work.

Until their babies are 18 months old, employees may take reasonable rest periods of no less than 30 minutes during every four-hour work period (or major part thereof) to express breast milk. Nursing breaks may be taken concurrently with regular meal and rest breaks, although additional reasonable break time will be made available, as required. Management and employees should work together to find mutually agreeable hours of work and breaks which support the continuation of expressing breast milk.

If an employee perceives or observes adverse treatment with respect to the expression of breast milk, a supervisor/manager should be informed immediately.

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

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

Social and Recreational Activities

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

Inclement Weather and Emergency Closures

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

In the event that the Port of Newport makes the decision to close the office prior to the start of the business day, the closure will be announced via an organization-wide email

from the Executive Director or designee. A closure message will also be recorded on Port of Newport's general voice message line. It is the responsibility of each employee to check e-mail and call the voice message line for an update, if there is any doubt regarding office operations.

If a decision is made to close the office after the business day has already begun, the closure message will also be announced via e-mail.

Exempt employees will be paid for all absences full day related to emergency closures.

Non-exempt employees will not be paid for time away from work due to office closure; however, with supervisory approval, available PTO may be used. Non-exempt employees who have reported to work before the decision to close is made will be paid for time worked, or a minimum of two (2) hours, whichever is greater.

TELEWORK OR TELECOMMUTE

Both telework and telecommute are a flexibility that may be available to some positions within the organization. These are two different arrangements. Telework is the planned practice of regularly working from a non-organization address. This is most typically the employee's residence. Telecommute is the planned practice of occasional or intermittent work from a non-organization address. This is most typically the employee's residence.

All telework and telecommute arrangement require the prior approval of the Executive Director and may be changed at the discretion of the Executive Director. Telework and telecommute may be permissible for some jobs and not all jobs.

Employees are responsible for ensuring a safe work environment when telecommuting or teleworking. Employees are also responsible to meet the expectation of their job regardless of where the job is done. Supervisors are responsible for monitoring compliance with these types of agreements, relevant policies, performance standards, expectations for work product and productivity, and time accountability.

Any employee who is teleworking or telecommuting must be available during established work hours and provide timely response to email, phone calls etc. Absences, including unavailability during work hours, must be pre-approved. Employees must account for all time worked. Supervisors may consider an employee's request to alter regular work hours in the same way they would evaluate these requests for a person working at an organization address.

An employees' salary, benefits and insurance coverage does not change as a result of teleworking or telecommute.

Employees are responsible for the utilization of the Port of Newport networks while working remotely in a safe and secure manner.

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

Information Technology

In order to access the Port's cloud-based files, specific software is required, therefore the Port will supply a laptop or tablet to be used for telecommuting.

Teleworking or telecommuting employees are expected to be able to set up a remote office and use both organization and their own equipment without direct physical help from organization. While any equipment supplied by the organization will be maintained by or at the direction of organization, employees are responsible for the safe and secure transportation of equipment to and from the office.

Employees are expected to have sufficient telephone arrangements to perform their work and to participate in telephone conferences during agreed-upon work hours.

Employees are expected to have sufficient Internet access if work assignments require use of Web resources in the performance of their duties while working at a remote worksite.

The organization will determine, with information supplied by the employee and the supervisor, what equipment will be supplied for each telecommuting situation. The employee must sign an inventory of organization property and agree in writing to take appropriate action to protect the inventoried items from damage or theft.

All equipment supplied by the organization will be maintained by or at the direction of organization. Equipment supplied by the employee, will be maintained by the employee. The organization accepts no responsibility for damage or repairs to employee-owned equipment.

All equipment and software supplied by the organization are only for organization business and must comply with the organization's security and maintenance policies and practices. Portable equipment must, at all times, have organization authorized security measures installed and running.

If the teleworking employee provides equipment, the employee provided equipment must comply with organization's security and maintenance policies and practices, and any additional safeguards required by the organization.

Employees will notify the organization immediately in the event of a breakdown or other issue with supplied equipment, software, or other materials. Employees will follow the organization's direction regarding any necessary repair, update, replacement, etc.

Upon separation of employment, or discontinuation of a planned arrangement, whichever comes first, all organization property issued to the teleworking employee must be returned.

Organization stored on any employee's personal electronic equipment is subject to public records requests and discovery, and to review by the organization at any time.

Security

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

Steps include making sure that:

- All devices have anti-virus software [business-class, centrally managed by Port IT professionals.
- All Wi-Fi, cellular or similar access points are protected with strong passwords or passphrases.
- All Wi-Fi, cellular or similar access point passwords or passphrases are changed on a regular and scheduled basis.
- Login and password information is secure and protected, even from family members.
- Basic network practices are being applied [firewall with appropriate security standards].
- Web-based systems are secure [“https” URL, not just “http”].
- Two factor authentication is enabled and being used.
- All data is saved to organization authorized shared network drive.
- Similarly, no data is saved or stored on portable machines [example: C-Drive or Desktop].

Physical Security

Employees are expected to ensure physical office security by taking steps like keeping proprietary material in locked file cabinets and desks, securing doors, windows, hiding devices when not in use, and any other measures appropriate for the job and the environment.

Employees will follow all organization policies related to information and data security. Complying with these policies mitigates risk and ensures an appropriate level of security for confidential information, paper and electronic, in transit or at the alternate worksite.

When accessing the organization’s network from a personal computer, employees are responsible for preventing access to any computer resources or data by non-authorized users. In addition, employees are expected to ensure the remote host is not connected to any other network at the same time, except for personal networks that are under their complete control or under the complete control of the employee.

Performance of illegal activities through the organization network or on organization time by any user (authorized or otherwise) is prohibited. The employee bears responsibility for and consequences of misuse of their access.

The IT Department (or support group) will confirm that the user’s device does not contain any traces of protected, sensitive, organization, or proprietary information and delete any protected, sensitive, organization and/or proprietary data, licensing, and information remaining on the device.

Technology Support

The IT Department (or support group) will only provide device support that relates to organization devices and connection.

EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT

The Port of Newport may pay business-related expenses you incur while performing your job responsibilities. . All such expenses must be pre-approved by your supervisor before payment is made.

Expense Reimbursement Procedure and Reports

Requests for expense and mileage reimbursement must be submitted on a monthly basis.

Travel reimbursements are made on a per diem, basis, details on this program can be found in the fiscal manual.

Mileage Reimbursement

Employees, with Executive Director or designee approval, may use their vehicle for business purposes. While driving on behalf of the Port of Newport, liability accrues to the Port of Newport. As such, employees are encouraged to follow all rules of the road and drive courteously. Coverage provided by the Port of Newport for damages to the employee's own vehicle is secondary to any other coverage. Employees are encouraged to have comprehensive and collision coverage on vehicles they use for Port of Newport business.

When you use your own vehicle for organization business, you will be reimbursed for organization-related business travel at the current IRS determined rate per mile.

In order to recover these costs, an expense report must be signed by you and dated, initialed by your supervisor/manager, and submitted to the Finance Department for processing according to policy. If you have questions about expense reports and mileage allowances, ask your supervisor. This submission must be made through the Port's HR system (<https://hr.idhrpcom/>).

You assume liability for your vehicle when you use it for business purposes. All employees who want to use their personal vehicles for organization business must sign statements verifying that they have a current driver's license and the minimum vehicle liability insurance required by state law. This insurance will be primary.

Credit Card Payment

If a credit card is provided to you, the employee, all receipts must be provided monthly to your supervisor or Manager for the credit card reconciliation process. You must follow the protocol for reconciliation of your statement and submission of documentation.. This may include the utilization of an electronic reconciliation system provided by the financial institution that the credit card is tied to.

Employees may expense and/or use a company provided credit card, for business related activities or incidental supplies following IRS guidelines.

Overnight Travel and Meal Expense Reimbursement

If an employee is traveling overnight on a work-related activity, the employee may expense lodging, food, beverage, and any incidental expenses that are necessary and business related.

Meal Reimbursement Limits

The Port of Newport will not reimburse more than the Port Fiscal Policy's maximum amounts for any meal unless approved in advance by the Director of Finance and Business Services.

The Port has an accountable plan for reimbursement see the Port Fiscal Policy for details.

Exceeding Meal Reimbursement Limits

The Port of Newport recognizes that there may be certain group meal functions at locations where a conference/training is held where exceeding the meal reimbursement limits may be acceptable. Such situations should be known in advance and prior approval obtained from Director of Finance and Business Services.

Alcoholic Beverages

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

Transportation Expense Reimbursement

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

Spouse/Guest Expense Reimbursement

The Port of Newport will not pay for meals or entertainment of spouses/guest/significant others.

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

PAY EQUITY

The Port of Newport strives to ensure all employees receive an equitable total compensation package based on a variety of factors relating to their position, job performance, education, and experience. From time-to-time, employees performing work of comparable character may have different compensation levels. Any such differences will be based on the Port of Newport's objective processes for evaluating an employee's work and one or more of the following factors: seniority, merit, quantity or quality of work, workplace location, regular and necessary travel, education, training, experience, or any combination of those factors. Employees who believe they are not being compensated fairly are encouraged to discuss the matter with the Director of Finance and Business Services.

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BENEFITS

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PURPOSE AND POLICY

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

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

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

Benefit Prorated and Employee Cost Sharing

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

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

Benefit Design and Modification

The Port of Newport reserves the right to design plan provisions and to add, eliminate, or otherwise modify the benefits described in this Handbook or elsewhere in plan documents. Consider that changes to benefits may occur at management's discretion prior to making a serious, long-term decision based solely on current benefit offerings.

Benefit Plan Documents

Employees receive summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents govern. These official documents are available from the Director of Finance and Business Services for your review. We ask that you refer any questions about this information to WHA Insurance, the Port of Newport's agent of record, or any other future agent of record as designated by Port of Newport.

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

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HEALTH INSURANCE BENEFIT

The Port of Newport currently provides health insurance coverage for all employees, but not for their dependents. You were provided with information about the plan on your first day of employment. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the Director of Finance and Business Services, or WHA insurance, as indicated in the brochure.

Eligibility

This benefit is provided for all regular full-time employees based on minimum hours worked. This benefit will be prorated with employee share of cost based on hours worked. If otherwise eligible, you may begin to participate in the plan on the first day of the month following your first day of work. If you begin work on the 1st day of the month, you are eligible on the first day of the following month. Temporary and on-call employees are not eligible to participate in the health insurance plan.

Plan Enrollment

You will be asked to complete the enrollment forms when you are hired. If you do not want to enroll at the time of eligibility and later decide to request enrollment, you will only be allowed to enroll if you can demonstrate that a qualifying event has occurred which qualifies you for a special enrollment period or during open enrollment. If you do not return the forms within 5 days of the first of the month your benefit becomes effective, you will have elected to decline coverage.

Coverage for dependents of employees is not available; most times employees find they can insure dependents less expensively than port insurance by visiting www.healthcare.gov

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

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

Premium Cost

Specific types of coverage and benefit payment schedules are described in the organization's health care plan booklet that is available to all eligible employees. At the time of eligibility and during open enrollment each year, you will be informed of how much the organization will contribute toward your monthly premiums, if any, if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are subject to change, usually based on increased costs to provide medical services and the amount of services our employees require.

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

Termination of Coverage

In the event that you lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. Eligibility can be lost due to a prolonged absence from work or if certain “qualifying events” occur that would otherwise cause your group health coverage to terminate. Examples of qualifying events are termination of employment, a reduction in hours, entitlement to benefits under Medicare, or a leave of absence.

You may continue group health insurance for a certain period of time at your own expense under COBRA. However, continuation does not occur automatically. You and any dependents have 60 days to enroll in the plan, which starts on the later of a) the date the election notice is received or b) the date you and any dependent would otherwise lose coverage; you have 45 days to pay the initial premium. Coverage will be retroactive to the date of the qualifying event. You and any covered dependent will receive information about the provisions of the law when you first enroll in benefits and again if a qualifying event occurs.

Portability/Conversion of Health Plan

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

DENTAL INSURANCE BENEFIT

The Port of Newport provides a Dental Insurance plan for employees.

Eligibility

Full-time employees are eligible for dental insurance coverage on the on the first day of the month following your first day of work. Temporary, seasonal, and on-call employees are not eligible to participate in dental insurance.

Cost

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

Employees may not enroll dependents in the dental care plan.

OTHER INSURANCE BENEFITS

Group Life Insurance

We provide group life insurance coverage for eligible employees. Employees who are regularly scheduled to work 32 hours per week or more become eligible for this coverage on the first day of the month following your first day of work. The amount of insurance coverage is \$50,000. The Port of Newport pays the full premium for full-time employees

125 Plan

The Port of Newport provides a 125 Plan that allows employees to have their estimated medical, dental, or vision premium contributions deducted from their checks on a pre-tax basis. Details will be provided to employees at the time of eligibility, or during the orientation session.

HRA Plan

The Port of Newport will reimburse employees for eligible expenses (i.e., out-of-pocket expenses). The individual pays first \$1,000 of deductible, the Port will reimburse for the deductible met between \$1,000 and \$2,000. The employee pays the remaining deductible of \$500. The unused reimbursement may not be liquidated by the employee nor may it be carried over.

PAID TIME OFF BENEFIT

Definition: Executive Level employees:

The Executive Director, Director of Finance and Business Services, the Director of Operations, and the Harbormaster.

The Paid Time Off (PTO) program provides paid time off to be used at the employee's discretion, while protecting an allotment of time for illness, injury, or preventative care, in compliance with applicable sick time regulations. PTO is a combination of vacation and sick time days.

All Port staff are required to take five (5) prescheduled consecutive business days off each calendar year.

Eligibility – Non-executive level staff. All regular Full-time employees are eligible for PTO accrual. Permanent part-time employee PTO will be pro-rated based on the number of hours worked. Unless otherwise negotiated or modified at the discretion of the Executive Director or designee, Full-time employees, earn PTO hours at the following rates:

<u>Years of Continuous Service</u>	<u>Annual Hours Accumulated</u>	Monthly Accrual (Hrs.)
0 to 5	160 hours	13.333
5.01 to 10	200 hours	16.667
10.01 or more	240 Hours	20.000

Executive Level employees earn PTO hours at the following rate:

<u>Years of Continuous Service</u>	<u>Annual Hours Accumulated</u>	Monthly Accrual (Hrs.)
0-4	200 (twenty-five 8-hour days)	16.667
4.01-7.0	240 (thirty 8-hour days)	20.000
7.01 or more	300 (38 8- hour days)	25.000

PTO begins to accrue on the first day of employment, but employees are not eligible to use PTO the first ninety (90) calendar day of employment. Employees who are off work on a leave of absence do not earn PTO. PTO accrues each month, for example, after first month of employment 13.33 hours are accumulated, by month 3 an employee will have accrued 39.99 hours of PTO time. If an employee leaves or is terminated prior to 90 days of employment, the Port will not pay for accumulated PTO time.

Maximum Accumulation

Employees are allowed to carry the following maximum amounts of PTO during the year. Any employee that is about to lose PTO credit because of limitations should notify their supervisor to prevent loss of PTO.

<u>Years of Continuous Service</u>	<u>Hours Accumulated</u>
0-5	320
5.01 to 10	360
10.01 or more	400

Appropriate notice is necessary so that PTO time can be scheduled for employees. The following schedule is recommended, but supervisors can revise it to meet their needs, except where doing so would conflict with applicable law. Notice is necessary so that PTO time can be scheduled for employees. PTO is generally approved on a first-come, first-served basis, consideration may be given around the holidays and time given so that one employee does not receive vacation time around the holidays at the expense of others.

<u>Reason for Time Off</u>	<u>Required Notice</u>
Illness/Injury	Two (2) hours prior to start of shift
Planned Needs	Two (2) weeks

PTO time is considered replacement time and may be taken only for scheduled workdays and hours.

The notice schedule should provide time for departments to arrange for adequate coverage during employee absences. However, if management is unable to schedule time off, requests may be denied even though sufficient advance notice has been given. If more than one employee in a department asks for the same time off and gives the required advance notice, length of service within the department will be considered in granting the requests. PTO must be used in increments of 30 minutes, one (1), hour or four (4) hours or more.

All PTO will be paid at an employee's regular rate of base pay including any applicable shift differentials. PTO days taken and Holidays are not considered when calculating overtime. At separation, any unused PTO will be cashed out at full value and will be included in the final paycheck, unless a separation for willful misconduct creates a loss of eligibility.

PTO Donations

Employees may donate PTO to a co-worker who has exhausted all accumulated PTO from an extended illness or injury. In such event, the Port's only involvement shall be to transfer an employee's PTO in accordance with the employee's request and add it to the PTO balance of another employee. The PTO transfer from one employee may not exceed forty (40) hours in a calendar year, nor exceed forty (40) hours in the last twelve (12)

months. The receiving employee may not receive more than twenty-four (24) days of transfer PTO from all coworkers.

Donation Guidelines:

The receiving employee will be compensated for PTO at their regular rate of pay. (Example: Employee A earns \$10/hr. and donates thirty (30) hrs. to Employee B. Employee B earns \$15/hr. and would receive twenty (20) donated hours.)

A document stating the donation shall be signed by the employee making the donation and placed in the employment file.

The PTO transfer from any one employee to another may (a) not exceed forty (40) hours in a calendar year; nor (b) exceed forty (40) hours in the last twelve (12) months.

The donating employee must have at least one hundred twenty (120) hours remaining in their own PTO balance after the transfer.

Once PTO has been transferred, it is gone and can only be replaced if transferred from a co-worker according to these guidelines.

The receiving employee may not receive more than twenty-four (24) days of transfer PTO from all co-workers.

Employees may not donate compensatory time or any other accrued or earned leave.

Employees may not donate PTO to receiving employees with a balance of PTO or compensatory time.

Employees otherwise eligible for, or receiving, disability benefits, workers compensation or parental leave will not be considered eligible to receive donations under this program.

PAID HOLIDAY BENEFIT

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

New Year's Day	Martin Luther King Day
Presidents Day	Memorial Day
Independence Day	Labor Day
Veterans Day	Thanksgiving Day
Day after Thanksgiving	Christmas Day
Juneteenth	Floating 8-hour holiday*

Floating Holiday:

Personal holidays shall be credited on a fiscal year basis and must be used within that fiscal year. Upon termination, an employee will not be paid for an unused personal holiday for that fiscal year. Employees who terminate during the introductory period will not be paid for any unused personal holiday time.

If an employee is scheduled to work a 10-hour work shift on a holiday, the employee will be given 8 hours of holiday pay and will have to use PTO for the remainder of their shift.

Each year the Paid Holiday Schedule will be posted online. These holidays or any additional time observed, such as Christmas Eve or New Year's Eve, will be determined each year at management's discretion.

Eligibility

Employees regularly scheduled to work more than 32 hours per week will be paid for the above holidays. Part-time or seasonal employees will receive a prorated amount of paid time based on their regularly scheduled time. For instance, a part-time employee working 20 hours per week would receive four (4) hours of holiday pay because of 50% of a full-time schedule is worked.

If an employee is scheduled to work during a Paid Holiday, see work on holiday for how they are paid.

OTHER POTENTIAL HOLIDAYS

Request Procedure

Employees may wish to take holidays other than those listed on the Paid Holiday Schedule. You must notify your manager or supervisor of your request at least 21 calendar days prior to a holiday. Your manager or supervisor will respond to your request

no less than 14 calendar days prior to the holiday. The Port will make every effort to accommodate the request.

Employer Response

If a large number of employees request the same time off and providing time off would create a significant economic or operational disruption, or undue hardship would occur, the decision may be made not to allow anyone to take the day off or to allow only the minimum amount of employees to avoid such a situation.

OTHER BENEFITS

Employee Assistance Program

The Port recognizes that employees and their family members may, from time-to-time, face personal issues that affect their careers and personal lives or both. Solutions to some of these problems may not be readily apparent. To this end, we offer, at no expense to you, an Employee Assistance program that includes limited visits with outside professional counseling services for you and your family (Children up to the age of 26) to help deal with personal problems such as family relationships, substance abuse, etc. Your consultations with professionals are done on a confidential basis. Literature describing plan provisions and how to contact our providers is made available during your introductory period and to all staff members as plan provisions change.

This benefit is available to all benefit eligible employees on the first day of the month after your hire date.

Oregon Savings Growth Plan

The Oregon Savings Growth Plan (OSGP) is a flexible retirement program for public employees. OSGP is a 457(b) deferred compensation plan that provides eligible public employees with a convenient way to save for retirement. This plan is funded entirely through employee contributions. Partnered with Voya Financial, the plan assists employees in understanding their retirement benefits and meeting their retirement goals in both individual and group meetings. Features of the plan include:

Convenience. You choose how much you want to contribute and it will be automatically deducted from your paycheck. Make changes anytime online.

Lower taxable income. Save on a pretax basis and lower the taxes you pay today.

Paying tax now instead of later. Choose to defer to a Roth 457(b) account and you pay taxes now on contributions and have the potential for tax-free withdrawals.

Control. A choice of investments, including Target Date Funds.

Keeping your money. Your contributions to the plan and any earnings on those contributions always belong to you, even if you change jobs.

PERS Retirement Plan

Full-time and part-time benefit-eligible employees are automatically enrolled in the State of Oregon Public Employees Retirement System (PERS) Retirement Plan six (6) calendar months from date of hire). Each employee shall be responsible for their member-paid pre-tax contribution to the plan(6% of gross wages). The Port is responsible for employer contributions at the rates set by PERS. The employer rate changes every other year, so is not included in this document. New employees to the Port that have not previously worked in a governmental organization are enrolled in OPSRP (Tier III).

- A. Tier I
- B. Tier II
- C. OPSRP (Tier III)

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TRAINING

The Port of Newport encourages and promotes training opportunities for all Port employees. The Executive Director shall assist department heads in meeting the training needs of the personnel of their departments; and in cooperation with department heads, shall encourage the development of departmental and inter-departmental training programs designed to meet personnel needs, and to prepare employees for promotion to positions of greater responsibility. In addition, the Port's EAP program offers many training courses for staff members.

Orientation of New Employees

All new employees will go through a training orientation.

Time of Training Periods

Training periods may be conducted either during or after regular working hours or both. Training sessions conducted during regular working hours should be arranged so as not to interfere with work schedules as much as possible.

Types of Training

For the purposes of administering this rule, three (3) general categories of training are recognized. These categories are:

In-Service Training. This category includes those courses which are initiated by the Port and are aimed primarily at improving the specific abilities of employees in performing of, or broadening their, general comprehension of Port operations.

Specialized Individual Training. This category includes special training courses which are usually initiated by some other group, but which have special interest directly relating to the work performed by one or more Port employees. This category includes seminars and training sessions held by professional organizations and specialized short courses.

Academic Training. This category involves courses offered by colleges, universities, or the local school districts for academic credit. It includes courses taken to improve an employee's knowledge in a specific area which would improve their performance as an employee with the Port. Correspondence courses may be included in this category.

Tuition Aid

"Tuition Aid" is defined as full or partial payment or reimbursement for tuition costs of specialized individual training or academic training. This tuition aid will be provided if funds for such expenditure are available in the current budget, and you receive a grade of c or better and if the employee is not receiving reimbursement for tuition from any other source.

Employees who desire tuition aid for specialized individual training or academic training shall submit their requests through their department head. Requests will be reviewed by the department head and forwarded to the Executive Director for approval. Prior approval of the Executive Director must be obtained before the training starts to qualify for tuition aid. When the training is completed, evidence of satisfactory completion of the training will be submitted to the Executive Director. Employees completing any tuition aid program must continue to work for the Port for at least two

(2) years after their program is complete. Otherwise, they must reimburse the Port for their tuition.

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LEAVES OF ABSENCE

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LEAVE OF ABSENCE POLICY

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

Bereavement Leave	Family and Medical Leave	Disability Leave (Non-FMLA)
Civic Duty	Military Leave	Leave to Donate Bone Marrow
Personal Leave	Crime Victims' Leave	Domestic Violence Leave
Other legally mandated Leave	Death of immediate family members	

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

BEREAVEMENT LEAVE

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

- Spouse/Domestic Partner
- Biological, Adoptive, Foster, or Stepchild
- Parent
- Grandparent/Grandchild
- Parent-in-law
- Another Person of “In Loco Parentis” Relation

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

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

Length of Leave

The total length of leave you may be granted for bereavement is situational and may be decided based upon the unique circumstances of your need and applicable law. If you qualify for OFLA, at a minimum, you are allowed to take up to two weeks off per death of an immediate family member. If you need additional time off for any bereavement-related purpose, you may ask for more time which may be granted according to applicable law or at the discretion of management.

Request Procedure

If possible, you should provide notice of the need for leave 10 days in advance. You are required to at least provide oral notice within 24 hours of taking leave, but someone else can do this on your behalf, if necessary. You must provide written notice of the request for time off within three (3) days of returning to work.

Pay While on Leave

You will continue to receive regular pay based on straight-time work hours missed up to eight (8) hours a day for up to five (5) days, which is the maximum company-paid absence allowed. Employees may choose to cover an additional period of absence with any available PTO.

Status of Benefits

Company-paid bereavement leave will not affect your eligibility for benefits or the continuation of benefit accruals. If you are granted additional time off, the effect of the additional leave on your benefits will be determined by our PTO and OFLA policies.

CIVIC DUTY LEAVE

Jury or Witness Duty Leave

Employees subpoenaed to serve as witnesses or for jury duty may obtain a protected leave of absence. If we feel that your absence would cause an undue hardship to you or the organization, we may instead request, with your agreement, that jury duty be postponed. You may choose to use your accrued paid personal time available for voluntary service as a witness or for court appearances you must make as part of your own legal proceedings or lawsuit.

Length of Leave

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

Request Procedure

You must notify your manager or supervisor as soon as is practicable after you receive notice asking you to serve as a witness or on a jury so that arrangements can be made to cover your position. You are expected to provide us with a copy of the subpoena or notice within five (5) days after you received it.

Pay While on Leave

You will be compensated for the difference between the civic pay received and your regular rate of pay, for up to two weeks if you are a non-exempt employee; after that period, you may utilize paid time off if desired. For exempt employees, any partial day or partial week worked will be paid in full; employees are required to remit any jury fees received in connection with their service.

Status of Benefits

Benefits are not affected by jury or witness duty leaves.

Crime Victims' Leave

If you or a member of your immediate family suffers financial, social, psychological, or physical harm as a result of a personal felony or an employee is a victim of harassment (under the public offenses statutes), you may be entitled to take protected leave from work to attend criminal proceedings.

Safety Measures

The company will provide reasonable safety measures if you are the victim of harassment or a threat of harm that would be expected to cause concern.

Eligibility

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

Length of Leave

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

Request Procedure

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

Pay While on Leave

Crime victims' leave is unpaid; however, eligible employees who take this type of leave are required to use any accrued paid personal time available to them. Exempt employees working partial days, or a partial week will be paid in full for the entire week, although accrued time must be used first.

Status of Benefits

Benefits are not affected by crime victims' leave; Paid Leave Oregon may apply.

DOMESTIC VIOLENCE LEAVE

An employee who is a victim of domestic violence, harassment (under the public offenses statutes), sexual assault, or stalking or whose minor child or dependent is a victim may be entitled to take unpaid protected leave from work.

Eligibility

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

Types of Services/Treatment

An employee may take leave to seek legal or law enforcement assistance, to secure medical treatment, to obtain counseling or victim services, to relocate, or to take other reasonable steps to ensure one's own health and well-being or that of a child or legal dependent.

Length of Leave

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

Request Procedure

An employee accessing this leave provision needs to request time off from a manager or supervisor as much in advance as possible to aid in scheduling. We understand that instances of violence are usually not predictable, and these requests may be made with little forewarning. We will treat any information you share as confidentially as possible.

Safety Measures

The Company will provide reasonable safety measures, if you are the victim of domestic violence, harassment, sexual assault, or stalking.

Pay While on Leave

Domestic violence leave is unpaid; however, eligible employees who take this type of leave are required to use any accrued paid personal time available to them. Exempt employees working partial days, or a partial week will be paid in full for the entire week, although accrued time must be used first; Paid Leave Oregon may apply.

Status of Benefits

Benefits are not affected by domestic violence leave. The Port of Newport strongly encourages any employee experiencing such an issue to avail themselves of the EAP's services and support.

OREGON FAMILY LEAVE ACT (OFLA)

Purpose

We are covered by the Oregon Family Leave Act (OFLA) which allow you to take a leave of absence for your own serious health condition. Leave is also granted for the birth or adoption of a child, for the placement of a foster child, for the care of a spouse or domestic partner, your child (biological, adopted, stepchild, or foster child), your spouse or domestic partner's child, or the child's spouse or domestic partner, your parent (biological, adoptive, stepparent, foster parent, or legal guardian), the parent of your spouse or domestic partner, or your parent's spouse or domestic partner, your sibling or stepsibling or their spouse or domestic partner, your grandparent or your grandparent's spouse or domestic partner, your grandchild or your grandchild's spouse or domestic partner or any person who has an affinity with you as a family member with a serious health condition, and for the care of a sick child, a spouse's or registered same-gender domestic partner's call to active duty in the military or leave from deployment, and bereavement due to the death of a family member. This handbook material is intended to outline our practice regarding this leave.

Eligibility

You are eligible for Oregon Family Leave Act when the following requirements are met:

- You have been employed for at least 180 consecutive days (26 weeks) or more before the first day of the family and medical leave.
- You have worked an average of 25 or more hours per week as of the day before the request for family and medical leave is made. This average is calculated based upon the 180 days immediately preceding the request for leave. Some exceptions exist, including leave taken for the birth, adoption, or placement of a child called parental leave.

Reasons for Leave

The following situations qualify for family and medical leave:

- To care for an infant or a newly placed adopted or foster child under the age of 18, or older than 18 if incapable of self-care due to mental or physical disability, within 12 months of the event called parental leave,
- To care for a family member with a serious health condition or your own serious health condition. Oregon covers a spouse or domestic partner, your child (biological, adopted, stepchild, or foster child), your spouse or domestic partner's child, or the child's spouse or domestic partner, your parent (biological, adoptive, stepparent, foster parent, or legal guardian), the parent of your spouse or domestic partner, or your parent's spouse or domestic partner, your sibling or stepsibling or their spouse or domestic partner, your grandparent or your grandparent's spouse or domestic partner, your grandchild or your grandchild's spouse or domestic partner or any person who has an affinity with you as a family member.;

- For a pregnancy-related disability or prenatal care. Employees who have used up their original 12 weeks for a serious health condition related to pregnancy are entitled to an additional 12 weeks of parental leave.
- To care for a sick child who does not have a serious health condition but requires home care. Medical certification of sick child leave will be required after the third leave occurrence in each leave year. The Port of Newport will reimburse any out-of-pocket costs for medical certification. Employees who use up their original 12 weeks for parental leave are entitled to an additional 12 weeks of sick child leave. If only part of the 12 weeks is used for parental leave, the employee will only be eligible for the balance remaining on the 12 weeks for sick child leave or any other OFLA qualifying leave.
- To attend the funeral or alternative of a family member; make arrangements necessitated by the death of a family member; or to grieve the death of a family member; up to two (2) weeks of leave is available in each such case, and not to exceed 12 weeks per leave year. The leave must be completed within 60 days after the date on which you receive notice of the death of your family member. See Bereavement Leave for details that may apply to those employees not eligible for OFLA leave.

Length of Leave

You may take up to 12 weeks of family and medical leave during a 12-month period. A week is defined as your normal work week schedule. The 12-month period will be measured forward from the Sunday prior to your first date of leave [Effective 7/1/2024]. If medically necessary, family, and medical leave may be taken on a reduced or intermittent schedule. Details of the proposed schedule should be attached to the Request for Family Leave form and should be verified by the certifying health care professional on the Health Care Provider Certification form, if applicable.

Under OFLA, an employee who takes leave for a disability related to pregnancy may qualify for up to 12 additional weeks of leave for any OFLA qualifying event in the same leave year; an employee who takes a full 12 weeks of parental leave may be eligible to take up to an additional 12 weeks of sick child leave in the same year.

Request and Certification Procedure

In situations where the need for medical leave is known, you must give thirty (30) days' written notice to take family and medical leave by filling out and turning in the Request for Family and Medical Leave form.

We recognize that many times the need for family and medical leave can be caused by serious or emergency situations. We will make every attempt to work with you to ensure that you receive all benefits to which you are entitled; however, you are expected to call us as required by our call-in policy and make every effort to communicate your situation to us immediately.

Most requests for family and medical leave require verification by a third party. Requests for leave related to a serious health condition, not parental leave, must be verified by a health care professional using the "Health Care Provider Certification" form, which needs to be returned within 15 days of our request for it. Bereavement leave may require a

verification of the death in your family. You may also be asked to provide proof of your relationship to a person associated with your leave, as applicable. Please check with the Director of Finance and Business Services to discuss how best to provide this proof.

In the case of adoption, a legal representative who can attest to the validity of the adoption must verify the request for family and medical leave. In the case of placement of a foster child, a representative of the agency making the placement can verify the request.

Any medical information provided on either a personal health condition or the health condition of a family member is kept confidential and only those with a valid business-related reason for knowing any details will have access to any of this information. If you have any questions about how this information will be handled, please contact the Director of Finance and Business Services.

Subsequent medical verification may be requested in connection with an ongoing absence but not more often than every 30 days. Exceptions exist, however, in situations where:

- Circumstances change significantly from the current certification, for example, the pattern of necessary absences changes,
- Information is received casting doubt on the employee's stated reason for the leave or the continuing validity of the certification.

Lastly, the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

General Provisions

You may use any accrued PTO available to you during the family and medical leave. When this is exhausted, the balance of the leave will be unpaid. You may be required to provide periodic status reports to the organization while on a family and medical leave. The organization will continue to pay our share of your medical benefits during family and medical leave. You are responsible for paying your share of medical insurance premiums prior to the due date of the premium payment. You may continue other insurance benefits by paying the full cost of the premium for any leave in excess of four [4] work weeks in duration. Premium payments must be received by the due date or coverage will be discontinued.

Reinstatement

You are entitled to return to the same or an equivalent job with equivalent benefits, pay, and other terms and conditions of employment at the end of a family and medical leave. You may be required to present a fitness-for-duty certificate before being reinstated.

Other details regarding family and medical leave are available from the Director of Finance and Business Services.

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FAMILY AND MEDICAL LEAVE (FMLA)

The Federal Family and Medical Leave Act applies to all government employers. However, due to our size, below 50 employees, employees are not eligible for this leave type. Notice will be provided to employees if this eligibility changes.

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LEAVE TO DONATE BONE MARROW

Eligibility

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

Length of Leave

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

Request Procedure

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

Status of Benefits

Benefits are not affected by this leave.

PERSONAL LEAVE OF ABSENCE

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

Eligibility

You become eligible for a personal leave of absence after **12** months of service; all earned paid leave must be exhausted first. If you want to take a personal leave of absence, you must make arrangements with your supervisor and receive Executive Director approval.

Length of Leave

The leave may be requested for any time over **30** consecutive days. A personal leave of absence starts on the first regular workday following the last day worked. The maximum leave allowed under this policy is 90 days.

Request Procedure

A written request, using the Leave of Absence Request Form, should be submitted at least one-week (five (5) working days) before time off that will exceed five (5) days, except in emergencies. Leave requests must include an expected date of return. If you do not return after three (3) days of that date and no extension has been requested, we will assume you have resigned.

Pay While on Leave

Personal leaves of absence are without pay.

Status of Benefits

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

Reinstatement

The Port of Newport will attempt to arrange employment for individuals returning from a personal leave of absence, but no guarantees are made. While you are on a personal leave of absence, you are required to check in with your supervisor on a regular basis as agreed upon, but at a minimum of every two weeks to inform us of your status and to notify us of any change in personal data. You may be required to present a doctor's release before being reinstated if the leave was medically related.

UNIFORMED SERVICES LEAVE AND RE-EMPLOYMENT

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

Eligibility

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

Length of Leave

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

Request Procedure

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

Pay While on Leave

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

Status of Benefits

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

Reinstatement

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

1 to 30 days:

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

31 to 180 days:

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

181 days or longer:

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

For service of 31 days or more, the Port of Newport will request that you provide documentation to verify your rights to re-employment, including your separation papers.

Time limits for applications for re-employment are extended for up to two years for disabled veterans unless extenuating circumstances beyond a veteran's control may warrant another minimal extension beyond that period. Failure to file an application within the required time periods may otherwise result in a loss of the right to re-employment.

OREGON MILITARY FAMILY LEAVE

An employee may be eligible to take leave beginning on the first day of employment if the employee's spouse/registered domestic partner is notified of an impending call to active duty and when the spouse/registered domestic partner is on leave from deployment.

Eligibility

You will be eligible to take military family leave if you work an average of at least 20 hours per week for the organization.

Length of Leave

The amount of leave time available is up to 14 days of unpaid leave per deployment.

Leave Interaction with the Oregon Family Leave Act (OFLA)

If an employee is also eligible for OFLA (generally at least 6 months on the job and working at least 25 hours per week), this time will run concurrently with OFLA leave, reducing the 12 weeks of leave available in any leave year.

Request Procedure

An employee accessing this leave provision needs to request time off from the designated manager or supervisor within five (5) days of receiving official notice of an impending call or order to active duty or of a leave from deployment, or as soon as is practicable. Obviously, the more advance notice given, the easier it is to handle scheduling issues. These types of leave situations, however, arise with little forewarning at times.

Pay While on Leave

Oregon military family leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid (vacation/sick/personal) time available to them. Exempt employees working partial days, or a partial week will be paid in full for the entire week.

Status of Benefits

Benefits are not affected by Oregon military family leave.

PAID LEAVE OREGON – INSURANCE

The Port of Newport provides a Paid Leave Oregon Insurance plan through the Oregon Employment Department. This insurance is required by Oregon state law and provides paid time off to eligible employees. This is a protected leave. All health-related information gathered by the insurer and organization during this process will be maintained as confidential. Employees will not be discriminated against or retaliated against for using or trying to use this insurance benefit. We encourage each employee to use the combination of time off and benefits that meets their personal needs.

Cost

Employees will see a up to .006% deduction from gross wages for each paycheck. The employer will contribute no less than .004% of the employee's gross wages for each paycheck.

The employee and employer minimum and maximum, as well as overall costs, of this coverage will be assessed annually by the Oregon Employment Department and may change. We will be provided notice to employees in advance of any change.

Eligibility

Most employees who work in Oregon are eligible to submit a claim. The determination of eligibility will be made by the Oregon Employment Department. If an employee disagrees with an eligibility determination, the employee may use the appeal process outlined in the determination notice.

Length of leave

The length of leave is part of the determination process.

An employee may qualify for up to twelve (12) weeks of leave annually, starting from the first day of leave. An additional two (2) weeks of leave may be available if the employee is pregnant, has given birth, or has health needs because of childbirth.

Reasons for leave

Benefits may apply to a variety of situations, including:

- Family leave - Caring for members of the employee's family:
- During the birth of a child
- Bonding with a child in the first year:
- After birth
- Through adoption
- When the child is placed in the employee's home through foster care
- To care for a family member with a serious health condition*.
- Medical leave - The employee caring for themselves when the employee has a serious health condition*.
- Safe leave - For survivors of:
- Sexual assault

- Domestic violence
- Harassment
- Stalking

* A serious health condition is an illness, injury, impairment, or physical or mental condition that: requires inpatient care, poses an imminent danger of death or possibility of death in the near future, requires constant or continuing care, involves a period of incapacity, involves multiple treatments, or involves a period of disability due to pregnancy.

Insurance benefit while on leave

The amount of benefit the employee will receive will be calculated based upon the employee's earnings for the prior year. This will also be part of the determination of coverage process. The minimum and maximum benefit amounts may be adjusted by the Oregon Employment Department annually, and the employee will receive notification before a change occurs. Visit [Employees and Paid Leave Oregon or Insurers website for employees] for the current rates.

Employee may make up the difference between the PLO benefit amount and their regular rate of pay. The following leave banks are available for this purpose: PTO.

Notification of the need for leave

An employee is required to provide the employer notice of the intention to take leave. For planned events, the employee is required to provide thirty (30) days written notice. For unplanned events, the employee is required to notify the employer within twenty-four (24) hours of the leave and provide written notice within three (3) days. If an employee is incapacitated due to the unplanned event and are unable to meet these obligations, we ask the employee to notify the employer as soon as possible.

Please complete the Notice Form found at [enter location] to notify the employer of the intention to take leave. The employee may also contact the Director of Finance and Business Services for a copy.

Filing a Claim for coverage

Employees will need to establish an account at Frances Online and file claims electronically. This is the electronic system of record for the Oregon Employment Department. Employees are responsible for submitting the required paperwork and any updates or changes to their claim. The employer will be unable to complete the application process on the employee's behalf.

Job and Benefit Protection while on leave

If an employee has been employed with the employer for at least ninety (90) days prior to the leave, the employee will be restored to the same position upon their return if the same position exists. If the same position does not exist [Choose the statement below that represents your organization's employee count to finish this sentence.

Employees are entitled to a position equal to their previous position before you took leave, with equal employment benefits, pay and other terms and conditions.

If, at the time of leave, the employee is receiving health benefits these will be maintained.

The employee will be required to pay their portion of all elected benefits premiums while on leave.

Complaints Procedure

Our goal is to solve all concerns at the lowest possible level. We encourage all employees to bring complaints to [enter job title – typically their supervisor] promptly and in writing.

We understand employees may choose to seek outside assistance to resolve complaints regarding this coverage. Employees may contact the Oregon Bureau of Labor and Industries to file a complaint or may contact an attorney of their choice to determine if a civil action may be appropriate.

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HEALTH AND SAFETY

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DRUGS AND ALCOHOL

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

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

- Manufacturing, selling, attempting to sell, using, distributing, or possessing alcohol, marijuana, or other controlled or illegal substances that impair job performance or pose a hazard when use or possession occurs,
- Reporting for or being at work with the presence of alcohol, marijuana, illegal drugs, or controlled substances in your system.

If your doctor prescribes over the counter or pharmaceutical drugs, you are responsible for ensuring that your ability to maintain work performance standards, including safety, will not be affected by the medication. If you are in doubt, please discuss this with your Department Director before beginning work. Any medical issues discussed will be kept confidential.

If you have a problem with drugs or alcohol and wish to undertake rehabilitation, you may be granted an unpaid leave of absence for this purpose, as long as your work performance warrants and there have been no violations of this policy. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this policy. If you need assistance in seeking this help, you may talk to the Director of Operations or the Director of Finance and Business Services. No one will be discriminated against for undertaking rehabilitation.

For purposes of this policy, having any detectable level of alcohol or drugs in one's system while covered by this policy will be considered to be a violation. Where we have a reasonable basis to believe that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. We reserve the right to determine whether reasonable basis exists.

Definitions:

Reasonable suspicion is defined as specific, describable observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcohol), behavior, or speech of the employee, or as being involved in an accident on organization premises that results in physical injury or property damage.

Presence is defined as any detectable level of alcohol or drugs in an employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties.

Controlled Substances are defined as any product causing potential impairment of an employees' mental or physical faculties and whose availability is restricted by law.

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

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

Any employee who is found to be in violation of this policy and who refuses to submit to testing, or refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination. We also reserve the right to involve law enforcement officials for any conduct that we believe might be in violation of state or federal law.

If a professional assessment is made that you have a problem with alcohol or drugs, your continued employment may be conditioned upon your entering into and completing a treatment program (including follow-up recommendations) approved by the organization. You also may be required to sign and live up to the terms of a performance agreement in order to demonstrate your commitment to rehabilitation and staying alcohol- and drug-free. This course of action is likely if you come forward on your own and ask for help in overcoming your problem. If you are caught selling, distributing, using, or having the presence of drugs or alcohol in your system while at work, we may terminate your employment without offering you the opportunity to participate in a treatment program.

If you voluntarily request assistance in dealing with a personal drug or alcohol problem, you may do so through the Employee Assistance Program. The request for assistance will not jeopardize your employment as long as this assistance is sought before work performance has deteriorated or disciplinary problems have begun. Other treatment programs for drug and alcohol problems may be available through our health insurance coverage.

As a result of corrective action arising from a drug or alcohol problem, you may be required to participate in a drug or alcohol treatment program. If so required, you will regularly be evaluated for drug and alcohol use by a professional. When such an evaluation is scheduled, we will pay the cost. You may also be required to participate in follow-up care as part of a comprehensive alcohol and drug treatment program. Depending upon the nature of the conduct that led to your mandated participation in an alcohol and drug treatment program, you may be required to submit to random or unannounced screening for alcohol or drugs for a specified period of time. You may also be required to meet various performance standards that are imposed as a condition of continuing employment.

If you are involved in a job-related accident resulting in property damage in excess of \$1,000 or physical injury requiring off-site medical attention, you will be required to submit to testing to determine the presence or absence of a controlled substance. We may waive

the requirement if we do not have a reasonable basis to conduct drug or alcohol testing or, if we determine, at our discretion, that the accident could not have been caused by the use of a controlled substance.

You will be subject to testing upon transfer or promotion into another position.

You may be required to submit to testing on a random or unannounced basis to determine the presence of, use of, or involvement with drugs or alcohol. This may include testing by random selection, testing of an entire department or work unit, or testing of specific identified categories of employees as a group.

We will also conduct testing as required or recommended under the provisions of any state or federal government regulations. If you are within a regulated group requiring testing, you will be required to abide by policy as well as any government programs.

When being tested, you may request that any sample be split into two parts, with one part tested and the other retained by the testing laboratory for future re-testing in the event of a positive test result. If you request a re-test, it will be at your expense and must be conducted by a laboratory that is acceptable to us. A list of approved laboratories will be provided upon request.

If you believe that your specimen was not collected in accordance with established procedures, you must report any deficiencies within 24 hours of the collection. Deficiencies reported after 24 hours have expired and will not be considered.

WORKPLACE VIOLENCE

The Port of Newport recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work as well as employee productivity.

To foster a safe workplace, this organization specifically prohibits any employee, customer, or vendor from bringing any kind of weapon, knife (other than folding pocket-knife), or firearm on premises. If you have a question whether something may be considered a weapon in violation of this policy, you must ask your supervisor prior to bringing the item onto our premises. Our premises include areas such as personal vehicles parked in our designated parking area.

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

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

The Port may conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the organization's property such as desks, work areas, lockers, file cabinets, voice mail systems, and computer systems.

If an employee is found to have violated any part of this policy, corrective action up to and including termination may occur.

EMPLOYEE HEALTH AND SAFETY

The Port of Newport is committed to providing our employees with a safe and healthful work environment. To accomplish this goal, both management and employees must make diligent efforts to promote safety within applicable laws and standards. The Port has developed a Safety and Health Manual that each employee will receive when they begin their employment and will be responsible for following the guidelines and procedures outlined in the Manual. Failure to comply with the procedures and policies identified in the Manual could result in corrective action, up to and including termination.

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

Please refer to the Safety and Health Policy at Employee Intranet Hub - Home for the most current practices.

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

While we respect personal taste in clothing, jewelry, and body modification, when any of these areas have the potential to make an employee more vulnerable to injury, we reserve the right to prohibit the attire or behavior or ask the employee to take some steps for safety. As an example, for those who have gauged or stretched earlobes, we request that you always wear ear tapers (plugs, ear lets, tunnels, etc.) while at work to prevent accidental tearing or catching of the earlobe.

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

The Safety and Health Policy, as well as the rules and regulations will be issued or modified from time-to-time and will be effective immediately upon communication. Rules and regulations will be distributed to you and posted on the employee bulletin board.

If an injury occurs you are required to:

- Take remedial first aid actions; seek emergency care if necessary.
- Report the injury as soon as possible.
- Fill out the accident and injury report form and workers' compensation form at Employee Intranet Hub - Home.
- Provide your supervisor with a medical release from a doctor.

- Review the incident with your supervisor.

Early Return to Work Program

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

The Return-to-Work program consists of a team effort by supervisors, injured employees and their treating physicians, management, and our workers' compensation insurance carrier. All team members will take an active role in returning injured employees to productive work. Through this team effort, we hope to help our employees recover and return to full employment as soon as their medical condition permits.

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

A return to work from non-work-related injuries is covered in the Family and Medical Leave section.

Smoking in the Workplace

The Port of Newport is a non-smoking facility. This includes the use of electronic cigarettes and vaping devices. This includes the use of electronic cigarettes and vaping devices. Places outside of buildings may be designated as smoking areas, smoking is strictly limited to these areas. Please do not smoke or vape within 25 feet of any entrance, exit, window, or air intake device. If any employee has a concern about the areas designated, that individual should speak with the appropriate supervisor. Smoking is not permitted in any equipment owned by the Port of Newport.

Employee Right to Know/Hazard Communication Program

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

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

Container Labeling

The Director of Operations or designee will verify that all containers received for use will:

- Be clearly labeled as to the contents with a product identifier.

- Note the appropriate hazard warning with a precautionary statement, pictogram, hazard statement, and supplemental information.
- List the manufacturer/supplier's name, address, and emergency phone number.

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

The supervisor in each section will ensure that all secondary containers have either an extra copy of the original manufacturer's label or a generic label that has identification and hazard warning blocks. For help with labeling, see the Director of Operations.

Safety Data Sheets (SDS)

Copies of safety data sheets for all hazardous chemicals that employees of this organization may be exposed to will be kept in the Director of Operations Office. Safety data sheets will be available to all employees in their work areas for review during each work shift. Never use a chemical or associated machinery if its safety data sheet is not available; you should immediately contact your supervisor before using the chemical or the machine containing it.

Employee Information and Training

Before starting work, you will attend a health and safety orientation from your department's Safety Committee representative and receive information and training about the following:

- An overview of the requirements contained in the Globally Harmonized Hazard Communication System,
- Chemicals present in your workplace operations,
- Location and availability of our written hazard communication program,
- Physical and health effects of the hazardous chemicals,
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area, and,
- How to reduce or prevent exposure to these hazardous chemicals through the use of control/work practices and personal protective equipment.

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

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

EMERGENCY PREPAREDNESS

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

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

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

Should a threat to company property or an employee be received, it should be reported immediately to the Director of Operations, the Director of Finance and Business Services, or the Executive Director.

EMPLOYMENT SEPARATION

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SEPARATION FROM EMPLOYMENT

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

Resignation

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

Job Abandonment

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

If an employee fails to call in or show up for work, job abandonment and voluntary resignation will be assumed after the third day of absence.

Job Elimination, Reduction in Work Hours

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

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

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

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

If practicable at the time of layoff or upon an employee being placed in an inactive status, we may provide limited re-employment rights for a period of eight (8) weeks. The order of recall will be determined using the above factors. An offer of re-employment may be made orally or in writing to the last address reflected in your personnel records. It is your obligation to keep us informed of any changes to your telephone number, email address, and physical address. The offer will identify the available job and the date you are to report to work. If you are not rehired during the period specified, your re-employment rights end; if you decline re-employment or fail to report on the date specified in an offer, you generally waive any re-employment privileges.

Discharge

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

The organization has a corrective action policy found on page 34 of this Handbook that describes action management may take, at its discretion, to correct performance infractions prior to discharging employees. The decision to discharge employees is based not only on the seriousness of the current performance infraction, but also on the individual's overall performance record and length of service.

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

Exit Interview

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

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

Return of Organization Property

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

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Port of Newport

HANDBOOK RECEIPT ACKNOWLEDGMENT FORM

As an employee of the Port of Newport, I acknowledge the following:

I have been provided a copy of the Employee Handbook. I understand that the Handbook contains important information about Port of Newport’s policies, work rules, and my benefits. I have both read and understood the information in the Handbook and have asked the Director of Finance and Business Services for the clarification of any information I did not understand.

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

The Executive Director or designees are the only persons authorized to make changes to the Handbook and all such changes must be in writing to be valid. Any changes to the content will be communicated to employees via official notices.

I understand that, unless stated otherwise in an employment contract, my employment relationship with the organization is “at-will” and either the organization or I can end the relationship at any time, with or without reason or notice.

The Executive Director is only authorized to enter into an employment contract once he or she has received authorization from the Commission, and it must be in writing and signed by both parties to be valid.

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

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

Employee Signature

Date

Print Employee's Name

Administrative Office and Commercial Marina
600 SE Bay Blvd, Newport, OR 97365

Recreational Marina
2120 SE Marine Science Drive, Newport, OR 97365

International Terminal
1510 SE Bay Blvd, Newport, OR 97365

NOAA
2003 SE Marine Science Dr, Newport, OR 97365

Port of Newport Employee Handbook

~~June 2020~~ January 2024

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Mission:

Build and maintain waterfront facilities and promote/support projects and programs in cooperation with other community organizations and businesses that will retain and create new jobs and increase community economic development.

Vision:

The Port of Newport will serve as the premier Oregon coast port for the commercial fishing fleets, for recreational fishing and tourism, and for ocean observation and marine research support. We will be one of the top two Oregon coast ports for waterborne commerce while protecting and enhancing the beauty and integrity of the natural environment which is the foundation of our working waterfront community.

Main Office

600 SE Bay Blvd, Newport, OR 97365

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INTRODUCTION

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WELCOME TO THE PPORT OF NEWPORT

~~We're~~We are happy to welcome you to the Port of Newport – ~~we're~~we are glad ~~you've~~you ~~have~~ joined us! We take pride in selecting people such as you to join our organization, and we ~~truly believe~~genuinely believe you will be a positive addition to our most important asset – our employees.

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

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

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

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

Paula J. Miranda
General Manager Executive Director

OUR HISTORY

The Port of Newport is located on the central Oregon coast in the City of Newport, Lincoln County seat and major business/economic hub of the ~~area, and~~ area and encompasses approximately 59 square miles and has an estimated population of 10,800 persons. Port boundaries reach north to Otter Rock, east up to six miles inland, south to Seal Rock, and west to the Pacific Ocean. Commercial and sport fishing, fish processing, shipping, tourism, recreation, lumber, and science research are the area's major industries.

The Port of Newport serves as the premier Oregon coast port for the commercial fishing fleets, for recreational fishing and tourism, and for ocean observation and marine research support. We are one of the top Oregon coast ports for waterborne commerce while protecting and enhancing the beauty and integrity of the natural environment which is the foundation of our working waterfront community.

History of the Port of Newport

On May 26, 1910, the first meeting of Newport's Port Commission was held, where four men appointed by Governor Frank Benson proceeded to elect officers and establish the foundation of what continues to operate today as the Port of Newport. In 1923, the Port of Newport purchased dock frontage and a building, establishing its headquarters on the waterfront. The development of commercial fishing docks occurred over the years, helped considerably by the construction of the first breakwater on the north side of the bay in 1946 to protect commercial boats working halibut, salmon, and other fisheries.

In 1948, a private company - Yaquina Bay Dock and Dredge – began constructing a new shipping dock utilizing two sunken World War II ships as the foundation for the structure. The dock, known today at the International Terminal, opened for business in 1949 in the area known as McLean's Point. Over the next several decades, the dock thrived with the shipping of lumber. In 1952, for instance, 164 million feet of lumber shipped from Newport via McLean's Point.

In 1965 Oregon State University's Marine Science Center opened its doors. Although the institution's Yaquina Fisheries Laboratory had dated back to 1939, the center represented a tremendous leap forward with the lease of 50 acres from the Port of Newport on which to construct the main building and visitor center. By 1969, the site had seen more than a half million visitors. In 1982, the Marine Science Center surpassed five million visitors. A year later, it was named for Senator Mark Hatfield and today Hatfield Marine Science Center welcomes more than 150,000 visitors annually. In 2018, the University broke ground on a new \$61.7 million Marine Studies Building, in which was completed in 2020.

The 1970s saw continued demand for boat moorage and launches, as both commercial and recreational fishing interests thrived around Yaquina Bay, leading to the construction of the South Beach Marina. The first phase was completed in 1979 and included a 600-berth recreational boat basin and a four-lane launch. The second phase, finished in 1981, included a boat storage building, launch hoist, fish cleaning facilities, restrooms, showers, a public fishing pier, picnic area, and more.

Port properties saw other unique developments in the 1990s. The Oregon Brewing Company occupied the west end of the South Beach Marina exhibition hall starting in 1991. Over time, that lease arrangement grew to include the 47,000-square-foot building headquarters of Rogue Ales and their restaurant, as well as a distillery and cooperage now located on Port property.

Recreation and tourism took another big leap forward in 1992, when the Oregon Coast Aquarium, constructed on Port of Newport property, opened its doors. As of early 2019, the Aquarium had welcomed more than 14 million visitors and continues to further enhance the facility.

In 2006, the Port completed a \$3.2 million RV Park that included 92 spaces, store, operations building and registration/activity center on its South Beach campus. Around that same time, the boat ramp was ~~moved-relocated~~ and a multi-use area was created that allowed for a dry camping.

The Port of Newport became the homeport for NOAA's Marine Operations Center in April of 2009, which includes state of the art training and ship operations for six NOAA research and survey ships and provides administration, engineering, maintenance, and logistical support to NOAA's entire Pacific fleet. With a budget of \$38 million and a firm deadline for completion, Port officials worked with community stakeholders to deliver a new facility ahead of schedule.

In August of 2013, the International Terminal construction was completed. The multi-use facility was developed to accommodate a wide variety of users in conjunction with the Port's mission of "retaining and creating business opportunities and increasing economic development for the Port and the community." The project was so successful at resolving the environmental issues surrounding the site, the Port of Newport was awarded the national Phoenix Award – a prestigious award that honors individuals and groups working to solve critical environmental or social challenges and turn them into productive new uses and sustainable development projects.

In 2015, the Port paved that multi-use area located on the South Beach campus, which is still used for dry camping but is also known as the location of Newport's Seafood and Wine Festival and the Loyalty Days carnival.

Today, the Port of Newport continues to be home to a thriving commercial fishing industry. In 2017, Newport ranked 12th in the nation for seafood landings, with 112 million pounds of seafood valued at \$53 million attributed to the vessels that work in and around the Port of Newport.

The Port is actively pursuing a partner for cargo business at the International Terminal with a commitment to maximizing the return on investment made by the community for this mixed-use facility.

. NOAA Marine Operations Center – Pacific continues to be a source of great pride to the Newport community.

~~In 2023 the Port completed construction of a new administrative building.~~ The Port offices are spread across the North and South Side of Yaquina Bay. Located on the South Side

of the Bay are the Port's RV Park offices and the South Beach Operations Center. Located on the North Side of Yaquina Bay are the Commercial Marina Operations Center and the Port Main office. In 2023 the Port completed construction of a new administrative building. The building includes a public meeting chamber for the Port of Newport Commission, 11 office spaces and accommodating breakroom, and rental space for tenant and community use. Once complete, the 5,490 square-foot Administration Building will serve not only the needs of employees but of the community as well. Located approximately one-half mile west of this site is the Port's International Terminal.

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ABOUT THIS HANDBOOK

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

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

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within this Handbook. In that event, ~~we'll~~we will try to make fair and equitable decisions while making sure that the best interests of the organization are served.

Neither this Handbook nor any other organizational document confers any express or implied contractual right to remain in Port of Newport's employment, nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific period of time and may be terminated at will, with or without reason, and without prior notice by Port of Newport or you for any reason, at any time.

This handbook is not intended to undermine or remove your rights as outlined by the National Labor Relations Board (NLRB). We fully acknowledge and respect your rights to engage in protected concerted activities, which include the right to discuss wages, working conditions, and other terms of employment with your fellow employees, as well as the right to form, join, or assist labor organizations. If you have any concerns or questions regarding your rights or any content in this handbook, please seek clarification from your HR representative or legal counsel.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them and will provide replacement pages so you can keep your Handbook current. The most current Handbook is online at Employee Intranet Hub – Home. Please note, all current agency policies and forms can be found on this site, and most are also available on our HR system (<https://hr.idhrp.com/>).

~~Some~~Many subjects described in this Handbook, such as benefit plan information, are covered in detail in official policy documents. You should refer to these documents for specific information since this Handbook provides summaries only. Please note that when discrepancies occur between benefit language in this Handbook and in the official policy documents, the terms of the written ~~insurance~~ policies are controlling. We encourage you to use caution when making decisions with long-term impact based on our

current benefit offerings, given that we may find it necessary to make changes to these programs.

The General Manager-Executive Director has the discretion to vary or modify the strict application of the provisions of the rules/policies in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships. The General Manager-Executive Director shall not be required by any personnel to exercise their judgment or discretion to vary or modify any rule or policy.

You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please ~~read through~~read the Handbook carefully and share it with your family members so they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource. In addition, please visit [New Employee Orientation - Port of Newport for additional onboarding materials and FAQs.](#)

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EMPLOYMENT POLICIES

Employees, elected officials, commission members, volunteers or interns, customers, and members of the public are accountable for the impact of their behavior on others, regardless of intent.

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EMPLOYMENT RELATIONSHIP

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

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

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EQUAL EMPLOYMENT OPPORTUNITY

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

Our organization recognizes same-gender domestic partners, consistent with the law.—_ If you have any questions regarding this matter, please direct them to the Director of Finance and Business Services.

The [organizationPort of Newport](#) employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment.—_ These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff and recall, termination, training, and dispute resolution.

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

All employees in the organization are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment.—_ Management provides and supports a dispute resolution procedure for complaints alleging discrimination.—_ Employees are expected to bring any questions, issues, or complaints to Management’s attention.—_ If you believe you have been harassed, [see the Harassment section of this manualsee page 14](#), or if you witness or suspect any violation of this policy, you should report the matter immediately to the Director of Finance and Business [ServicesServices](#), or the [Executive DirectorGeneral Manager, or your direct supervisor](#). [We also encourage that you document your concerns](#). -We will not retaliate against you for filing a complaint or cooperating in an investigation and we will not tolerate or permit retaliation by Management or co-workers.

The Port of Newport has adopted an affirmative action plan that addresses efforts to seek out, hire, develop, and promote qualified members of protected groups (defined as racial minorities, women, the physically or mentally disabled, disabled, or other protected veterans, and those 40 years of age and older)—_ This Affirmative Action Plan is on file in the office of the Director of Finance and Business Services.

AMERICANS WITH DISABILITIES ACT

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

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

- They currently have a physical or mental condition that significantly restricts their ability to normally conduct a major life function (walking, seeing, hearing, breathing, bodily functions, etc.),
- They have a history of such impairment; or,
- They are regarded as having such impairment.

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

The Port of Newport offers equal employment opportunities to qualified individuals who may have a physical or mental disability but are still able to perform essential job functions with reasonable accommodations. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.

Reasonable accommodations are available to employees and applicants, as long as the requested accommodations do not cause an undue hardship on the organization. Individuals protected by the ADA/ADAAA should discuss their needs for possible accommodation with the Director of Finance and Business Services.

Pregnancy Accommodation Policy

The Port of Newport will make reasonable accommodations to employees that are experiencing known limitations related to pregnancy, childbirth, or a related medical condition, to the extent the accommodation can be made without imposing an undue hardship on the organization. The Port of Newport seeks to comply with both the federal Pregnant Workers Fairness Act (PWFA) and any state provisions and rules it is subject to regarding pregnancy related conditions as well. Possible accommodations may include:

- Acquisition or modification of equipment or devices,
- More frequent or longer break periods or periodic rest,
- Assistance with manual labor, or
- Modification of work schedules or job assignments.

The Port of Newport will not take adverse action against an employee for inquiring about, requesting, or using a reasonable accommodation.

TITLE VI AND ADA DISCRIMINATION COMPLAINT PROCEDURES

Introduction

The Port of Newport has established this ‘Complaint of Discrimination’ Procedure as a mechanism for the review and resolution of allegations of discrimination. These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964 and The Americans with Disabilities Act (ADA) which prohibit discrimination based on race, color, national origin, and disability in any program or activity administered by the Port of Newport or its sub-recipients, consultants and/or contractors. Retaliation or intimidation of any kind is also prohibited by law.

These procedures do not negate or limit the right of the complainant to file formal complaints with other state or federal agencies. These procedures are part of an administrative process that does not provide for remedies such as compensatory damages for the complainant.

The Director of Finance and Business Services serves as a resource for members of the public who wish to file a discrimination complaint under Title VI, ADA, and related statutes. The Port of Newport is located in Newport, Oregon. The Port of Newport or designee is responsible for conducting counseling and investigations of alleged incidences of discrimination. The complainant, the individual making a complaint, is advised of his/her rights under State and Federal laws and is given a copy of this procedure.

Complaint Basis

<u>Race</u>	<u>The perception based on physical characteristics that a person is a member of a racial group.</u>	<u>Black, White, Native American/Indian.</u>
<u>Color</u>	<u>The color and/or shade of skin within a racial group.</u>	<u>Black, white, dark, or light brown, etc.</u>
<u>National Origin</u>	<u>A group of people who share a common language, culture, ancestry and/or other social characteristics. Includes discrimination based on heritage or country of original citizenship. Also includes discrimination based on language or accent.</u>	<u>Cuban, Vietnamese, Mexican.</u>

<u>Disability</u>	<u>A disability is an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.</u>	<u>An individual with a visual impairment, or who uses a mobility device like a wheelchair.</u>
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Allegations must be based on issues involving race, color, national origin, or disability. The term basis refers to the complainant's protected group status. A Protected Group is a group of people with common characteristics who are legally protected from discrimination based on that or those characteristic(s).

Protected Group categories and definitions relevant to this procedure:

Complaint Process

Any individual or group of individuals who believe that he/she or they have been subjected to discrimination prohibited by Title VI and ADA nondiscrimination procedures based on race, color, or national origin (including Limited English Proficiency) or disability may file a written complaint to the Director of Finance and Business Services. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.

The complaint must meet the following requirements in that it must:

- Be made in writing or submitted electronically to civilrights@portofnewport.com
- Be submitted on the 'Title VI and ADA Discrimination Complaint Form' and signed by the
- complainant(s),
- Include the full name and address(es) of the complainant(s),
- Include the date(s) of the alleged act(s) of discrimination,
- Include the full name(s), job title(s), and work address(es) of the accused party(ies), if known,
- Include a detailed description of the alleged act(s) of discrimination (specify all issues and circumstances of the alleged discrimination),
- Identify the basis of the complaint (i.e., race, color, national origin, LEP, disability), and
- Include the name(s), address(es), and telephone number(s) of any person who may have knowledge of the alleged incident.

For complaints to be accepted, they must be filed within 180 days of the alleged act of discrimination; meet the above procedures for filing; and allegations must be based on issues pertaining to race, color, or national origin (including limited English Proficiency).

A complaint may be dismissed if the complainant requests the withdrawal of the complaint; the complainant does not respond to requests for information on or before the date indicated in the request; or the complaint is not timely filed.

In cases where a complainant cannot provide a written complaint, assistance will be provided by the Director of Finance and Business Services. However, all complaints must be signed by the complainant or its legal designee.

A signature provided by a legal designee must be accompanied by written permission from the complainant.

Complaint Investigation

Following the receipt and review of the complaint the Director of Finance and Business Services or a designee will issue a letter acknowledging receipt of the complaint.

1. The accused party(ies) will be notified that a complaint has been filed against him/her/them within 10 days of accepting the complaint. When applicable, the accused party(ies) is/are advised of his/her/their right to representation by the union or any other appropriate representative of his/her/their choice.
 2. Barring extenuating circumstances outside of the investigators control, the investigator will conduct a fact-finding investigation and provide a resolution, if one is possible, within ninety (90) business days of receipt of the complaint and notify all involved parties in writing whether there was a violation of Title VI. This will include notification to the complainant of his/her/their right to appeal the results to the Executive Director.
 3. All investigation findings will be reported to the Executive Director or his/her/their designee.
 4. Should the complainant elect to appeal the decision, he/she/they must do so in writing to the Executive Director within ten (10) business days after receipt of the complaint resolution proposed by the Director of Finance and Business Services or investigator designee. Failure to appeal within this period shall be interpreted as acceptance of this resolution.
 5. The Executive Director or designee will review the case to determine what, if any additional information is needed. If additional information is required from the appellant, he/she will be provided reasonable advance notice of a meeting and will be advised of his/her/their right to present relevant information at that time.
 6. The Executive Director or designee will render a written decision regarding the appeal, no later than thirty (30) business days from the date of the filing of the appeal which will be sent to the appellant. Should this decision differ from the findings of the investigation, it will also be sent to all parties involved and the Director of Finance and Business Services. **The decision of the Executive Director or designee is final.** However, does not preclude the complainant from pursuing other means of resolution under federal and/or state law.
- 1-7. All records of complaints and dispositions thereof shall be maintained and

regularly reviewed by the Director of Finance and Business Services who will pay particular attention to the detection of any patterns in the nature of the complaints. All such records shall be retained on a strictly confidential basis, except where disclosure is required by law.

PORT OF NEWPORT -TITLE VI & ADA COMPLAINT FORM

<u>Section I:</u>				
<u>Name:</u>				
<u>Address:</u>				
<u>Telephone (Home):</u>			<u>Telephone (Work):</u>	
<u>Electronic Mail Address:</u>				
<u>Accessible Format Requirements?</u>	<u>Large Print</u>		<u>Audio Tape</u>	
	<u>TDD</u>		<u>Other</u>	
<u>Section II:</u>				
<u>Are you filing this complaint on your own behalf?</u>			<u>Yes*</u>	<u>No</u>
<u>*If you answered "yes" to this question, go to Section III.</u>				
<u>If not, please supply the name and relationship of the person for whom you are complaining:</u>				
<u>Please explain why you have filed for a third party:</u>				
<u>Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.</u>			<u>Yes</u>	<u>No</u>
<u>Section III:</u>				

I believe the discrimination I experienced was based on (check all that

apply): Race Color National Origin

Disability

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.



You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Port of Newport, Director of Finance and Business Services

600 SE Bay Blvd

Newport, OR 97365

~~AMERICANS WITH DISABILITIES ACT~~

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

- ~~• Individuals are protected under the ADA if any of the following conditions exist:
 - ~~• They currently have a physical or mental condition that significantly restricts their ability to normally conduct a major life function (walking, seeing, hearing, breathing, bodily functions, etc.);~~
 - ~~• They have a history of such impairment; or,~~~~
- ~~They are regarded as having such impairment. The ADA also prohibits discrimination on the basis of an individual's relationship to someone (parent, sibling, child, spouse, friend, etc.) with a disability.~~

~~The Port of Newport offers equal employment opportunities to qualified individuals who may have a physical or mental disability but are still able to perform essential job functions with reasonable accommodations. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.~~

~~REASONABLE ACCOMMODATIONS ARE AVAILABLE TO EMPLOYEES AND APPLICANTS, AS LONG AS THE REQUESTED ACCOMMODATIONS DON'T CAUSE AN UNDUE HARDSHIP ON THE ORGANIZATION. INDIVIDUALS PROTECTED BY THE ADA/ADAAA SHOULD DISCUSS THEIR NEEDS FOR POSSIBLE ACCOMMODATION WITH THE HUMAN RESOURCES DEPARTMENT DIRECTOR OF FINANCE AND BUSINESS SERVICES. WORKPLACE HOSTILE ENVIRONMENT~~

~~The Port of Newport wants you to know that harassment and other inappropriate conduct based on race, color, religion, sex (including gender identity and gender stereotypes), national origin, age (40+), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in retaliation for previous Equal Employment Opportunity (EEO) or Uniformed Services Employment and Reemployment Rights Act (USERRA) activity will not be tolerated in the workplace. Although not every instance of inappropriate behavior may fit the legal definition of harassment, such behavior in the workplace undermines morale and violates the Port of Newport standards of conduct. The only way to achieve a workplace free of harassment and inappropriate behavior is to make sure everyone knows what it is, what to do if it happens, and how to prevent it. You, as an employee, must do your part. As an Employer the law requires us to take~~

~~reasonable steps to end harassment in the workplace. If you feel you are being harassed, report it to your immediate supervisor or manager, another supervisor or manager, the Director of Finance and Business Services, or the General Manager.~~

~~Violation of the “Port’s Policy on Workplace Harassment” may result in disciplinary action up to and including dismissal. Any inappropriate conduct, even that which does not meet the legal definition of harassment, may result in disciplinary action. Such inappropriate behavior in the workplace undermines morale and violates the Ports policies and standards of conduct.~~

~~There are two types of harassment under the law: Tangible Employment Action/Quid Pro Quo Harassment and Hostile Environment Harassment.~~

~~Tangible employment action harassment is the harassment of a subordinate by someone with supervisory authority that results in a tangible employment action. A tangible employment action is an action that significantly changes an employee’s employment status, such as hiring, firing, promoting, demoting, changing work assignments, and reassigning an employee. This is usually called “Quid Pro Quo” harassment. Quid pro quo means “something for something,” and it usually involves sexual harassment. Following are examples of quid pro quo harassment: (1) a supervisor fires or demotes a subordinate because he or she rejects the supervisor’s sexual demands; (2) a supervisor promotes a subordinate because he or she submits to the supervisor’s sexual demands; or (3) a manager denies an applicant a promotion or assignment because the applicant frequently has military duty. Quid pro quo harassment is the use of power and authority to alter an employee’s job conditions or economic benefits because the employee or applicant either submits to or refuses to submit to the unwelcome demands of the person in authority. If a subordinate rejects the demands of a person in authority and the threat is not carried out, the threat of a tangible employment action in itself could constitute hostile environment harassment.~~

~~Hostile environment harassment covers a broad range of behaviors and situations. It is most often defined as a pattern of continuing unwelcome behavior that unreasonably interferes with an employee’s work performance or that creates an intimidating, hostile, or offensive work environment. Examples of behavior that could result in a finding of hostile environment harassment include: Using racially derogatory words, phrases, or nicknames; telling jokes or stories with national origin themes; making derogatory comments relating to and arising out of a person’s military service; complaining about the person’s absence to perform military service; displaying posters or symbols offensive to individuals of a certain race, sex, national origin, religion, etc.; making derogatory or intimidating references to an employee’s mental or physical impairment; applying pressure for dates; repeatedly requesting that an employee leave military service or ask to be excused from military duties; making offensive remarks about a person’s looks, clothing, or body parts; whistling or catcalling; using sexual innuendo; spreading false rumors about a person’s sex life; blocking a person’s path ;or following a person continually (stalking). Keep in mind that behavior, which is not necessarily sexual in nature, but which is nonetheless demeaning or abusive toward members of one sex, may also constitute hostile environment harassment.~~

~~A single incident, unless it is severe, generally does not constitute harassment. The conduct must be severe or continuing and pervasive. Factors considered in a legal~~

determination of hostile environment harassment include frequency of the discriminatory conduct, its severity, whether it was physically threatening or humiliating (as opposed to a mere offensive utterance), and whether it unreasonably interferes with work performance. Determining whether the conduct at issue rises to the level of harassment is not easy. Behavior that is insensitive, juvenile, or boorish — even though it may be offensive to some people — may not constitute harassment as defined under the law. However, employees should not, and managers must not, tolerate inappropriate behavior in the workplace. The Port of Newport does not condone inappropriate behavior.

What to Do If You Are Harassed

First, Tell the Harasser to Stop! Sometimes, people are unaware that their behavior is offensive or harassing until it is brought to their attention. Communicating your belief that the behavior is offensive and making it clear that you want it to stop may be sufficient to end the offensive or harassing behavior. Reminding people that harassment is illegal or inappropriate behavior can also help to reinforce your message. If you are not comfortable confronting the harasser alone, ask a friend, union representative, or a trusted coworker to help you talk to the harasser. However, you are not required to tell the harasser to stop before reporting the matter to those in authority. Second, Report It! Whether or not you get the harasser to stop, report harassing behavior to those in authority who are responsible for stopping the harassment, and who will make a record of it. You can write, or just talk, to any of the following: Your immediate supervisor or manager, any supervisor or manager, the Director of Finance and Business Services, or the General Manager.

HARASSMENT

The Port of Newport will not tolerate conduct by any employee that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment. All forms of harassment are prohibited. We want to maintain a working environment free from all forms of harassment, whether based upon race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, or any other legally protected characteristic or status. Retaliation associated with a complaint of harassment is also prohibited.

Behavior such as telling ethnic jokes; making religious slurs; using offensive slang or other derogatory terms regarding a person's race, sexual orientation, age, sex, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct and will not be tolerated. Harassing individuals by making derogatory comments regarding protected status or characteristics is strictly prohibited, as well as using any other words or conduct that might create a hostile or offensive work environment.

Sexual harassment is a form of harassment we have chosen to address in additional detail. Conduct is considered to be sexual harassment if:

- Submission to the conduct is in any way deemed to be a term or condition of employment.
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; and inappropriate touching are not tolerated at the Port of Newport. Cell phone use, including text messages and other similar electronic communications, can also be considered harassing behavior.

Each manager/supervisor has a responsibility to maintain a workplace free of any form of sexual harassment. No manager/supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, customers, etc.) is prohibited.

This policy explicitly applies conduct in the workplace, at social functions sponsored by the organization (holiday dinners, picnics, sporting events, etc.), and at business functions (conventions, trade shows, etc.). This policy applies to any conduct, however, as

described above, which impacts the organization or work environment, regardless of where it occurs.

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations.— As an employee of the Port of Newport, you have the responsibility to immediately report any actions or words from a supervisor, co-worker, vendor, or other individual, which you find to be harassing.— The organization will not retaliate against you for filing a complaint or cooperating in an investigation and will not tolerate or permit retaliation by management, co-workers, or non-employees such as clients, vendors, or contractors.

Reporting Incidents of Harassment

If you believe that you have been harassed, have witnessed harassment, or suspect any violation of our harassment policy, you must immediately report the matter to the Director of Finance and Business Services or the General Manager-Executive Director who are responsible for ensuring that all complaints are promptly and thoroughly investigated without prejudice or retaliation.— The investigation will be conducted promptly, but no specific timeframe can be guaranteed because each situation is likely to be different, and individuals may have varying schedules.— Every effort will be made to complete the investigation within two weeks.— In all cases, you will be notified of the outcome of the investigation.— (See the section in this Handbook on Dispute Resolution for information on the appeal process).

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

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

External Complaint Procedure

We encourage employees to bring their concerns and complaints to the organization, and understand that, at times, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address: https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275.

Non-Disclosure Agreements

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment.

continued employment, promotion, compensation, or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to change their mind.

Additional Employee Support Services

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

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

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WORKPLACE PROFESSIONALISM

While harassment due to a person's protected class is prohibited, so too is unprofessionalism, inappropriate behavior, such as incivility, due to personality clashes or issues.— We want our focus to be on customer service, productivity, and the ability for each employee to flourish here.— This makes it essential that our employees treat each other and those with whom they come into contact with courtesy, respect, and professionalism.— Further, we require that employees work cooperatively and constructively in resolving issues or problems on-the-job to foster satisfactory working relationships.— In that light, bullying or similar disruptive behavior does nothing positive to enhance our working conditions and will not be tolerated here.—

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

~~defines bullying as “repeated or one-time behavior, which is inappropriate and which may be verbal, non-verbal, or physical; either direct or indirect; conducted by one or more persons toward a victim(s); and which generally occurs at work and in the course of employment but may also apply to off-site behavior exhibited by employees that negatively impacts the working relationship.” Such behavior, whether exhibited between co-workers, management and staff, vendors/customers, another outside party, or a member of the public, violates our policy on how others should be treated while at the workplace or engaged in organizational operations. This policy also applies to off-site behavior exhibited by employees that negatively impacts the working relationship.~~

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

We will consider the following examples as unprofessional; however, this is not considered a comprehensive list. Any actions that create the same or similar result will also be considered.

- Making comments on Facebook, texting, misuse of other forms of social media
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person's performance or job description,
- Spreading rumors and gossip regarding individuals

- Interfering with the ability of someone to perform job duties or consistently assigning menial tasks not central to the job.
- Taking credit for another person's ideas

~~Bullying may be intentional or unintentional. Where an allegation of bullying is made, the intention of the alleged bully will be considered. The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that Port of Newport will not, in any instance, tolerate bullying behavior. Employees found to be in violation of this policy will be subject to corrective action, up to and including termination.~~

~~*-Any The Port of Newport employee who experiences unprofessionalism should **immediately** report the behavior according to the reporting process outlined in our anti-harassment policy. All reports will be investigated and addressed. Making false/baseless or malicious complaints of unprofessionalism will be regarded as a serious offense, which may also lead to corrective action, up to and including termination.*~~

~~When determining whether or not bullying has occurred, we will consider the following examples; however, this is not considered a comprehensive list. Any actions that create the same or similar result will also be considered. Verbal bullying can include slandering, ridiculing, or maligning a person; persistent name calling that is hurtful, insulting, or humiliating; using a person as a butt of jokes; or abusive and offensive remarks. Physical bullying can include the obvious, such as pushing or shoving or a threat of physical assault, as well as damage to a person's work area, personal possessions, or property. Other examples of emotional bullying include threatening gestures or glances, which can convey the same message, and excluding someone socially at work.~~

~~Additional examples include:~~

- ~~Making comments on Facebook, texting, misuse of other forms of social media~~
- ~~Public humiliation in any form~~
- ~~Constant criticism on matters unrelated or minimally related to the person's performance or job description~~
- ~~Spreading rumors and gossip regarding individuals~~
- ~~Interfering with the ability of someone to perform job duties or consistently assigning menial tasks not central to the job.~~
- ~~Taking credit for another person's ideas~~

~~Any Port of Newport employee who has experienced bullying should immediately report the behavior according to the reporting process outlined in our Harassment policy. All reports will be investigated and addressed. Making false/baseless or malicious complaints of bullying will be regarded as a serious offense, which may also lead to corrective action, up to and including termination.~~

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DISPUTE RESOLUTION

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

Reporting Issues Other than Harassment/Discrimination

Any other questions or concerns you may have should be discussed with your immediate manager/supervisor, absent special circumstances, as soon as you are aware there is a problem or have a question. Your manager will generally ~~follow-up~~follow up to your concern, ~~in writing, within one week.~~

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

Appeal Process

Honest differences of opinion occur, and some situations will require the review or decision of a higher management level. A higher-management review, however, is only intended to occur after you have discussed a situation with your immediate supervisor and a satisfactory solution has not been reached.

If you feel a policy has been inappropriately applied, or you have been unfairly treated or unjustly disciplined by your manager/supervisor, you may present the matter to the Director of Finance and Business Services, or the Director of Operations, as it may apply to your department. That official will review the issue and make a decision. If you are not satisfied with this ~~decision~~decision, you may present the matter to the ~~General Manager~~Executive Director for review and settlement. The decision of this individual will be final.

All cases will be reviewed on an individual basis and without regard to precedent.

EMPLOYMENT

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

~~Our goal will always be to select the most qualified person for each available job. We will always try to select the most qualified person for each available job,~~ favoring existing employees over outside applicants when possible. ~~External recruiting may be initiated concurrently with the internal posting process, but no hiring commitment or decision will be made until the position has been posted internally for a minimum of five (5) working days. The Port of Newport reserves the right to deviate from this policy as it deems appropriate.~~

Former employees and relatives of current employees may be considered for employment in the same manner as other applicants. ~~We may refuse to place a spouse, domestic partner, or immediate family member under the direct supervision of a spouse, domestic partner, or family member, if such placement adversely affects supervision, safety, security, or morale. We prefer refuse not to place a spouse, domestic partner, or immediate family member under the direct supervision of a spouse, domestic partner, or family member, if such placement adversely affects supervision, safety, security, or morale.~~

~~If a job can't be filled from within its department, it will be posted for the entire organization.~~ In order to be eligible to transfer to a different job, you must have completed a minimum of 6-month tenure in your current position, have completed your initial ~~probationary-introductory~~ period, and may not be under any corrective action.

You may, from time-to-time, be temporarily transferred or assigned to perform work outside of your regular job classification, schedule, shift, or department. Depending upon the circumstances, you may be subject to a wage adjustment while performing such work. We may also reassign employees on a long-term basis whose placements are determined to be unsuited to their individual skills and transfer any employee who has an illness or disability that requires modified duty without posting the position.

NEW EMPLOYEES, PROMOTIONS, AND TRANSFERS

New Employee Orientation

New employees are expected to ~~attend~~ receive a thorough orientation within the first month of employment, this typically is provided by the employee's supervisor. This helps to ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies. Orientation sessions are documented using ~~the New Employee Orientation Checklist, which is signed and dated by you and the person conducting the session and will be kept in your employee personnel file~~ the notes section in our HR system.

Probationary/Introductory Period

As a new employee, you are hired on a 180-day (6-month) probationary/introductory period. The probationary/introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by supervisors. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the probationary/introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position and provides an opportunity for us to see if your abilities and the requirements of the position match. It is also a chance to see if we meet your expectations as an employer.

Your performance will be evaluated at the end of the probationary/introductory period, and a decision about your employment status will be made and shared with you in writing. If you have successfully completed the probationary/introductory period, you will be moved to regular status. Movement to regular status does not alter the at-will condition of your employment. If your skills border on satisfactory, but fall a little short, the introductory/probationary period may be extended if there is reason to believe that your skills will improve within 60 days. This period may be extended only by approval of the ~~General Manager~~ Executive Director. The request for an extension ~~won't~~ will not be approved if it is submitted after the normal conclusion of your probationary/introductory period. If expectations are not met or if your skills are not satisfactory, it is unlikely that your employment will continue.

Completion of the introductory/probationary period does not alter the at-will employment relationship. Employment may be terminated at our will or discretion or by you at any time during or after the probationary period, with or without reason or notice, if either party regards it as necessary or appropriate.

Promotions and Transfer Training Period

If you are promoted or transferred to a new position, you must also complete an probationary/introductory period of ~~180-90~~ days to determine the suitability of the placement and your ability to satisfactorily perform the required work. If it is determined

that the job change is not working during this period, you will be returned to your original job if a vacancy exists. Otherwise, you will be assigned to any other vacant job we deem suitable. If no such job is vacant, your employment may be terminated. If you are placed in a job other than your original job, the pay and benefits may be adjusted.

Re-employment

Employees who resign from the organization in good standing may be eligible for re-employment consideration. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. Previous performance with the organization will be evaluated if the reference check phase is reached. We are not obligated to rehire former employees.

Credit for Prior Seniority

Employees who are rehired by Port of Newport will receive credit for prior time worked as follows:

- Employees who were separated because of a reduction in workforce will receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within one (1) year after the separation date.
- Employees who voluntarily resigned from their employment with Port of Newport may receive credit for prior time worked for the purposes of benefit eligibility, subject to management approval, if re-employed within six (6) months after the resignation date. However, a new anniversary date will be established based on the date of rehire.
- All other rehires shall be considered new employees, except where federal or state law requires otherwise (e.g., the Employee Retirement Income Security Act rules which apply to pensions, where state law applies to health insurance benefit reinstatement).

Employment Classifications

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

Probationary/Introductory*: Newly hired or promoted employees within the probationary 180-day introductory period. New hires earn Paid Time Off (PTO), but cannot use PTO aid Time Off during the probationary period. However, you until the will be eligible to use PTO the 91st day. New hires earn, but cannot use Paid Time Off (PTO).

Regular Full-time: An employee who is regularly scheduled to work 32 hours or more per week. Classification normally is eligible for benefits.

Regular Part-time: An employee who is regularly scheduled to work at less than at least 15 but less than 32 -hours per week. This classification is normally eligible for benefits, but on a pro-rata basis. Example: If

an employee works 20 of the 32 hours, the Port would pay 20/32^{nds} of the insurance cost. The remainder 12/32^{nds} is deducted from the paycheck.

Seasonal/Temporary*: An employee who is hired for a specified period of time, usually no more than six (6) months (1040 ~~hrs~~hrs. per calendar year). This classification is typically not eligible for benefits, except for those mandated by law.

On-Call*: An employee who does not have a set schedule and works only when called upon.

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

Exempt: An employee who is exempt from the overtime pay and minimum wage requirements under federal and state laws. Exempt employees typically include managers, executives, supervisors, professional staff, outside sales representatives, owners, and others who are generally paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.

Non-exempt: An employee who is paid an hourly wage and whose job generally calls for the payment of minimum wage and overtime as specified under state or federal regulations.

*May be eligible for benefits under the Affordable Care Act depending on hours worked.

Continuous Service Date

The continuous service date is the date a new employee is appointed on a probationary appointment ~~in the Career Service~~. Time spent, ~~as a part-time or as a~~ temporary employee, ~~shall is~~ not ~~be~~ included in determining an employee's continuous service date.

The continuous service date will be used for determining benefits, PTO accumulation, Port contribution to the retirement program, length of service in connection with layoff, and any other matters involving length of service.

Employees who leave Port service for military service shall receive credit for such service upon returning to Port employment. Credit also shall be accumulated while on authorized leave of absence with pay and authorized educational leave with or without pay. Other authorized or unauthorized leave of absence without pay for five (5) consecutive working days or more shall result in an adjustment of the continuous service date.

An employee who has been re-employed following a layoff or authorized leave of absence without pay shall receive credit for previous time spent in a Regular Full-time or Part-time position in the determination of their continuous service date.

ALLOCATION OF POSITIONS

New Positions

When a department head or director desires to establish the classification of a new position, a description of the duties and responsibilities of the position shall be submitted to the General Manager-Executive Director or designee in order that a determination of the proper classification be made.

Reclassification of Positions

Whenever a department head or director desires to make any permanent and substantial change in the duties, authority, or responsibilities of a position, notification of the proposed change shall be submitted to the General Manager-Executive Director or designee for determination, if any, on the classification of the position. Positions may be reclassified whenever the duties of the position change materially, provided however, that any reclassification can be accomplished within the current budget.

CLASSIFICATION PLAN

Purpose

The purpose of the classification plan is to provide a complete and continuous inventory of all positions, to provide accurate job descriptions and specifications for each class of employment. The classification plan shall be maintained so that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

Maintenance of Plan

The General Manager-Executive Director or designee is responsible for maintaining and revising a position classification plan, which groups all positions into classes based upon their duties, authority, and responsibilities.

Amendment of Plan

The General Manager-Executive Director or designee shall be responsible for keeping the classification plan current through periodic studies of the positions within the Port; however, a Director, Department Head, or employee may initiate a request to amend the classification plan, by requesting a modification in writing to their immediate supervisor.

Allocation of Positions – New Positions

When a department head desires to establish the classification of a new position, a description of the duties and responsibilities of the position shall be submitted to the General Manager-Executive Director or designee and Director of Finance and Business or designee in order that a determination of the proper classification may be made. New

positions may only be established within the budgetary and FTE specified in the current ~~f~~Fiscal ~~y~~Year budget, which includes the abolishment of existing position to establish a new position.

Allocation of Positions – Reclassification

Whenever a department head desires to make any permanent and substantial change in the duties, authority, or responsibilities of a position, written notification of the proposed change shall be submitted to the ~~General Manager~~Executive Director or designee for determination, if any, on the classification of the position. Positions may be reclassified whenever the duties of the position change materially, provided however, that any reclassification can be accomplished within the limitations of the current budget of the Port.

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CLASS DESCRIPTIONS

Content of Specifications

Each class specification shall include the class title, a description of the duties and responsibilities of the work, and a statement of the minimum qualifications a person should possess to perform the work with reasonable prospects of success.

Interpretation of Specifications

Each class shall have a specification that includes a concise, descriptive title, and a description of the duties and responsibilities of each position in the class. Each position shall identify each essential duty, not all duties are considered essential. Position specifications take into consideration the requirements of the job and are merely descriptive and explanatory of the work to be performed. They may not include all of the duties and are not intended to replace detailed work assignments. Each position shall be allocated to an appropriate class on the basis of the duties and responsibilities of the position.

Minimum Qualifications Statement

The desirable minimum qualifications enumerated in a class specification shall relate to the reasonable standards of experience and training required at the time of original appointment of a new employee and shall not be construed as representing or measuring qualifications which employees already working in such a class may actually possess.

Class Titles

The class title shall be the official title of every position allocated to the class, not the individual filling the particular position, for the purpose of personnel actions and shall be used on all personnel, budget and financial records, and reports relating to the position.

Working Titles

The Department Head may further break down the position by using a working titles. Working titles are authorized to be used by the department head may be used to further delineate in as a designation of any position for purposes of internal administration or in contacts with the public.

Position Numbers

To clarify position authority, position numbers shall be assigned to each position authorized in the budget, filled or unfilled.

Working Titles

~~Working titles are authorized to be used by the department head may be used as a designation of any position for purposes of internal administration or in contacts with the public.~~

Appeal of Allocations

Any ~~De~~partment ~~h~~Head or employee affected by the classification of a position may file a written request for reconsideration with the ~~General Manager~~ Executive Director or designee. The ~~General Manager~~ Executive Director or designee shall review the classification of the position and submit their findings to the department head and/or employee concerned. The Dispute Resolution Corrective Action Policy ~~as outlined in Chapter 12~~ may also be used to appeal the allocation of a position.

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EMPLOYMENT RECORD KEEPING

Access to Personnel Files

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

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

Change in Personal Data

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

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

~~A Change in Personal Data form is available for your use in reporting any changes in your personal information. The Port uses an HR system (<https://hr.idhrp.com/>) to store this information. You have been provided access to make changes to certain information, such as Emergency Contacts, w-4's, and Dependents. Other changes can be submitted via email to the Director of Finance and Business Services.~~

No Direct Deposit changes are accepted via email.

~~This is to prevent fraud and to protect you. All Direct Deposit changes must be submitted using the "Direct Deposit Change Request" in My HR, the Port's HR System (<https://hr.idhrp.com/>).~~

**EMPLOYMENT RELATIONS AND
CONDUCT**

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ETHICS

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

Public Officials

A public official includes anyone serving the State of Oregon or any of its political subdivisions or any other public body in any of the listed capacities, including as an “agent.” An “agent” means any individual performing governmental functions. Governmental functions are services provided on behalf of the government as distinguished from services provided to the government. This may include private contractors and volunteers, depending on the circumstances.

Upon employment with the Port, you became a Public Official.

Gifts

During a calendar year, a public official, a candidate or a relative or member of the household of the public official or candidate may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest.

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

Use of Official Position or Office

A public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office.

Except:

- Any part of an official compensation package as determined by the public body that the public official serves.
- The receipt by a public official or a relative or member of the household of the public official of an honorarium or any other item allowed under ORS 244.042 (Honoraria).
- Reimbursement of expenses.
- An unsolicited award for professional achievement.
- Gifts that do not exceed the limits specified in ORS 244.025 (Gift limit) received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest.

- Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest.
- The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of “gift” in ORS 244.020 (Definitions).
- Contributions made to a legal expense trust fund established under ORS 244.209 (Application to establish fund) for the benefit of the public official.

A public official may not solicit or receive, either directly or indirectly, and a person may not offer or give to any public official any pledge or promise of future employment, based on any understanding that the vote, official action, or judgment of the public official would be influenced by the pledge or promise.

A public official may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official.

A person who has ceased to be a public official may not attempt to further or further the personal gain of any person through the use of confidential information gained in the course of or by reason of holding position as a public official or the activities of the person as a public official.

A person may not attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member. This subsection does not apply to the person’s employer, business partner or other associate.

The provisions of this section apply regardless of whether actual conflicts of interest or potential conflicts of interest are announced or disclosed under ORS 244.120

Honoraria

A public official may not solicit or receive, whether directly or indirectly, honoraria for the public official or any member of the household of the public official if the honoraria are solicited or received in connection with the official duties of the public official.

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

Financial Interest in Public Contracts

A person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract for two years after the date the contract was authorized.

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

Failure to meet these standards will result in investigation and, depending on the outcome, result in discipline up to and including separation.

Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, customer/client, or any individual or organization doing or seeking business with the Port of Newport. This means you may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interests of the organization or interferes with your ability to fully perform job responsibilities. For example, if job responsibilities include purchasing, or being in a position to influence purchasing, the individual responsible must disclose any financial interest and recuse themselves from transactions from any business that furnishes products, materials, or services to the organization or in any related transaction. An employee may not benefit directly or indirectly from a third party who furnishes products, materials, or services to the organization either.

Misrepresentation

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

Outside Employment

While employed at the Port of Newport, you may not engage in outside employment that conflicts with the nature of the ~~organization's~~ Port's business, competes with the ~~Port~~ organization, or that otherwise interferes with your ability to perform according to established standards of performance and work rules. Additionally, you may not work at an organization that conducts business with the ~~PPort of Newport~~. During hours you are scheduled to work for the ~~PPort of Newport~~ or use company equipment for such purposes, you may not conduct any business connected with outside employment. Discuss any outside employment with your supervisor prior to accepting an outside position so the Port can determine if there is a conflict of interest.

Off-Duty Conduct

Generally, we regard off-duty activities of employees to be their own personal matters. However, certain types of off-duty activities concern us because of the potentially negative impact on the ~~Port~~ organization's reputation within the communities we serve. Therefore, employees who engage in or are associated with illegal or otherwise harmful conduct (*i.e.*, that which adversely affects the organization, its public image, or their own ability or

credibility to carry out employment responsibilities) may be subject to corrective action, up to and including termination.

Solicitation and Bulletin Boards

To make sure employees ~~aren't~~are not disturbed or interrupted while on work duty, we have established the following non-solicitation policy:

Individuals who are not employed at the organization may not solicit our employees or distribute literature on organization property at any time.

If you wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society, you may do so only during times when you are on a rest or lunch break.— You may solicit or distribute literature only to those employees who are also on a rest or lunch break.— The distribution of literature in work areas is prohibited at all times, but you may place it in established break areas or lunchrooms.

Obscene, profane, or inflammatory items and political advertisements or solicitations are strictly prohibited.

You may not solicit, expect, or accept contributions from vendors, clients, or anyone doing business with the ~~organization~~Port.

You may not sell merchandise or collect funds of any kind without prior written approval from the ~~General Manager~~Executive Director or designee, a copy of which will be maintained in your HR file.

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

Political Activity

The State of Oregon law (ORS 260.432) restricts political activity by public employees. As a Port employee you are considered a public employee. This policy does not apply to volunteers.

Port employees may not use their work time to support or oppose measures, candidates, recalls, political committees or petitions. Engaging in "political activity" or "advocacy", means only that political activity or advocacy which is restricted by the statute- supporting or opposing measures, candidates, recalls, political committees or petitions. Supporting or opposing political issues which do not fall into any of those categories is not restricted by the statute.

Oregon election law does not specify any amount of work time that may be used before a violation occurs, so you may be found in violation even though you used a minimal amount of work time. Port employees may not distribute material that contains political advocacy while on the job during work hours, except public employees may, as part of

their job duties, process and distribute incoming mail addressed to specific employees that contains political advocacy.

Port employees cannot give a speech or presentation advocating a political position if they are on the job or acting in their official capacity.

A spokesperson for the Port may respond to media inquiries about the possible effects of a measure or initiative so long as the information they provide is impartial. The Port employee must not state or imply support or opposition.

A Port employee who, on their own computer on the weekend, drafts a press release about how a measure might affect the Port, and signs the document with their title, is acting in their official capacity.

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CONFIDENTIALITY

Organization and Customers

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

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

Employee Records

The Port of Newport's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of this information. Additionally, the organization will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the organization includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefit plan enrollment information, which may include dependents' personal information, and school/college or certification credentials. All pre-employment inquiries, including reference check records, as well as former employee files are maintained in locked, separate areas and are not used by the organization in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in locked, secured areas with access limited to those who have a need for such access. Personal employee information used in business system applications will be protected under company proprietary electronic transmission and Virtual Private Network policies and security systems. Participants in company benefit plans should be aware that personal information will be shared with plan providers as required for claim handling or record keeping needs.

Organization-assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, company coding and recording systems, telephone directories, e-mail lists, and company facility or location information

and addresses, is considered by the company Port to be proprietary ~~company~~ information to be used for internal purposes only. The company Port retains the right to communicate and distribute such information as it feels necessary to conduct business operations.

If an employee becomes aware of a breach in maintaining the confidentiality of any personal information, the employee should report the incident to the Director of Finance and Business Services. The Director of Finance and Business Services has the responsibility to ~~investigate~~ investigate or have an independent third party investigate the incident and recommend corrective action. Please understand that the reasonableness of actions taken in these circumstances will be taken into consideration. Examples of the release of personal employee information that will not be considered a breach include the following:

- Release of partial employee birth dates (*i.e.*, day and month, which is not considered confidential and will be shared with supervisors/managers who elect to recognize employees on such dates).
- Personal telephone numbers or e-mail addresses may be distributed to supervisors/managers in order to facilitate company work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes, and for timekeeping purposes will be shared with supervisors/managers.
- Employees' company anniversary dates will be distributed to appropriate supervisors/managers periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes, for periodic benefit plan changes, or for benefit statement updates.

Should a security breach occur, you will be notified in writing as soon as possible.

WORKPLACE RULES RESPONSIBILITIES

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

- Arrive at work on time, stay until the workday ends, and carry out the work assigned or requested. If you are unable to be at work on time, please contact your immediate supervisor promptly.
 - Treat the workplace with respect and attention, including Port of Newport records, equipment, and property. The items in your custody are under your responsibility to maintain, use appropriately, and keep accurate.
 - The standard of conduct for all employees in the service of the Port shall be in the public's interest as opposed to individual interest.
 - Act as an agent of the Port, representing the Port's interests and standpoint in a positive manner.
 - Respect other's work time.
 - Excellent public relations/customer service is an integral part of your job.
 - Remain professional. Exhibit a high regard for customers, vendors, business associates, and for co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol consumption when representing the Port of Newport in a business or social capacity.
 - Refer all media inquiries to the [General Manager/Executive Director](#). Do not participate in interviews unless you receive express permission from the Executive Director
 - Maintain the confidentiality of organization information or customer information in your possession (i.e., personnel information, trade secrets, etc.).
 - Dress in clothing that is neat in appearance and consistent with a professional atmosphere, keeping in mind the impression it has on customers, visitors, and other employees as well as the need to promote organization and employee safety. Good individual judgment is the best guideline, but management retains the right to decide what dress is appropriate.
 - Act in accordance with all appropriate codes, laws, regulations, and policies set by the Port of Newport, the state, and other outside regulatory bodies.
- ~~• You are expected to be at work on time, to stay until your workday ends, and to do the work assigned or requested of you. If you are unable to be at work on time, you are expected to contact your immediate supervisor promptly.~~

- ~~• The expected standard of conduct for all employees in the service of the Port shall be in the public interest as opposed to individual interest.~~
- ~~• Public relations shall be an integral part of each employee's job.~~
- ~~• Employees shall be courteous, efficient and helpful to everyone in their work and shall do the best job possible on every assignment.~~
- ~~• You are expected to regard your workplace with respect and attention. The Port of Newport records, equipment, and property are to be treated carefully and appropriately. You are responsible for those items in your custody and will be held accountable for their maintenance, appropriate use, and accuracy.~~
- ~~• You are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the Port of Newport or by outside regulatory bodies.~~
- ~~• You are expected to conduct yourself in a professional manner, exhibiting a high regard for our customers, vendors, business associates, and for co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol consumption when representing the Port of Newport in a business or social capacity.~~
- ~~• You are expected to maintain the confidentiality of organization information or customer information in your possession (i.e., personnel information, trade secrets, etc.).~~
- ~~• You are expected to wear clothing that is neat in appearance and appropriate for your work area, keeping in mind the impression it has on customers, visitors, and other employees as well as the need to promote organization and employee safety. Good individual judgment is the best guideline, but management retains the right to decide what dress is appropriate.~~

This information regarding our behavioral expectations should help guide employee actions.— You are urged to use reasonable judgment and to seek advice in doubtful or unclear situations.— If all employees do their best to meet both the spirit and intent of these guidelines, disciplinary issues will be minimal.— It is our policy to resolve conduct and performance problems in the most informal and positive manner possible; however, conduct which falls outside of the above guidelines will result in corrective action, up to and including termination.

We also believe that all of our employees should have an opportunity to be heard in matters involving discipline; therefore, we have adopted a formal Dispute Resolution Procedure, [the location of which can be found in the Table of Contents which can be found on page 15 of this Handbook.](#)

IMPROPER EMPLOYEE CONDUCT

The term "improper conduct" shall mean not only any improper action by an employee in his/her official capacity, but also any conduct by an employee not connected with his/her official duties tending to bring the Port into discredit, or which tends to affect the employee's ability to perform his/her duties officially, or any improper use of their position

as an employee for his/her personal advantage. In addition, improper conduct includes the following:

- 1.● Violation of the criminal laws of the United States or of any state thereof.
- 2.● Being adjudged guilty of a crime involving moral turpitude or infamous or disgraceful conduct.
- 3.● Insubordination or disloyalty.
- 4.● Offensive or unbecoming conduct or language toward the public or towards fellow Port employees or officers thereof.
- 5.● Inattention to duty, tardiness, indolence, carelessness, or damage to, or negligence in the care and handling of, Port property.
- 6.● Improper or unauthorized use of equipment and supplies.
- 7.● Being absent from work without first notifying the employee's supervisor.
- 8.● Outside employment that interferes with Port responsibilities or performance.
- 9.● Absence from duty without leave, failure to report after leave of absence has expired or after such leave of absence has been disapproved or revoked and canceled by proper authorities.
- 10.● Willful violation of any of the provisions of ordinances, these rules, or any rules or regulations which may be prescribed by the General Manager Executive Director or a department head.
- 11.● Solicitation in an official capacity, or as an employee of the Port, of the public for money, goods, or services not specifically authorized by the Executive Director General Manager.
- 12.● Violation of provisions in the Personnel Employee Manual Handbook.

Vehicle Use Vehicle Use

Port vehicles may only be used for legitimate Port District business.

Port vehicles (and/or vehicles rented for Port Business) will not be used to transport any individual who is not directly or indirectly related to Port business. Passengers shall be limited to Port employees, volunteers, and individuals who are directly associated with Port work activity. Family members and other non-family members shall not be transported in Port vehicles, except if an employee travels out of town for a conference. With approval from the Director of Finance and Business Services or the Director of Operations supervisor, they may be allowed to take a family members.

Vehicles should contain only those items for which the vehicle is designed. The Port is shall not be liable for the loss or damage of any personal property transported in the vehicle.

Employees assigned to operate Port vehicles are responsible for the operation, care, and condition of such vehicle and are also expected to keep Port vehicles clean.

Employees may not operate Port vehicles under the influence of alcohol, marijuana, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operation.

Employees who operate Port vehicles must have a valid Oregon driver's license and may be required to provide proof of a valid license once every six (6) months. To operate certain Port vehicles, the law requires a Commercial Driver's License (CDL) and/or a hazmat endorsement. The Port will cover the costs associated with obtaining and maintaining a CDL, including test, license fees and medical exams. Receipts must be submitted for reimbursement of these costs.

Employees driving while on Port business shall obey all applicable traffic and parking regulations, ordinances, and laws.

Employees who incur fines in Port vehicles ~~are~~will be personally responsible for payment of such fines.

Employees who are issued citations for any offense while operating a Port vehicle must notify their supervisor immediately, when practicable, but in no case later than twenty-four (24) hours. Failure to provide such notice will be grounds for disciplinary action.

An employee who is arrested for, or charged with, a motor vehicle offense for which the punishment includes suspension or revocation of their license, whether in his or her personal vehicle or in a Port vehicle, must notify his or her supervisor immediately, when practicable, but in no case later than twenty-four (24) hours. Conviction for such an offense may be grounds for loss of Port vehicle privileges and/or further disciplinary action.

Reporting and Investigating Accidents

When any Port vehicle is involved in an accident resulting in property damage or injury to any person, the following procedures shall be observed:

- Employee shall immediately report the accident to their supervisor and remain at the scene until a police report is made in a case of a fatality, injury, extensive damage, or damage that renders a vehicle inoperative. Do not remove any vehicle until authorized by your supervisor unless non-removal creates undue hazard.
- In cases where the vehicle(s) suffer only minor damage, other people should not be delayed any longer than is necessary to exchange the required information. All vehicles should carry a list of the necessary information to collect from the other driver and the information the employee would need to collect from them. The operator should also promptly complete the accident report upon returning to the Port office.
- The supervisor or other designated individual shall respond to the scene and request and facilitate a police investigation. He/she shall gather information for the Port's insurance carrier, submit independent reports, and report all findings and conclusions to the Port ~~General Manager~~Executive Director.

WHISTLEBLOWER PROTECTIONS

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

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

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

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

DRESS CODE

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

We are committed to creating a diverse, inclusive, and equitable workplace that values and respects all individuals, regardless of their natural hair texture and hairstyle. We recognize that natural hair is an essential part of self-expression and cultural identity and discrimination based on these attributes is not acceptable in our organization.

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

Supervisors and Directors have the discretion to determine appropriateness in appearance. A basic essential of appropriate dress includes the need for clothing to be neat and clean, and appropriate for the area where you are working.

~~A reasonable standard of dress rules out overly revealing clothing, tank tops, halter-tops, or any extreme in dress, accessory, fragrance, or hairstyle.~~

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

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

Management may make exceptions to the Dress Code for special occasions.

An employee unsure of what is appropriate should check with the designated director, manager, or supervisor.

Casual shirts: All shirts with collars. This will include shirts and blouses, ~~golf~~ and polo shirts.

Pants: Casual slacks and trousers. Jeans are acceptable, but must be without holes, frays, etc.

Inappropriate: T-shirts, Shirts with inappropriate slogans, tank tops, muscle shirts, and crop tops. T-shirts may be approved and provided for specific events only. Logo Port of Newport T-shirts provided by the Port are acceptable.

~~Pants: Casual slacks and trousers. Jeans must be without holes, frays, etc.~~

Inappropriate: Athletic sandals, flip-flops.

Specific safety related apparel may be required of the employee by the Port's safety plan. If so, that apparel shall be purchased and provided by the Port, and instructions for wear shall be determined by the employee's supervisor/manufacture's specifications, and OSHA requirements. Port safety policies may require additional apparel not required by OSHA such as safety shoes, high visibility colors, etc. Individual employees are responsible to maintain issued equipment, gear, and apparel, and are required to request replacement when no longer serviceable.

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COMMUNICATION AND SOFTWARE SYSTEMS

Electronic Communications Systems

For the complete security policy please see the “IT Security Policy, ~~adopted November 19, 2019~~.” The Port of Newport provides electronic communication systems to maintain superior communications both within the organization and with outside clients and vendors. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the organization who may use the systems are expected to be aware of and support this policy.

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

These systems and any other informational, storage, or retrieval services that the organization provides are organization tools and are to be used for business purposes only during business hours.

Use of company systems during business hours for other than work-related purposes should be minimal and must not impact business operations.

The use of these systems is not private or confidential. Within the bounds of current and future laws, the organization reserves and intends to exercise the right to review, audit, intercept, access, and search these business systems at will, monitor data and messages within them at any time and for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the organization.

As an employee, you must not permit any proprietary or confidential information of the Port of Newport to enter the public domain through electronic transmissions. Examples of the organization’s proprietary and confidential information are provided in the Confidentiality Policy. Also, these systems shall not be used to receive or distribute copyrighted materials, trade secrets, proprietary information, or similar materials from/to outside the organization without prior authorization.

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

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

Email System

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

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

Organization-owned Personal Computers/Laptops/Tablets/

To protect the integrity of our systems, all software used on our computers must be registered with the Director of Finance and Business Services and purchased according to the "Technology Replacement and Upgrade Policy"— Personal or downloaded software may only be installed after written authorization from [the Director of Finance and Business Services](#) ~~hat individual~~ or the ~~General Manager~~ [Executive Director](#).— A virus check of all such software must be made immediately before it is installed on any organization computer.— A virus check must also be conducted on any electronic devices originating from or used on any computer outside of the organization prior to its use with an organization-owned computer.— The copy or transfer of organization-owned software may occur only with the written authorization of the Director of Finance and Business Services.

Laptop/Tablet Security

All staff ~~who that~~ are issued laptops and other computer-related equipment will be given a copy of the Port of Newport's computer-related equipment guidelines. Every device is tagged with an Asset Number. These guidelines include security precautions and procedures as recommended by the Port of Newport.

Laptops and other applicable equipment will only be replaced by the company if the laptop and other equipment were secured by two anti-theft devices at the time they were stolen. For example, a computer camera stored in a locked cabinet within a locked office; a laptop locked in a safe in a locked motel room; a laptop secured in a locked drawer within a locked residence. An exception applies for a laptop or equipment taken during an assault situation, or when the equipment is in Port Offices.

In other situations, a deductible will apply to lost or stolen laptops and computer equipment. Employees should always follow company guidelines in safeguarding equipment. If an employee has followed these recommendations, the laptop and other equipment will be replaced. If the employee has not, however, the Executive Director or designee has the option of paying the deductible or, for example, having the laptop replaced with a non-laptop computer.

Mobile Devices/Cell Phones

Where job or business needs necessitate immediate access to an employee, the organization will provide or require a business cell phone for work-related communications.

This phone is provided for business use only. Business cell phones are not to be used for purposes not related to work.—. Continued use of the business phone for personal may result in disciplinary action up to and including termination.

Keep in mind that cell phone internet usage, phone records, voice mail, and text messages are not private and may be accessed. If an organization-provided phone is used for personal business, any phone charges incurred by an employee related to the personal usage will be the sole responsibility of the employee.—.

Personal calls during the workday using ~~personal-employee-owned~~ cell phones can be distracting to others and can interfere with employee productivity. Use of a personal phone for any reason should therefore be limited to breaks and lunches ~~and used in the lunchroom or outside of working areas.~~

—Any use of a cell phone while driving may present an unsafe condition for the driver, other employees, and the general public. The organization prohibits the use of cell phones while driving while on Port business, except when hands-free accessories are used. In cases where a cell phone call is necessary, employees must adhere to all federal, state, and local rules and regulations regarding such to help ensure the safe operation of both organization-owned and private vehicles.—. If an employee is using a cell phone while driving and has an accident, any costs, fees, and fines shall be solely the responsibility of the employee.

Likewise, employees who need to receive or make a business call while driving when they are not on Port business, should find a lawfully designated area to park and pull over for the call. Employees may use hands-free cell phones for these business calls, but only in emergency situations.—.

Allowing Remote Wipe Provisions/Data Liability

If you are connected to the organization's server, understand that making this connection via a mobile device may compromise the privacy of certain sensitive information.—. Confidential electronic information, including personally identifiable information, must be protected to prevent it from being exposed if the device on which the information was accessed is lost or stolen.—. In order to protect this information, the organization retains the right to delete data and applications from any device that contains the organization's information.—.

This right to delete such information may be exercised remotely or on-site if the organization determines such action is necessary to protect confidential, sensitive, or proprietary information.—. Please understand that in downloading any such

information to a personal mobile device, you are consenting to the organization's ability to delete this information at any time.

This policy covers mobile devices such as smart phones, tablets, laptops, and any similar devices. Please ensure that you regularly sync/synchronize any personal data (e.g., applications, information, photos) to another device/computer for safekeeping, as the wipe command does not differentiate between business and personal information.

Mobile devices should be set to lock after every 10 minutes for security reasons. A PIN-based lockout is required, and the PIN must be given to the Information Technology department Administrative Assistant to the Executive Director.

It is critical that any loss or theft of a mobile device, including laptops, be immediately reported to the Administrative Assistant to the Executive Director. Security of these devices should always include two (2) levels (i.e., locked in a trunk if kept in a car; locked in a hotel safe, not left out in a hotel room; etc.) for safeguarding. Failure to ensure this minimum level of protection may leave an employee responsible for the cost of the device or loss of company-related information addressed in this policy, and further corrective action, up to and including termination.

Use of Internet, VPN (Virtual Private Network), and Commercial Online Systems

Although the Port of Newport recognizes that the Internet has useful applications to our business, you may only engage in limited personal use of the Internet use during work time. You are responsible for exercising good judgment regarding the reasonableness of personal use. If there is any uncertainty, you should consult your supervisor or manager.

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

Social Media and Networking

Social networking websites and online communities, such as but not limited to, Twitter, LinkedIn, Facebook, and Flickr are increasingly used and can be accessed by individuals not only from computer systems, but also from smart phones. These tools have value because they can be used to promote the Port of Newport and share information; employees may also use these systems as a quick communications and networking tool to complete projects. It is not the intent to unduly limit employees' access to these conduits, however, guidelines and expectations surrounding their use are necessary as there are liabilities inherent in such use. When any employee is using organization-provided computers or cell phones or is representing the organization via social networking activity, that individual is expected to represent the organization in a

professional and positive light.— The Port of Newport wishes to use social networking exclusively to its advantage, preventing and minimizing any negative outcomes.— This includes ensuring that all employees will be free from harassment and unprofessional behavior when utilizing or consuming social media; therefore, employees authorized for its use must abide by all applicable laws (including copyright) and ethical considerations. Please refer to the “IT Security Policy, ~~adopted November 19, 2019~~” for complete details.

Business Use

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

Ownership of Social Media Accounts

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

Monitoring

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

Protection

Social networking sites collect profile information for advertising opportunities and criminal reasons.— Phishing (e-mail messages asking for username and passwords, etc.) and spamming are two downsides.— Never click on links asking for personal or confidential information.— Heed security warnings and pop-ups.— Use of these sites may mean more SPAM sent to your e-mail account.— If possible, disable the ability of others to post HTML comments to your home page.— When accessing these sites, use caution when you see a posting or link that looks suspicious; when in doubt, delete it.— Viruses and spyware may damage the organization’s operating system, compromise data, or expose your privacy and that of others you communicate with via e-mail and social media sites.

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

Prohibited Conduct

Behavior and judgment in an electronic environment should mimic behavior in a physical setting. Employees are expressly prohibited from posting content that is malicious,

abusive, threatening, intimidating, coercing, profane, disruptive, discriminatory, or harassing. Defamatory statements are prohibited, and employees should be aware they are personally responsible for the legal consequences of such statements.

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

Telephone Usage

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

Voice Mail System

The voice mail system at the Port of Newport is the property of the organization-Port and is provided for use in conducting organization business. All communications and information transmitted by, received from, or stored in this system are organization records and property of the Port of Newport, occasional use is allowed. You have no right to personal privacy in any matter stored in, created, received, or sent over the voice mail system. The Port of Newport, in its discretion as owner of the voice mail system, reserves the right to monitor, access, retrieve, and delete any messages stored in, created with, received by, or sent over the system for any reason and without employee permission. You are not authorized to retrieve or listen to any voice mail messages that are not sent to you.

Cell Phones

~~Where job or business needs necessitate immediate access to an employee, the organization may provide/require a business cell phone for work-related communications. This phone is provided for business use only. Use of a company cell phone for personal business may result in disciplinary action, up to and including termination.~~

~~Business cell phones are not to be used for purposes not related to work.~~

~~Keep in mind that cell phone internet usage, phone records, voice mail, and text messages are not private and may be accessed. If an organization-provided phone is used for personal business, any phone charges incurred by an employee related to the personal usage will be the sole responsibility of the employee.~~

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

~~Any use of a cell phone while driving may present an unsafe condition for the driver, other employees, and the general public. The organization prohibits the use of cell phones while driving, except when hands-free accessories are used. In cases where a cell phone call is necessary, employees must adhere to all federal, state, and local rules and regulations regarding such to help ensure the safe operation of both organization-owned and private vehicles. If an employee is using a cell phone while driving and has an accident, any costs, fees, and fines shall be solely the responsibility of the employee.~~

Regardless of the media or device used, typically information generated or exchanged for the purpose of government work is subject to Public Records laws. While not all information is accessible by the public our organization is required to maintain these records, this includes information on employee-owned phones.

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PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which the Port of Newport can continuously monitor the effectiveness of organizational operations and employee performance, all employees will receive regularly scheduled formal performance evaluations annually in June of each year.

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

- Ensure that employees know their individual performance against established performance standards.
- To honestly evaluate an employee's performance over the past year.
- Determine how well the organization is doing in assisting employees with work performance and meeting goals.
- Ensure communication and two-way feedback.
- Provide a consistent, objective, and fair method of making compensation decisions.
- Provide a tool for career planning; and,
- Provide a permanent record of employee performance and organizational contributions.

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

- Reasonable employee training.
- Assigning, directing, controlling, and reviewing employee work.
- Assisting employees in correcting deficiencies; and,
- Objectively and honestly evaluating employee performance during the evaluation period.

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

- Inquire about your performance periodically.
- Accept additional responsibilities and show initiative.
- Review opportunities for advancement within the organization.
- Ask for assistance in developing a goal-oriented path for advancement within the department or organization; and,
Learn about training available to assist you in improving your skills or qualify you for a promotion or lateral transfer.

Performance evaluations serve as one factor in decisions related to employment such as training, merit pay increases, job assignments, employee development, promotions, and retention. Evaluations identify specific performance levels as compared to established

standards, acknowledge the merit of outstanding performance, and prescribe the means and methods of improving performance deficiencies.

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CORRECTIVE ACTION

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

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

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

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

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

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

Counseling, verbal warning and written warnings may be undertaken by a Supervisor, Manager, or Director without prior approval from the Director of Finance and Business Services. However, the Director of Finance and Business Services must be informed by the Supervisor, Manager, or Director of any such actions taken.

Suspension with or without pay, demotion and discharge require prior approval from the Executive Director or designee before the action is taken.

Appeals from Disciplinary Action

Any Regular full-time or part-time employee may appeal disciplinary actions, except ~~that~~ an employee serving on probation as a result of being promoted ~~cannot~~ appeal demotion back to the classification from which they were promoted ~~-. A newly hired employee on probation may not appeal his/her dismissal from Port employment.~~ An employee may, within five (5) working days of the effective date of the disciplinary action, appeal the action. The appeal will be in accordance with the Dispute Resolution Policy as outlined in that section. on Page 15.

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COMPENSATION

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PAY ADMINISTRATION

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

Your pay as a new employee is established based on the pay level of current employees performing work of comparable character and based upon factors such as your previous experience and, education, and skills. This policy will be administered and interpreted in accordance with applicable federal and state laws and regulations.

Pay Increases

It is Port of Newport's policy to reward you with increases in pay for dedication in your work, extra effort, and contributory performance. Management does not award merit increases on an automatic basis. Merit and COLA increases occur July 1 (reflected on the July 15 paycheck) of each year, or at preset intervals. Your supervisor/manager will determine if an increase is warranted at the time of your performance review; factors considered will include performance evaluation factors. Recommended increases are not effective until approved by both the next level of management and the Executive Director/General Manager or designee.

Even though your pay is a matter of public record, but we realize Because information about your rate of pay and any increases is sensitive and personal, we ask that you exercise discretion and care regarding the discussion of these matters.

THE COMPENSATION PLAN

Maintenance of Plan

The ~~General Manager~~Executive Director or designee, with input from the Division Directors, is responsible for the maintenance of the compensation plan. ~~The compensation plan includes, for each class a minimum and maximum rate of pay and intermediate steps as are considered necessary and equitable. Annually the plan shall be reviewed and adjusted based on market rates, rates paid by other public and private employers for comparable work, unusual problems or recruitment issues, turnover, cost of living, and any other relevant factors.~~

Cost of Living Adjustments

The ~~General Manager~~Executive Director or designee may include a ~~cost of living~~cost-of-living adjustment when developing the annual compensation plan. ~~The cost of living~~cost-of-living increase should be based on the Consumer Price Index, West Region. ~~The cost of living~~cost-of-living increase is not guaranteed, but ~~should~~will be included if sufficient funds are available.

Administration of Plan

Each employee shall be paid a rate of pay within the salary range for the class in which they are employed. The steps in the salary range are indicated only for purposes of the initial hiring salary, not as a basis for merit increases.

Entrance Salary

The entrance salary will be based on a pay equity analysis for positions with multiple staff in similar positions, if not available, a market analysis will be used to determine the entrance salary. The ~~General Manager~~Executive Director or designee ~~must~~will approve any entrance salary of step 4 and above.

Step /Pay Increases

~~Steps are used in the initial hiring decision. The Port does not use Sstep increases are typically the next step of the salary range for the class. Step increases to determine annual increases in pay. will~~ Pay increases are based on the Employee Performance Evaluation. Step increases are not automatic. Division directors and Supervisors shall recommend to the General Manager those employees they feel are qualified. Pay increases will be granted based on the overall rating of the employee in their annual performance evaluation. Those scoring in the highest range will receive the largest increase available, those scoring in the lower ranges will receive less of an increase or no merit increase if the employee's performance is not acceptable.

Eligibility for ~~Step~~-Increases.

Employees shall be eligible for an ~~n Step~~ increase only at the start of a fiscal year (July) regardless of anniversary ~~date, unless date unless~~ an exception is made by the ~~General Manager~~Executive Director or designee.

Salary Consideration at the end of the Probationary Period.

Increase in Salary as result of **superior** performance during the Probationary Period. ~~The Department Heads may request an increase, but only the General Manager~~Executive Director/department head, Executive Director or designee(s) may ~~approve~~approve a step(s) increase if an employee has superior performance warranted at during the end of the probationary period (scored in the top 2 ranges in every category). ~~Not every employee will receive an increase.~~ The increase must be within the total amount budgeted for the position.

If an employee was in their probationary period at the start of the Fiscal Year and no merit increase was considered, it is appropriate to give a merit increase at the end of their probationary period consistent with their performance.

No obligation for this adjustment will be implied by any port employee ~~the General Manager/department head~~ during recruitment.

Movement to a Higher Classification

When an employee is promoted or reclassified to a classification having a higher salary range, they may be given an increase to a higher rate of pay in the new salary range. ~~Employees moving to a higher classification must meet the Minimum Qualifications for the higher pay range within six (6) months of starting the new position. Failure to meet the minimum qualifications will result in demotion to the lower class lower class position, including a pay reduction.~~ Movement to a higher position shall only occur if the position is reclassified via the process described earlier in this handbook or by applying and interviewing for a higher-class position. Time in a position or reaching the top of a pay range is not a valid reason to move an employee to a higher-class position.

Demotion

If any employee is demoted or reclassified to a class with a lower salary range for reasons which do not reflect discredit on his or her employment record, their salary rate shall remain the same as long as the rate is within the salary range of the lower classification. Demotion for cause will result in a corresponding reduction in salary.

Transfer

When an employee is transferred from one department to another, or from one classification to another classification having the same salary range, their pay will ~~normally~~ remain the same.

Consideration

The consideration and allowance or rejection of the issues in this ~~sub~~-chapter are subject to the existence of funds for said purposes and budgetary limitations.

Employment Contracts

Contracts with employees shall make every effort to meet the terms of the adopted compensation plan. However, the Port of Newport Board of Commissioners reserves the right to approve employment contracts that may deviate from the plan. Employment contracts usurp the terms and policy laid forth in these rules.

Bonus Consideration

The ~~General Manager Executive Director~~ has the authority to issue, on behalf of the Port of Newport, a holiday bonus to employees in an amount not to exceed \$~~400500~~ per employee based upon financial and other considerations. The Commission grants the ~~General Manager Executive Director~~ an equal bonus as may be issued to other Regular Full-Time and Part-Time employees.

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PAY PRACTICES

Paydays

You will be paid ~~twice~~two times per a month. Paydays are on the 5th and the 20th of the month. If a payday falls on a Saturday, Sunday, or recognized banking holiday, paychecks will be distributed or direct deposited on the Friday prior to the established payday. If a payday falls on an organizational holiday, you will receive your check on the last workday prior to the holiday.

Payroll Deductions

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

Pay Advances

~~Pay advances are not provided by the Port. Employees are encouraged to find other appropriate resources for any financial difficulties, please check with the Employee assistance program (theEAP.com) for assistance. Advance payments of salary may be granted in emergency situations but must be approved by an immediate Supervisor and the Director of Finance and Business Services. Each request for an emergency draw will be reviewed individually. Employees may not request more than two (2) draws per year. Employees are generally encouraged to find other appropriate resources for any financial difficulties, however.~~

~~In order to receive approval, emergency draws cannot exceed an amount equal to the hours accumulated at the time of the request, less any funds required for voluntary and involuntary deductions; advances may never exceed an employee's net salary for the pay period. The amount of any pay advance will be withheld from the employee's paycheck covering the pay period the wages were drawn against.~~

~~For those who do not have Direct Deposit, a paycheck will be hand-delivered to you each payday; paychecks will not be delivered to anyone else without your written request.~~

~~Employees are normally paid by direct deposit, but you may request payment by check instead by opting out, if you choose to receive a manual check, paychecks will not be delivered to anyone else without your written request.~~

Method of Payment

Employees are normally paid by Direct deposit, Ddeposit; you may opt out of Direct Deposit ~~either verbally or~~ in writing. A statement showing gross earnings, deductions, and net salary is provided by our time keeping system and is available online in our HR system (https://hr.idhrp.com/).at ADP. ~~For those who do not have Direct Deposit, a paycheck will be hand-delivered to you or your supervisor each payday; paychecks will not be delivered to anyone else without your written request.~~

Employee Withholding Allowance Certificates (Form W-4)

You are required to furnish the organization with an Employee Withholding Exemption Certificate (W-4) at the time of hire. You may file a new W-4 form any time using the Port's HR system (<https://hr.idhrp.com>) Integrity Data, My HR. When you submit an updated Form W-4 the organization Port will implement the desired changes as soon as is reasonably possible, generally the next pay period, but no later than by the start of the first payroll period ending on or after the 30th day from the submission date. We encourage employees to seek tax advice if they have questions about withholding amounts.

Time Records for Non-Exempt Employees

The timecard/timesheet is a record of time worked and should be filled out daily. It provides a permanent record of time spent on the job, indicating the exact time you worked. All employees fill out their timecards online.

Timecards should be reviewed carefully for completeness and accuracy at the end of each week, as they will be used to calculate pay. Supervisors will review and electronically sign timecards each pay period. Timecards must be completed via computer. Payroll staff is not responsible for the accuracy of your timecard, that is the employee/Supervisor's responsibility.

If there is a pattern of errors on your timecard, any makeup pay may be withheld until the next pay cycle.

If an error needs to be corrected, the timecard should be taken to the manager/supervisor for appropriate action. All manual entries or corrections must be made, reviewed, and approved by the supervisor or other appropriate management member.

Timecards should be reviewed, signed, and ~~turned in~~ submitted at the end of the pay period. Your signature on the time sheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your timecard. Willfully falsifying a timecard will be grounds for corrective action, up to and including termination.

~~The time card is a record of time worked and must be filled out by weekly, although daily is preferred. It provides a permanent record of time spent on the job, indicating the exact time you worked. Each non-exempt employee will be issued a time card at the start of the pay period.~~

~~Time cards should be reviewed carefully for completeness and accuracy at the end of each week, as they will be used to calculate pay. Supervisors will review and approve time cards each pay period. Time cards must be completed **online via ADP**. If an error needs to be corrected, the time card must be reviewed by the manager/supervisor for appropriate action. All manual entries or corrections must be made, reviewed, and approved by the supervisor or other appropriate management member. Time cards should be reviewed and approved at the end of the pay period. Your electronic approval~~

~~on the time sheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time card. Willfully falsifying a time card will be grounds for corrective action, up to and including termination.~~

Time Records for Exempt Employees

~~Employees classified as exempt do not fill out timecards and no deduction of pay will be made for hours worked fewer than eight (8) hours per day, unless authorized by law. However, because The Port of Newport does have PTO benefits program, if you have earned time in these bank(s), you must use the PTO time first to cover any time off that is less than your normal workday.the PTO bank, you must use PTO time first to cover any time off that is less than your normal workday. At the end of the pay period, you must notify your manager and payroll via email of any PTO used in pay period.~~

~~Employees classified as exempt are not required to fill out time cards and no deduction of pay will be made for hours worked fewer than eight (8) hours per day, unless authorized by law. However, because the Port of Newport does have paid time off benefits programs, if you have earned time in these bank(s), you must use this time first to cover any time off that is less than your normal work day.~~

Dispute Resolution Process for Paycheck Errors

If you have any questions regarding your pay or feel a manager or supervisor has made a change to your pay that you do not believe is accurate, please contact the Payroll Department directly or speak with the Director of Finance and Business Services ~~or the Director of Operations.~~

Final Paycheck

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

HOURS OF WORK AND WORK SCHEDULES

Organization Hours

The general office hours at the Port of Newport are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV Park Office is open a minimum of 8:00 a.m. to 5:00 p.m., 7 days per week, except Thanksgiving, and Christmas, and New Years Day. On busy arrival days the shift start, and end time may vary.

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

The normal workday is 8 hours. The total hours in a normal workweek are 40, Sunday 12:00:01 a.m. through Saturday midnight, or another specified 7-day workweek. If you are a non-exempt employee, you should not begin work before your normal starting time or continue working beyond the normal quitting time without explicit advance approval from your supervisor.

Overtime

~~The Port strives to keep overtime to a minimum, but you~~ may occasionally be required to work overtime. Overtime hours will be paid to non-exempt employees at one and one-half times (1.5) the regular rate of pay for all hours worked in excess of 40 in a regular workweek, or as otherwise required by state and federal laws. Paid time and holidays off will not be considered when computing overtime.

Your department supervisor must approve any overtime or compensation hours in advance or else you may face corrective action, up to, and including termination.

No Overtime is paid to exempt employees.

Compensation Time

Non-exempt employees may accrue compensatory time off when working in excess of 40 hours per week. Employees receive 1.5 hours of comp time for every hour worked beyond 40 in a work week. Employee may not accrue more than 30 hours. Upon separation employees are paid for any comp time hours they have on the books. The Executive Director or designee will determine when Compensation time if offered in lieu of cash compensation.

No compensation time is paid or granted to exempt employees.

~~Compensation for overtime may be in the form of compensatory time off. Compensation time will be at the rate of time and one-half for time worked. Compensation time must be used within two (2) months of earning it. The General Manager will determine when compensation time will be awarded instead of cash compensation.~~

Cash Payment

Any employee who terminates Port employment shall be entitled to cash compensation for overtime worked for which they have not been compensated. In case of death, compensation for accrued overtime shall be paid in the same manner that salary due the decedent is paid.

~~Overtime~~ Work on Holidays

Non-Exempt

Non-exempt employees who are required to work on holidays will receive compensation in the form of cash compensation.

If the employee works on a port designated holiday (refer to the published list), overtime pay is paid for the designated holiday, regardless of the number of hours worked during the week. If the actual holiday is on a weekend, the standard payrate is paid.

Eight (8) hours of pay will be paid, regardless of the employee schedule. If the employee is scheduled to work 10 hours, two (2) will be at straight time, eight (8) at time and one-half (1 ½).

The non-exempt employee working on a holiday may prefer to take a different day off as the scheduled holiday, the scheduled day off must be within 2 weeks of the recognized holiday. When a non-exempt employee selects to use a different day as the holiday, the employee will be paid straight time for work on the recognized holiday.

Exempt

Exempt employees who are required to work on holidays will receive compensation in the form of cash compensation. In addition to receiving holiday pay, the employee will receive 8 hours of straight time pay.

Temporary or seasonal employees who are not eligible for holiday pay and have not worked more than thirty-two (32) hours in a regularly scheduled work week will be paid straight time for work performed on holidays.

~~Employees eligible for overtime compensation who are required to work on holidays shall receive compensation in the form of cash compensation. If a holiday falls during a weekend so that Friday or Monday is the designated holiday, overtime for the holiday shall be allowed for work performed on the Monday or Friday. the normal work hours are eight (8) hours for the holiday, the employee will receive an extra eight (8) hours of pay, if the normal work hours are ten (10) hours, they will receive an extra ten (10) hours of pay. Temporary or seasonal employees who are not eligible for holiday pay and have not worked more than forty (40) hours in a regularly scheduled work week will be paid straight time for work performed on holidays.~~

Working Out of Class

Whenever an employee is assigned the duties of the supervisor for more than thirty (30) consecutive working days, the employee shall be compensated for such duties at the discretion of the ~~General Manager~~Executive Director.

On Call

Definition: Time spent away from the workplace, but you are required to be available to work.

~~;~~In the ~~rare~~ instance you are requested to do so via telephone or other means. - You ~~do is~~ not ~~need~~required to restrict your activities while on-~~call,~~call, **but must remain free of the influence of alcohol or drugs** and be within the defined area's boundaries~~defined~~. The On-~~Call~~ policy applies to Regular Full-time non-exempt employees only.

In the ~~rare~~ event you are called to work, you will be paid for travel time (from your home) and for the time worked or a minimum of two hours, whichever is greater. You will receive an additional \$1.00 per hour for your travel time and for the time worked or a minimum of two hours, whichever is greater.

Meal and Rest Periods

Meal and rest periods ~~will are be~~ provided for you according to any applicable state regulations.~~;~~ Supervisors ~~will~~ review the meal periods and state laws~~se~~ and establish schedules.~~;~~ Non-exempt employees are not permitted to work through a meal period unless advanced approval from a supervisor is received. This can be done ~~(only~~ in an emergency situation. The approval must be ~~is~~ obtained prior to~~before~~ the scheduled meal break.~~;~~ In these situations, the meal period will be paid time. State law requires a meal be taken as near to middle of the workday schedule as possible, if you take a meal period and it is not near the middle of the workday schedule, you should seek managerial approval.

Lactation

The Port of Newport promotes and supports the practice and need for employees to express breast milk on its premises upon their return to work.

Until their babies are 18 months old, employees may take reasonable rest periods of no less than 30 minutes during every four-hour work period (or major part thereof) to express breast milk.~~;~~ Nursing breaks may be taken concurrently with regular meal and rest breaks, although additional reasonable break time will be made available, as required.~~;~~ Management and employees should work together to find mutually agreeable hours of work and breaks which support the continuation of expressing breast milk.

If an employee perceives or observes adverse treatment with respect to the expression of breast milk, a supervisor/manager should be informed immediately.

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

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

Social and Recreational Activities

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

Inclement Weather and Emergency Closures

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

In the event that the Port of Newport makes the decision to close the office prior to the start of the business day, the closure will be announced via an organization-wide email from the ~~General Manager~~Executive Director or designee.—. A closure message will also be recorded on Port of Newport's general voice message line.—. It is the responsibility of each employee to check e-mail and call the voice message line for an update, if there is any doubt regarding office operations.

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

Exempt employees will be paid for all absences ~~full-day~~full day related to emergency closures.

Non-exempt employees will not be paid for time away from work due to office closure; however, with supervisory approval, available PTO may be used.—. Non-exempt employees who have reported to work before the decision to close is made will be paid for time worked, or a minimum of two (2) hours, whichever is greater.

TELEWORK OR TELECOMMUTE

Both telework and telecommute are a flexibility that may be available to some positions within the organization. These are two different arrangements. Telework is the planned practice of regularly working from a non-organization address. This is most typically the employee's residence. Telecommute is the planned practice of occasional or intermittent work from a non-organization address. This is most typically the employee's residence.

All telework and telecommute arrangement require the prior approval of the Executive Director and may be changed at the discretion of the Executive Director. Telework and telecommute may be permissible for some jobs and not all jobs.

Employees are responsible for ensuring a safe work environment when telecommuting or teleworking. Employees are also responsible to meet the expectation of their job regardless of where the job is done. Supervisors are responsible for monitoring compliance with these types of agreements, relevant policies, performance standards, expectations for work product and productivity, and time accountability.

Any employee who is teleworking or telecommuting must be available during established work hours and provide timely response to email, phone calls etc. Absences, including unavailability during work hours, must be pre-approved. Employees must account for all time worked. Supervisors may consider an employee's request to alter regular work hours in the same way they would evaluate these requests for a person working at an organization address.

An employees' salary, benefits and insurance coverage does not change as a result of teleworking or telecommute.

Employees are responsible for the utilization of the Port of Newport networks while working remotely in a safe and secure manner.

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

Information Technology

In order to access the Port's cloud-based files, specific software is required, therefore the Port will supply a laptop or tablet to be used for telecommuting.

Teleworking or telecommuting employees are expected to be able to set up a remote office and use both organization and their own equipment without direct physical help from organization. While any equipment supplied by the organization will be maintained by or at the direction of organization, employees are responsible for the safe and secure transportation of equipment to and from the office.

Employees are expected to have sufficient telephone arrangements to perform their work and to participate in telephone conferences during agreed-upon work hours.

Employees are expected to have sufficient Internet access if work assignments require use of Web resources in the performance of their duties while working at a remote worksite.

The organization will determine, with information supplied by the employee and the supervisor, what equipment will be supplied for each telecommuting situation. The employee must sign an inventory of organization property and agree in writing to take appropriate action to protect the inventoried items from damage or theft.

All equipment supplied by the organization will be maintained by or at the direction of organization. Equipment supplied by the employee, will be maintained by the employee. The organization accepts no responsibility for damage or repairs to employee-owned equipment.

All equipment and software supplied by the organization are only for organization business and must comply with the organization's security and maintenance policies and practices. Portable equipment must, at all times, have organization authorized security measures installed and running.

If the teleworking employee provides equipment, the employee provided equipment must comply with organization's security and maintenance policies and practices, and any additional safeguards required by the organization.

Employees will notify the organization immediately in the event of a breakdown or other issue with supplied equipment, software, or other materials. Employees will follow the organization's direction regarding any necessary repair, update, replacement, etc.

Upon separation of employment, or discontinuation of a planned arrangement, whichever comes first, all organization property issued to the teleworking employee must be returned.

Organization stored on any employee's personal electronic equipment is subject to public records requests and discovery, and to review by the organization at any time.

Security

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

Steps include making sure that:

- All devices have anti-virus software [business-class, centrally managed by Port IT professionals.
- All Wi-Fi, cellular or similar access points are protected with strong passwords or passphrases.
- All Wi-Fi, cellular or similar access point passwords or passphrases are changed on a regular and scheduled basis.
- Login and password information is secure and protected, even from family members.
- Basic network practices are being applied [firewall with appropriate security standards].

- Web-based systems are secure [“https” URL, not just “http”].
- Two factor authentication is enabled and being used.
- All data is saved to organization authorized shared network drive.
- Similarly, no data is saved or stored on portable machines [example: C-Drive or Desktop].

Physical Security

Employees are expected to ensure physical office security by taking steps like keeping proprietary material in locked file cabinets and desks, securing doors, windows, hiding devices when not in use, and any other measures appropriate for the job and the environment.

Employees will follow all organization policies related to information and data security. Complying with these policies mitigates risk and ensures an appropriate level of security for confidential information, paper and electronic, in transit or at the alternate worksite.

When accessing the organization’s network from a personal computer, employees are responsible for preventing access to any computer resources or data by non-authorized users. In addition, employees are expected to ensure the remote host is not connected to any other network at the same time, except for personal networks that are under their complete control or under the complete control of the employee.

Performance of illegal activities through the organization network or on organization time by any user (authorized or otherwise) is prohibited. The employee bears responsibility for and consequences of misuse of their access.

The IT Department (or support group) will confirm that the user’s device does not contain any traces of protected, sensitive, organization, or proprietary information and delete any protected, sensitive, organization and/or proprietary data, licensing, and information remaining on the device.

Technology Support

The IT Department (or support group) will only provide device support that relates to organization devices and connection.

EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT

The Port of Newport ~~will pay reasonable~~ may pay business-related expenses you incur while performing your job responsibilities. ~~— Prior to traveling you should review the Port's Travel policy for reimbursable expenses, but also may be provided with a travel card.~~ All such expenses must be pre-approved by your supervisor before payment ~~will be~~ is made.

Expense Reimbursement Procedure and Reports

Requests for expense and mileage reimbursement must be submitted on a monthly basis.
My:

Travel reimbursements are made on a per diem, basis, details on this program can be found in the fiscal manual.

~~Expense reports are due to your Supervisor or a Director within 5 five days following the end of the month.~~

Mileage Reimbursement

Employees, with Executive Director or designee approval, may use their vehicle for business purposes. While driving on behalf of the Port of Newport, liability accrues to the Port of Newport. As such, employees are encouraged to follow all rules of the road and drive courteously. Coverage provided by the Port of Newport for damages to the employee's own vehicle is secondary to any other coverage. Employees are encouraged to have comprehensive and collision coverage on vehicles they use for Port of Newport business.

When you use your own vehicle for organization business, you will be reimbursed for organization-related business travel at the current IRS determined rate per mile.

In order to recover these costs, an expense report must be signed by you and dated, initialed by your supervisor/manager, and submitted to the Finance Department for processing according to policy. ~~—~~ If you have questions about expense reports and mileage allowances, ask your supervisor. This submission must be made through the Port's HR system <https://hr.idhrpcom/>.

You assume liability for your vehicle when you use it for business purposes. ~~—~~ All employees who want to use their personal vehicles for organization business must sign statements verifying that they have a current driver's license and the minimum vehicle liability insurance required by state law. ~~—~~ This insurance will be primary.

Credit Card Payment

If a credit card is provided to you, the employee, all receipts must be provided monthly to your supervisor or Manager for the credit card reconciliation process. You must follow the protocol for reconciliation of your statement and submission of documentation. ~~as required~~

by the Director of Finance and Business Services. This may include the utilization of an electronic reconciliation system provided by the financial institution that the credit card is tied to.

Employees may expense and/or use a company provided credit card, for business related activities or incidental supplies following IRS guidelines.

Overnight Travel and Meal Expense Reimbursement

If an employee is traveling overnight on a work-related activity, the employee may expense lodging, food, beverage, and any incidental expenses that are necessary and business related.

Meal Reimbursement Limits

The Port of Newport will not reimburse more than the [Port Fiscal Policy's maximum](#) following amounts for any meal unless approved in advance by the Director of Finance and Business Services.

The Port has an accountable plan for reimbursement see the Port Fiscal Policy for details.

Exceeding Meal Reimbursement Limits

The Port of Newport recognizes that there may be certain group meal functions at locations where a conference/training is held where exceeding the meal reimbursement limits may be acceptable. Such situations should be known in advance and prior approval obtained from Director of Finance and Business Services.

Alcoholic Beverages

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

Transportation Expense Reimbursement

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

Spouse/Guest Expense Reimbursement

The Port of Newport will not pay for meals or entertainment of spouses/guest/significant others.

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

PAY EQUITY~~STATEMENT~~

The Port of Newport strives to ensure all employees receive an equitable total compensation package based on a variety of factors relating to their position, job performance, education, and experience. From time-to-time, employees performing work of comparable character may have different compensation levels. Any such differences will be based on the Port of Newport's objective processes for evaluating an employee's work and one or more of the following factors: seniority, merit, quantity or quality of work, workplace location, regular and necessary travel, education, training, experience, or any combination of those factors. Employees who believe they are not being compensated fairly are encouraged to discuss the matter with ~~their Supervisor, or a Director to obtain clarification.~~ [the Director of Finance and Business Services.](#)

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BENEFITS

DRAFT

PURPOSE AND POLICY

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

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

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

Benefit ProProrated-ration and Employee Cost Sharing

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

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

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

Benefit Design and Modification

The Port of Newport reserves the right to design plan provisions and to add, eliminate, or otherwise modify the benefits described in this Handbook or elsewhere in plan documents when it is in the organization's best interest.—_Consider that changes to benefits may occur at management's discretion prior to making a serious, long-term decision based solely on current benefit offerings.

Benefit Plan Documents

You##Employees receive summary plan descriptions upon eligibility and enrollment.—_The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements.—_In the event of a conflict between these documents and this policy, the plan documents govern.—_These official documents are

available from the Director of Finance and Business Services for your review. We ask that you refer any questions about this information to WHA Insurance, the Port of Newport's agent of record, or any other future agent of record as designated by Port of Newport.

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

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HEALTH INSURANCE BENEFIT

The Port of Newport currently provides health insurance coverage for all employees, ~~but not for their and their dependents if they are otherwise eligible to participate in the plan.~~ You were provided with information about the plan ~~at the time you were hired on your first day of employment.~~, ~~you are eligible for benefits on the first day of the month after your first day of work. If you begin work on the 1st day of the month, you are eligible on the first day of the following month. after the first full month of employment at the Port.~~ You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the Director of Finance and Business Services, ~~or WHA insurance, as indicated in the brochure.~~

Eligibility

This benefit is provided for all regular ~~full time~~full-time employees based on minimum hours worked. This benefit will be prorated with employee share of cost based on hours worked. If otherwise eligible, you may begin to participate in the plan on the first day of the month following your first day of work. If you begin work on the 1st day of the month, you are eligible on the first day of the following after you have completed 30 days of continuous employment. ~~Insurance plan coverage begins on the first day of the month following completion of 30 days of employment. Part-time, tTemporary month. Temporary, seasonal,~~ and on-call employees are generally not eligible to participate in the health insurance plan.

Plan Enrollment

You will be asked to complete the enrollment forms when you are hired. ~~If you don't do not~~ not want to enroll at the time of eligibility and later decide to request enrollment, you will only be allowed to enroll if you can demonstrate that a qualifying event has occurred which qualifies you for a special enrollment period or during open enrollment. If you do not return the forms within 5 days of the first of the month your benefit becomes effective, you will have elected to decline coverage.

~~The Port pays the full monthly premium for enrolled employees.~~

Coverage for dependents of employees is ~~not also~~ available; ~~however, you are responsible for the full cost of the monthly premium associated with this coverage most times employees find they can insure dependents less expensively than port insurance by visiting www.healthcare.gov.~~

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

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

Premium Cost

Specific types of coverage and benefit payment schedules are described in the organization's health care plan booklet that is available to all eligible employees. At the time of eligibility and during open enrollment each year, you will be informed of how much the organization will contribute toward your monthly premiums, if any, if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are subject to change, usually based on increased costs to provide medical services and the amount of services our employees require.

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

Termination of Coverage

In the event that you ~~or your dependents~~ lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. Eligibility can be lost due to a prolonged absence from work or if certain "qualifying events" occur that would otherwise cause your ~~or a dependent's~~ group health coverage to terminate. Examples of qualifying events are termination of employment, a reduction in hours, ~~divorce or legal separation~~, entitlement to benefits under Medicare, ~~a dependent child reaching the age of 26~~, or a leave of absence. ~~You must notify us or the plan when a dependent child loses eligibility or in the event of divorce or legal separation.~~

You, ~~your spouse, and dependents~~ may continue group health insurance for a certain period of time at your own expense under COBRA. However, continuation does not occur automatically. You and any dependents have 60 days to enroll in the plan, which starts on the later of a) the date the election notice is received or b) the date you and any dependent would otherwise lose coverage; you have 45 days to pay the initial premium. Coverage will be retroactive to the date of the qualifying event. You and any covered dependent will receive information about the provisions of the law when you first enroll in benefits and again if a qualifying event occurs.

Portability/Conversion of Health Plan

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

DENTAL INSURANCE BENEFIT

The Port of Newport provides a Dental Insurance plan for employees.

Eligibility

~~Full-time Employees regularly scheduled to work 30 hours or more per week~~ are eligible for dental insurance coverage on the on the first day of the month following your first day of work. ~~Part time, t~~emporary, seasonal, and on-call employees are not eligible to participate in dental insurance.

Cost

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

Employees may not enroll dependents in the dental care plan, ~~but must pay all of the premium costs associated with this coverage, which will be deducted from the employee's paycheck.~~

OTHER INSURANCE BENEFITS

Group Life Insurance

We provide group life insurance coverage for eligible employees. ~~Employees who are regularly scheduled to work 32 hours per week or more become eligible for this coverage on the first day of the month following your first day of work.~~ ~~first day of the month after 30 days of employment.~~ The amount of insurance coverage is \$50,000. ~~The Port of Newport pays the full premium for full-time employees.~~

Premium Only 125 Plan

The Port of Newport provides a ~~Premium Only~~ 125 Plan that allows employees to have ~~their estimated any group medical, dental medical, dental,~~ or vision premium contributions deducted from their checks on a pre-tax basis. ~~Details will be provided to employees at the time of eligibility, or during the orientation session.~~ ~~You become eligible the 1st day after 30 days of employment.~~

HRA Plan

The Port of Newport will reimburse employees for eligible expenses (i.e., out-of-pocket expenses). ~~of individuals, t~~he individual pays first \$1,000 of deductible. ~~the~~ Port will reimburse for the deductible met between \$1,000 and \$2,050. ~~The employee~~Member pays the remaining deductible ~~of \$500 from \$2,55000 to \$52,500,000.~~ For families, ~~the family pays the first \$2,000, the Port will reimburse for the deductible between \$2,000 and \$9,000, the family pays the remaining \$1,000.~~ The unused reimbursement may not be liquidated by the employee nor may it be carried over.

PAID TIME OFF BENEFIT

Definition: Executive Level employees:

The Executive Director, Director of Finance and Business Services, the Director of Operations, and the Harbormaster.

The Paid Time Off (PTO) program provides paid time off to be used at the employee's discretion, while protecting an allotment of time for illness, injury, or preventative care, in compliance with applicable sick time regulations. PTO is a combination of vacation and sick time days.

All Port staff are required to take five (5) prescheduled consecutive business days off each calendar year.

Eligibility – Non-executive level staff.

All regular ~~Full time~~ Full-time employees are eligible for PTO accrual. Permanent part-time employee PTO will be pro-rated based on the number of hours worked. Seasonal, temporary, Part-time and on-call employees do not earn PTO. Unless otherwise negotiated or modified at the discretion of the ~~General Manager~~ Executive Director or designee, Full-time employees, earn PTO hours at the following rates:

<u>Years of Continuous Length of Service</u>	<u>Annual Hours Accumulated</u>	<u>Monthly Accrual (Hrs.)</u>
<u>0 to 5</u>	<u>160 (20 8-hour days) hours</u>	<u>13.333</u>
<u>5.01 to 10</u>	<u>200 hours (twenty-five 8-hour days)</u>	<u>16.667</u>
<u>10.01 or more</u>	<u>240 (thirty 8-hour days) Hours</u>	<u>20.000</u>

<u>Years of Continuous Service</u>	<u>Hours Accumulated</u>
<u>0-5</u>	<u>160 (twenty 8-hour days)</u>
<u>6-10</u>	<u>200 (twenty-five 8-hour days)</u>
<u>11 or more</u>	<u>240 (thirty 8-hour days)</u>

Executive Level employees earn PTO hours at the following rate:

<u>Years of Continuous Service</u>	<u>Annual Hours Accumulated</u>	<u>Monthly Accrual (Hrs.)</u>
<u>0-4</u>	<u>200 (twenty-five 8-hour days)</u>	<u>16.667</u>

<u>4.01-7.0</u>	<u>240 (thirty 8-hour days)</u>	<u>20.000</u>
<u>7.01 or more</u>	<u>300 (38 8- hour days)</u>	<u>25.000</u>

PTO begins to accrue on the first day of the first full month of work ~~first day of employment~~, but employees are not eligible to use PTO the first ninety (90) calendar days of employment ~~service~~. Employees who are off work on a leave of absence do not earn PTO. PTO accrues each month, for example, after first month of employment 13.33 hours are accumulated, by month 3 an employee will have accrued 39.99 hours of PTO time. If an employee leaves or is terminated prior to 90 days of employment, the Port will not pay for accumulated PTO time.

Maximum Accumulation

Employees are allowed to carry the following maximum amounts of PTO during the year. Any employee that is about to lose PTO credit because of limitations should notify their supervisor to prevent loss of PTO.

<u>Years of Continuous Service</u>	<u>Hours Accumulated</u>
<u>0-5</u>	<u>320</u>
<u>5.01 to 10</u>	<u>360</u>
<u>10.01 or more</u>	<u>400</u>

<u>Years of Continuous Service</u>	<u>Hours Accumulated</u>
<u>0-5</u>	<u>320 hours</u>
<u>6-10</u>	<u>360 hours</u>
<u>11 or more</u>	<u>400 hours</u>

Appropriate notice is necessary so that PTO time can be scheduled for employees. The following schedule is recommended, but supervisors can revise it to meet their needs, except where doing so would conflict with applicable law. Notice is necessary so that PTO time can be scheduled for employees. PTO is generally approved on a first-come, first-served basis, consideration may be given around the holidays and time given so that one employee does not receive vacation time around the holidays at the expense of others.

Reason for Time Off

Illness/Injury

Required Notice

Two (2) hours prior to start of shift

Planned Needs

Two (2) weeks

PTO time is considered replacement time and may be taken only for scheduled ~~work days/workdays~~ and hours.

The notice schedule should provide time for departments to arrange for adequate coverage during employee absences.—. However, if management is unable to schedule time off, requests may be denied even though sufficient advance notice has been given.—. If more than one employee in a department asks for the same time off and gives the required advance notice, length of service within the department will be considered in granting the requests.—. PTO must be used in increments of 30 minutes, one (1), hour or four (4) hours or more.

All PTO will be paid at an employee's regular rate of base pay including any applicable shift differentials. PTO days taken and Holidays are not considered when calculating overtime. At separation, any unused PTO will be cashed out at full value and will be included in the final paycheck, unless a separation for willful misconduct creates a loss of eligibility.

~~Maximum PTO Payout~~

~~If an employee voluntary resigns and/or is terminated, the following is the maximum payout to an employee, an employee who terminates during the initial probationary period shall not be entitled to payout for PTO that has accrued:~~

Years of Continuous Service	Accumulated Hours	
		per year
0-5 (0-60 mos.)		80 hrs.
6-10 (61-120 mos.)		120 hrs.
11+ (121+ mos.)		160 hrs.

PTO Donations

Employees may donate PTO to a co-worker who has exhausted all accumulated PTO from an extended illness or injury. In such event, the Port's only involvement shall be to transfer an employee's PTO in accordance with the employee's request and add it to the PTO balance of another employee. The PTO transfer from one employee may not exceed forty (40) hours in a calendar year, nor exceed forty (40) hours in the last twelve (12) months. The receiving employee may not receive more than twenty-four (24) days of transfer PTO from all coworkers.—.

Donation Guidelines:

The receiving employee will be compensated for PTO at their regular rate of pay. (Example: Employee A earns \$10/hr. and donates thirty (30) hrs. to Employee B. Employee B earns \$15/hr. and would receive twenty (20) donated hours.)

A document stating the donation shall be signed by the employee making the donation and placed in the employment file.

The PTO transfer from any one employee to another may (a) not exceed forty (40) hours in a calendar year; nor (b) exceed forty (40) hours in the last twelve (12) months.

The donating employee must have at least one hundred twenty (120) hours remaining in their own PTO balance after the transfer.

Once PTO has been transferred, it is gone and can only be replaced if transferred from a co-worker according to these guidelines.

The receiving employee may not receive more than twenty-four (24) days of transfer PTO from all co-workers.

Employees may not donate compensatory time or any other accrued or earned leave.

Employees may not donate PTO to receiving employees with a balance of PTO or compensatory time.

Employees otherwise eligible for, or receiving, disability benefits, workers compensation or parental leave will not be considered eligible to receive donations under this program.

PAID HOLIDAY BENEFIT

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

New Year's Day	Martin Luther King Day
Presidents Day	Memorial Day
Independence Day	Labor Day
Veterans Day	Thanksgiving Day
Day after Thanksgiving	Christmas Day

Juneteenth

Floating 8-hour holiday*

***Floating Holiday:**

Personal holidays shall be credited on a calendarfiscal year basis and must be used within that calendarfiscal year. ~~If an employee's initial anniversary date is after June 30th, they will not receive a personal holiday for that calendarfiscal year.~~ Upon termination, an employee will not be paid for an unused personal holiday for that calendarfiscal year; ~~provided that termination occurs after June 30th of that year.~~ Employees who terminate during the probationary/introductory period shall will not be paid for any unused personal holiday time.

If an employee is scheduled to work a 10-hour work shift on a holiday, the employee will be given 8 hours of holiday pay and will have to use PTO for the remainder of their shift.

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

Eligibility

~~Employees regularly scheduled to work 32 hours or more per week will be paid for the above holidays. Employees regularly scheduled to work more than 320 hours per week will be paid for the above holidays. Part-time or seasonal employees will receive a prorated amount of paid time based on their regularly scheduled time. For instance, a part-time employee working 20 hours per week would receive four (4) hours of holiday pay because of 50% of a full-time schedule is worked.~~

If an employee is scheduled to work during a Paid Holiday, they will receive two-see work on holiday for how they are paid.

OTHER POTENTIAL HOLIDAYS

Request Procedure

Employees may wish to take holidays other than those listed on the Paid Holiday Schedule. You must notify your manager or supervisor of your request at least 21 calendar days prior to a holiday. Your manager or supervisor will respond to your request no less than 14 calendar days prior to the holiday. The Port will make every effort to accommodate the request.

-Employer Response

If a large number of employees request the same time off and ~~Due to situations where~~ providing time off would create a significant economic or operational disruption, or undue hardship would occur, the decision may be made not to allow anyone to take the day off or to allow only the minimum amount of employees to avoid such a situation.

OTHER BENEFITS

Employee Assistance Program

The ~~organization~~ Port recognizes that employees and their family members may, from time-to-time, face personal issues that affect their careers and personal lives or both. Solutions to some of these problems may not be readily apparent. To this end, we offer, at no expense to you, an Employee Assistance program that includes limited visits with the ~~services of~~ outside professional counseling services for you and your family (Children up to the age of 26) to help deal with personal problems such as family relationships, substance abuse, etc. Your consultations with professionals are done on a confidential basis. You or anyone living on your property may consult with these professionals on a confidential basis at no cost. Literature describing plan provisions and how to contact our providers is made available during your ~~probationary~~ introductory period and to all staff members as plan provisions change.

This benefit is available to all benefit eligible employees on the first ~~day of the month~~ day of the month following 30 days of employment after your hire date.

Oregon Savings Growth Plan

The Oregon Savings Growth Plan (OSGP) is a flexible retirement program for public employees. OSGP is a 457(b) deferred compensation plan that provides eligible public employees with a convenient way to save for retirement. This plan is funded entirely through employee contributions. Partnered with Voya Financial, the plan assists employees in understanding their retirement benefits and meeting their retirement goals in both individual and group meetings. Features of the plan include:

Convenience. You choose how much you want to contribute to the plan and it will be automatically deducted from your paycheck. Make changes anytime online.

Lower taxable income. Save on a pretax basis and lower the taxes you pay today.

Paying tax now instead of later. Choose to defer to a Roth 457(b) account and you pay taxes now on contributions and have the potential for tax-free withdrawals.

Control. A choice of investments, including Target Date Funds.

Keeping your money. Your contributions to the plan and any earnings on those contributions always belong to you, even if you change jobs.

PERS Retirement Plan

Full-time and part-time benefit-eligible employees are automatically enrolled in the State of Oregon Public Employees Retirement System (PERS) Retirement Plan six (6) calendar months from date of hire. Each employee shall be responsible for their member-paid pre-tax contribution to the plan (6% of gross wages). The Port shall be responsible for employer contributions at the rates set by PERS. ~~PERS. The employer rate changes every other year, so is not included in this document. New employees to the Port that have not previously worked in a governmental organization are enrolled in OPSRP (Tier III).~~

A. Tier I	13.99%
B. Tier II	13.99%
C. OPSRP (Tier III)	6.14%

~~The Port of Newport offers a Deferred Compensation Plan for its employees through the Oregon Growth Savings retirement account. This plan is funded entirely through voluntary contributions.~~

TRAINING

The Port of Newport encourages and promotes training opportunities for all Port employees. The Executive Director shall assist department heads in meeting the training needs of the personnel of their departments; and in cooperation with department heads, shall encourage the development of departmental and inter-departmental training programs designed to meet personnel needs, and to prepare employees for promotion to positions of greater responsibility. In addition, the Port's EAP program offers many training courses for staff members.

Orientation of New Employees

All new employees will go through a training orientation.

Time of Training Periods

Training periods may be conducted either during or after regular working hours or both. Training sessions conducted during regular working hours should be arranged so as not to interfere with work schedules as much as possible.

Types of Training

For the purposes of administering this rule, three (3) general categories of training are recognized. These categories are:

In-Service Training. This category includes those courses which are initiated by the Port and are aimed primarily at improving the specific abilities of employees in performing of, or broadening their, general comprehension of Port operations.

Specialized Individual Training. This category includes special training courses which are usually initiated by some other group, but which have special interest directly relating to the work performed by one or more Port employees. This category includes seminars and training sessions held by professional organizations and specialized short courses.

Academic Training. This category involves courses offered by colleges, universities, or the local school districts for academic credit. It includes courses taken to improve an employee's knowledge in a specific area which would improve their performance as an employee with the Port. Correspondence courses may be included in this category.

Tuition Aid

"Tuition Aid" is defined as full or partial payment or reimbursement for tuition costs of specialized individual training or academic training. This tuition aid will be provided if funds for such expenditure are available in the current budget, and you receive a grade of c or better and if the employee is not receiving reimbursement for tuition from any other source.

Employees who desire tuition aid for specialized individual training or academic training shall submit their requests through their department head. Requests will be reviewed by the department head and forwarded to the General Manager-Executive Director for approval. Prior approval of the General Manager-Executive Director must be obtained before the training starts to qualify for tuition aid. When the training is completed, evidence of satisfactory completion of the training will

be submitted to the ~~General Manager~~Executive Director. Employees completing any tuition aid program must continue to work for the Port for at least two (2) years after their program is complete. Otherwise, they must reimburse the Port for their tuition.

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LEAVES OF ABSENCE

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LEAVE OF ABSENCE POLICY

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

<u>Bereavement Leave</u>	<u>Family and Medical Leave</u>	<u>Disability Leave (Non-FMLA)</u>
<u>Civic Duty</u>	<u>Military Leave</u>	<u>Leave to Donate Bone Marrow</u>
<u>Personal Leave</u>	<u>Crime Victims' Leave</u>	<u>Domestic Violence Leave</u>
<u>Other legally mandated Leave</u>	<u>Death of immediate family members</u>	

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

BEREAVEMENT LEAVE

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

- Spouse/Domestic Partner
- Biological, Adoptive, Foster, or Stepchild
- Parent
- Grandparent/Grandchild
- Parent-in-law
- Another Person of “In Loco Parentis” Relation

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

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

Length of Leave

The total length of leave you may be granted for bereavement is situational and may be decided based upon the unique circumstances of your need and applicable law. If you qualify for OFLA, at a minimum, you are allowed to take up to two weeks off per death of an immediate family member. If you need additional time off for any bereavement-related purpose, you may ask for more time which may be granted according to applicable law or at the discretion of management.

Request Procedure

If possible, you should provide notice of the need for leave 10 days in advance. You are required to at least provide oral notice within 24 hours of taking leave, but someone else can do this on your behalf, if necessary. You must provide written notice of the request for time off within three (3) days of returning to work.

Pay While on Leave

You will continue to receive regular pay based on straight-time work hours missed up to eight (8) hours a day for up to five (5) days, which is the maximum company-paid absence allowed. Employees may choose to cover an additional period of absence with any available **PTO/OFLA policy**.

Status of Benefits

Company-paid bereavement leave will not affect your eligibility for benefits or the continuation of benefit accruals. If you are granted additional time off, the effect of the additional leave on your benefits will be determined by our PTO and OFLA policies.

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CIVIC DUTY LEAVE

Jury or Witness Duty Leave

Employees subpoenaed to serve as witnesses or for jury duty may obtain a protected leave of absence. If we feel that your absence would cause an undue hardship to you or the organization, we may instead request, with your agreement, that jury duty be postponed. You may choose to use your accrued paid personal time available for voluntary service as a witness or for court appearances you must make as part of your own legal proceedings or lawsuit.

Length of Leave

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

Request Procedure

You must notify your manager or supervisor as soon as is practicable after you receive notice asking you to serve as a witness or on a jury so that arrangements can be made to cover your position. You are expected to provide us with a copy of the subpoena or notice within five (5) days after you received it.

Pay While on Leave

You will be compensated for the difference between the civic pay received and your regular rate of pay, [for up to two weeks](#) if you are a non-exempt employee; [after that period, you may utilize paid time off if desired](#). For exempt employees, any partial day or partial week worked will be paid in full; employees are required to remit any jury fees received in connection with their service.

Status of Benefits

Benefits are not affected by jury or witness duty leaves.

VOTING LEAVE

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

Request Procedure

~~You must notify your manager or supervisor before Election Day if you are unable to vote before or after work and provide a valid reason why voting during those hours is not possible.~~

Pay While on Leave

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

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Crime Victims' Leave

If you or a member of your immediate family suffers financial, social, psychological, or physical harm as a result of a personal felony or an employee is a victim of harassment (under the public offenses statutes), you may be entitled to take protected leave from work to attend criminal proceedings.

Safety Measures

The company will provide reasonable safety ~~measures, if~~measures if you are the victim of harassment or a threat of harm that would be expected to cause concern.

Eligibility

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

Length of Leave

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

Request Procedure

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

Pay While on Leave

Crime victims' leave is unpaid; however, eligible employees who take this type of leave are required to use any accrued paid personal time available to them.~~—~~ Exempt employees working partial ~~days~~days, or a partial week will be paid in full for the entire week, although accrued time must be used first.

Status of Benefits

Benefits are not affected by crime victims' ~~leave; Paid Leave Oregon may apply.~~

DOMESTIC VIOLENCE LEAVE

An employee who is a victim of domestic violence, harassment (under the public offenses statutes), sexual assault, or stalking or whose minor child or dependent is a victim may be entitled to take unpaid protected leave from work.

Eligibility

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

Types of Services/Treatment

An employee may take leave to seek legal or law enforcement assistance, to secure medical treatment, to obtain counseling or victim services, to relocate, or to take other reasonable steps to ensure one's own health and well-being or that of a child or legal dependent.

Length of Leave

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

Request Procedure

An employee accessing this leave provision needs to request time off from a manager or supervisor as much in advance as possible to aid in scheduling. We understand that instances of violence are usually not predictable, and these requests may be made with little forewarning. We will treat any information you share as confidentially as possible.

Safety Measures

The Company will provide reasonable safety measures, if you are the victim of domestic violence, harassment, sexual assault, or stalking.

Pay While on Leave

Domestic violence leave is unpaid; however, eligible employees who take this type of leave are required to use any accrued paid personal time available to them. Exempt employees working partial ~~days~~ days, or a partial week will be paid in full for the entire week, although accrued time must be used first; [Paid Leave Oregon may apply.](#)

Status of Benefits

Benefits are not affected by domestic violence leave. The Port of Newport strongly encourages any employee experiencing such an issue to avail themselves of the EAP's services and support.

FAMILY AND MEDICAL LEAVE

PURPOSE

We are covered by the Oregon Family Leave Act (OFLA) which allows you to take a leave of absence for your own serious health condition. Leave is also granted for the birth or adoption of a child, for the placement of a foster child, for the care of a child, grandchild, spouse or registered same-gender domestic partner, parent, parent-in-law, or grandparent with a serious health condition, and for the care of a sick child, a spouse's or registered same-gender domestic partner's call to active duty in the military or leave from deployment, and bereavement due to the death of a family member. This handbook material is intended to outline our practice regarding this leave.

ELIGIBILITY

You are eligible for family and medical leave if the following requirements are met:

- You have been employed for at least 180 consecutive days (26 weeks) or more before the first day of the family and medical leave.
- You have worked an average of 25 or more hours per week as of the day before the request for family and medical leave is made. This average is calculated based upon the 180 days immediately preceding the request for leave. Some exceptions exist, including leave taken for the birth, adoption, or placement of a child (parental leave).

REASONS FOR FAMILY AND MEDICAL LEAVE

The following situations qualify for family and medical leave:

- To care for an infant or a newly-placed adopted or foster child under the age of 18, or older than 18 if incapable of self-care due to mental or physical disability, within 12 months of the event (parental leave);
- To care for a family member with a serious health condition or your own serious health condition (serious health condition leave). [Note: Oregon covers child, parent, parent-in-law, grandchild, grandparent, spouse, registered same-gender domestic partner, and "in loco parentis" relationships.];
- For a pregnancy-related disability or prenatal care (pregnancy disability leave) [Note: employees who have used up their original 12 weeks for a serious health condition related to pregnancy are entitled to an additional 12 weeks of parental leave];

~~• To care for a sick child who does not have a serious health condition, but requires home care (sick child leave). Medical certification of sick child leave will be required after the third leave occurrence in each leave year. The Port of Newport will reimburse any out-of-pocket costs for medical certification. [Note: Employees who use up their original 12 weeks for parental leave are entitled to an additional 12 weeks of sick child leave. If only part of the 12 weeks is used for parental leave, the employee will only be eligible for the balance remaining on the 12 weeks for sick child leave or any other OFLA qualifying leave];~~

~~• To attend the funeral (or alternative) of a family member; make arrangements necessitated by the death of a family member; or to grieve the death of a family member; up to two (2) weeks of leave is available in each such case (not to exceed 12 weeks per leave year). The leave must be completed within 60 days after the date on which you receive notice of the death of your family member. (See Bereavement Leave for details that may apply to those employees not eligible for OFLA leave)~~

~~LENGTH OF LEAVE~~

~~You may take up to 12 weeks of family and medical leave during a 12-month period. A week is defined as your normal work week schedule. The 12-month period will be measured forward from the date of leave using a calendar year. If medically necessary, family and medical leave may be taken on a reduced or intermittent schedule. Details of the proposed schedule should be attached to the Request for Family Leave form and should be verified by the certifying health care professional on the Health Care Provider Certification form, if applicable.~~

~~Under OFLA, an employee who takes leave for a disability related to pregnancy may qualify for up to 12 additional weeks of leave for any OFLA qualifying event in the same leave year; an employee who takes a full 12 weeks of parental leave may be eligible to take up to an additional 12 weeks of sick child leave in the same year.~~

~~**Request and Certification Procedure**~~

~~In situations where the need for medical leave is known, you must give thirty (30) days' written notice to take family and medical leave by filling out and turning in the Request for Family and Medical Leave form.~~

~~We recognize that many times the need for family and medical leave can be caused by serious or emergency situations. We will make every attempt to work with you to ensure that you receive all benefits to which you are entitled; however, you are expected to call~~

~~us as required by our call-in policy and make every effort to communicate your situation to us immediately.~~

~~Most requests for family and medical leave require verification by a third party. Requests for leave related to a serious health condition (not parental leave) must be verified by a health care professional using the “Health Care Provider Certification” form, which needs to be returned within 15 days of our request for it. Bereavement leave may require a verification of the death in your family. You may also be asked to provide proof of your relationship to a person associated with your leave, as applicable. Please check with the Director of Finance and Business Services to discuss how best to provide this proof.~~

~~In the case of adoption, a legal representative who can attest to the validity of the adoption must verify the request for family and medical leave. In the case of placement of a foster child, a representative of the agency making the placement can verify the request.~~

~~Any medical information provided on either a personal health condition or the health condition of a family member is kept confidential and only those with a valid business-related reason for knowing any details will have access to any of this information. If you have any questions about how this information will be handled, please contact the Director of Finance and Business Services~~

~~Subsequent medical verification may be requested in connection with an ongoing absence but not more often than every 30 days. Exceptions exist, however, in situations where:~~

- ~~• Circumstances change significantly from the current certification; for example, the pattern of necessary absences changes;~~
 - ~~• Information is received casting doubt on the employee’s stated reason for the leave or the continuing validity of the certification.~~
-

~~Lastly, the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. “Genetic information,” as defined by GINA, includes an individual’s family~~

~~medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.~~

General Provisions

~~You are required to use any accrued vacation, sick leave, or other paid leave available to you during the family and medical leave. When this is exhausted, the balance of the leave will be unpaid. You are required to provide periodic status reports to the organization while on a family and medical leave. The organization will continue to pay our share of your medical benefits during family and medical leave. You are responsible for paying your share of medical insurance premiums prior to the due date of the premium payment. You may continue other insurance benefits by paying the full cost of the premium for any leave in excess of four (4) work weeks in duration. Premium payments must be received by the due date or coverage will be discontinued.~~

Reinstatement

~~You are entitled to return to the same or an equivalent job with equivalent benefits, pay, and other terms and conditions of employment at the end of a family and medical leave. You may be required to present a fitness-for-duty certificate before being reinstated.~~

OTHER DETAILS REGARDING FAMILY AND MEDICAL LEAVE ARE AVAILABLE FROM THE DIRECTOR OF FINANCE AND BUSINESS SERVICES. OREGON FAMILY LEAVE ACT (OFLA)

Purpose

We are covered by the Oregon Family Leave Act (OFLA) which allow you to take a leave of absence for your own serious health condition. Leave is also granted for the birth or adoption of a child, for the placement of a foster child, for the care of a spouse or domestic partner, your child (biological, adopted, stepchild, or foster child), your spouse or domestic partner's child, or the child's spouse or domestic partner, your parent (biological, adoptive, stepparent, foster parent, or legal guardian), the parent of your spouse or domestic partner, or your parent's spouse or domestic partner, your sibling or stepsibling or their spouse or domestic partner, your grandparent or your grandparent's spouse or domestic partner, your grandchild or your grandchild's spouse or domestic partner or any person who has an affinity with you as a family member with a serious health condition, and for the care of a sick child, a spouse's or registered same-gender domestic partner's call to active duty in the military or leave from deployment, and bereavement due to the death of a family member. This handbook material is intended to outline our practice regarding this leave.

Eligibility

You are eligible for Oregon Family Leave Act when the following requirements are met:

- You have been employed for at least 180 consecutive days (26 weeks) or more before the first day of the family and medical leave.
- You have worked an average of 25 or more hours per week as of the day before the request for family and medical leave is made. This average is calculated based upon the 180 days immediately preceding the request for leave. Some exceptions exist, including leave taken for the birth, adoption, or placement of a child called parental leave.

Reasons for Leave

The following situations qualify for family and medical leave:

- To care for an infant or a newly placed adopted or foster child under the age of 18, or older than 18 if incapable of self-care due to mental or physical disability, within 12 months of the event called parental leave.
- To care for a family member with a serious health condition or your own serious health condition. Oregon covers a spouse or domestic partner, your child (biological, adopted, stepchild, or foster child), your spouse or domestic partner's child, or the child's spouse or domestic partner, your parent (biological, adoptive, stepparent, foster parent, or legal guardian), the parent of your spouse or domestic partner, or your parent's spouse or domestic partner, your sibling or stepsibling or their spouse or domestic partner, your grandparent or your grandparent's spouse or domestic partner, your grandchild or your grandchild's spouse or domestic partner or any person who has an affinity with you as a family member.;
- For a pregnancy-related disability or prenatal care. Employees who have used up their original 12 weeks for a serious health condition related to pregnancy are entitled to an additional 12 weeks of parental leave.
- To care for a sick child who does not have a serious health condition but requires home care. Medical certification of sick child leave will be required after the third leave occurrence in each leave year. The Port of Newport will reimburse any out-of-pocket costs for medical certification. Employees who use up their original 12 weeks for parental leave are entitled to an additional 12 weeks of sick child leave. If only part of the 12 weeks is used for parental leave, the employee will only be eligible for the balance remaining on the 12 weeks for sick child leave or any other OFLA qualifying leave.
- To attend the funeral or alternative of a family member; make arrangements necessitated by the death of a family member; or to grieve the death of a family member; up to two (2) weeks of leave is available in each such case, and not to exceed 12 weeks per leave year. The leave must be completed within 60 days after the date on which you receive notice of the death of your family member. See Bereavement Leave for details that may apply to those employees not eligible for OFLA leave.

Length of Leave

You may take up to 12 weeks of family and medical leave during a 12-month period. A week is defined as your normal work week schedule. The 12-month period will be measured forward from the Sunday prior to your first date of leave [Effective 7/1/2024]. If medically necessary, family, and medical leave may be taken on a reduced or intermittent schedule. Details of the proposed schedule should be attached to the Request for Family Leave form and should be verified by the certifying health care professional on the Health Care Provider Certification form, if applicable.

Under OFLA, an employee who takes leave for a disability related to pregnancy may qualify for up to 12 additional weeks of leave for any OFLA qualifying event in the same leave year; an employee who takes a full 12 weeks of parental leave may be eligible to take up to an additional 12 weeks of sick child leave in the same year.

Request and Certification Procedure

In situations where the need for medical leave is known, you must give thirty (30) days' written notice to take family and medical leave by filling out and turning in the Request for Family and Medical Leave form.

We recognize that many times the need for family and medical leave can be caused by serious or emergency situations. We will make every attempt to work with you to ensure that you receive all benefits to which you are entitled; however, you are expected to call us as required by our call-in policy and make every effort to communicate your situation to us immediately.

Most requests for family and medical leave require verification by a third party. Requests for leave related to a serious health condition, not parental leave, must be verified by a health care professional using the "Health Care Provider Certification" form, which needs to be returned within 15 days of our request for it. Bereavement leave may require a verification of the death in your family. You may also be asked to provide proof of your relationship to a person associated with your leave, as applicable. Please check with the Director of Finance and Business Services to discuss how best to provide this proof.

In the case of adoption, a legal representative who can attest to the validity of the adoption must verify the request for family and medical leave. In the case of placement of a foster child, a representative of the agency making the placement can verify the request.

Any medical information provided on either a personal health condition or the health condition of a family member is kept confidential and only those with a valid business-related reason for knowing any details will have access to any of this information. If you have any questions about how this information will be handled, please contact the Director of Finance and Business Services.

Subsequent medical verification may be requested in connection with an ongoing absence but not more often than every 30 days. Exceptions exist, however, in situations where:

- Circumstances change significantly from the current certification, for example, the pattern of necessary absences changes,

- Information is received casting doubt on the employee's stated reason for the leave or the continuing validity of the certification.

Lastly, the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

General Provisions

You may use any accrued ~~vacation, sick leave, or other~~ PTO available to you during the family and medical leave. When this is exhausted, the balance of the leave will be unpaid. You may be required to provide periodic status reports to the organization while on a family and medical leave. The organization will continue to pay our share of your medical benefits during family and medical leave. You are responsible for paying your share of medical insurance premiums prior to the due date of the premium payment. You may continue other insurance benefits by paying the full cost of the premium for any leave in excess of four [4] work weeks in duration. Premium payments must be received by the due date or coverage will be discontinued.

Reinstatement

You are entitled to return to the same or an equivalent job with equivalent benefits, pay, and other terms and conditions of employment at the end of a family and medical leave. You may be required to present a fitness-for-duty certificate before being reinstated.

Other details regarding family and medical leave are available from the Director of Finance and Business Services.

FAMILY AND MEDICAL LEAVE (FMLA)

The Federal Family and Medical Leave Act applies to all government employers. However, due to our size, below 50 employees, employees are not eligible for this leave type. Notice will be provided to employees if this eligibility changes.

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LEAVE TO DONATE BONE MARROW

Eligibility

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

Length of Leave

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

Request Procedure

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

Status of Benefits

Benefits are not affected by this leave.

PERSONAL LEAVE OF ABSENCE

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

Eligibility

You become eligible for a personal leave of absence after **12** months of service; all earned paid leave must be exhausted first.— If you want to take a personal leave of absence, you must make arrangements with your supervisor and receive **General Manager-Executive Director** approval.

Length of Leave

The leave may be requested for any time over **30** consecutive days.— A personal leave of absence starts on the first regular workday following the last day worked.— The maximum leave allowed under this policy is 90 days.

Request Procedure

A written request, using the Leave of Absence Request Form, should be submitted at least one-week (five (5) working days) before time off that will exceed five (5) days, except in emergencies.— Leave requests must include an expected date of return.— If you do not return after three (3) days of that date and no extension has been requested, **we'll we will** assume you have resigned.

Pay While on Leave

Personal leaves of absence are without pay.

Status of Benefits

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

Reinstatement

The Port of Newport will attempt to arrange employment for individuals returning from a personal leave of absence, **but no guarantees are made**.— While you are on a personal leave of absence, you are required to check in with your supervisor on a regular basis as agreed upon, but at a minimum of every two weeks to inform us of your status and to

notify us of any change in personal data. You may be required to present a doctor's release before being reinstated if the leave was medically related.

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UNIFORMED SERVICES LEAVE AND RE-EMPLOYMENT

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

Eligibility

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

Length of Leave

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

Request Procedure

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

Pay While on Leave

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

Status of Benefits

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

Reinstatement

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

1 to 30 days:

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

31 to 180 days:

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

181 days or longer:

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

For service of 31 days or more, the Port of Newport will request that you provide documentation to verify your rights to re-employment, including your separation papers.

Time limits for applications for re-employment are extended for up to two years for disabled ~~veterans, unless veterans unless~~ extenuating circumstances beyond a veteran's control may warrant another minimal extension beyond that period. Failure to file an application within the required time periods may otherwise result in a loss of the right to re-employment.

OREGON MILITARY FAMILY LEAVE

An employee may be eligible to take leave beginning on the first day of **employment**, **if employment if** the employee's spouse/registered domestic partner is notified of an impending call to active duty and when the spouse/registered domestic partner is on leave from deployment.—.

Eligibility

You will be eligible to take military family leave if you work an average of at least 20 hours per week for the organization.

Length of Leave

The amount of leave time available is up to 14 days of unpaid leave per deployment.

Leave Interaction with the Oregon Family Leave Act (OFLA)

If an employee is also eligible for OFLA (generally at least 6 months on the job and working at least 25 hours per week), this time will run concurrently with OFLA leave, reducing the 12 weeks of leave available in any leave year.

Request Procedure

An employee accessing this leave provision needs to request time off from the designated manager or supervisor within five (5) days of receiving official notice of an impending call or order to active duty or of a leave from deployment, or as soon as is practicable.—. Obviously, the more advance notice given, the easier it is to handle scheduling issues.—. These types of leave situations, however, arise with little forewarning at times.—.

Pay While on Leave

Oregon military family leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid (vacation/sick/personal) time available to them.—. Exempt employees working partial **daysdays**, or a partial week will be paid in full for the entire week.

Status of Benefits

Benefits are not affected by Oregon military family leave.—.

PAID LEAVE OREGON – INSURANCE

The Port of Newport provides a Paid Leave Oregon Insurance plan through the Oregon Employment Department. This insurance is required by Oregon state law and provides paid time off to eligible employees. This is a protected leave. All health-related information gathered by the insurer and organization during this process will be maintained as confidential. Employees will not be discriminated against or retaliated against for using or trying to use this insurance benefit. We encourage each employee to use the combination of time off and benefits that meets their personal needs.

Cost

Employees will see a up to .006% deduction from gross wages for each paycheck. The employer will contribute no less than .004% of the employee’s gross wages for each paycheck.

The employee and employer minimum and maximum, as well as overall costs, of this coverage will be assessed annually by the Oregon Employment Department and may change. We will be provided notice to employees in advance of any change.

Eligibility

Most employees who work in Oregon are eligible to submit a claim. The determination of eligibility will be made by the Oregon Employment Department. If an employee disagrees with an eligibility determination, the employee may use the appeal process outlined in the determination notice.

Length of leave

The length of leave is part of the determination process.

An employee may qualify for up to twelve (12) weeks of leave annually, starting from the first day of leave. An additional two (2) weeks of leave may be available if the employee is pregnant, has given birth, or has health needs because of childbirth.

Reasons for leave

Benefits may apply to a variety of situations, including:

- Family leave - Caring for members of the employee’s family:
- During the birth of a child
- Bonding with a child in the first year:
- After birth
- Through adoption
- When the child is placed in the employee’s home through foster care
- To care for a family member with a serious health condition*.
- Medical leave - The employee caring for themselves when the employee has a serious health condition*.
- Safe leave - For survivors of:

- Sexual assault
- Domestic violence
- Harassment
- Stalking

* A serious health condition is an illness, injury, impairment, or physical or mental condition that: requires inpatient care, poses an imminent danger of death or possibility of death in the near future, requires constant or continuing care, involves a period of incapacity, involves multiple treatments, or involves a period of disability due to pregnancy.

Insurance benefit while on leave

The amount of benefit the employee will receive will be calculated based upon the employee's earnings for the prior year. This will also be part of the determination of coverage process. The minimum and maximum benefit amounts may be adjusted by the Oregon Employment Department annually, and the employee will receive notification before a change occurs. Visit [Employees and Paid Leave Oregon or Insurers website for employees] for the current rates.

Employee may make up the difference between the PLO benefit amount and their regular rate of pay. The following leave banks are available for this purpose: PTO.

Notification of the need for leave

An employee is required to provide the employer notice of the intention to take leave. For planned events, the employee is required to provide thirty (30) days written notice. For unplanned events, the employee is required to notify the employer within twenty-four (24) hours of the leave and provide written notice within three (3) days. If an employee is incapacitated due to the unplanned event and are unable to meet these obligations, we ask the employee to notify the employer as soon as possible.

Please complete the Notice Form found at [enter location] to notify the employer of the intention to take leave. The employee may also contact the Director of Finance and Business Services for a copy.

Filing a Claim for coverage

Employees will need to establish an account at Frances Online and file claims electronically. This is the electronic system of record for the Oregon Employment Department. Employees are responsible for submitting the required paperwork and any updates or changes to their claim. The employer will be unable to complete the application process on the employee's behalf.

Job and Benefit Protection while on leave

If an employee has been employed with the employer for at least ninety (90) days prior to the leave, the employee will be restored to the same position upon their return if the same

position exists. If the same position does not exist [Choose the statement below that represents your organization's employee count to finish this sentence.

Employees are entitled to a position equal to their previous position before you took leave, with equal employment benefits, pay and other terms and conditions.

If, at the time of leave, the employee is receiving health benefits these will be maintained.

The employee will be required to pay their portion of all elected benefits premiums while on leave.

Complaints Procedure

Our goal is to solve all concerns at the lowest possible level. We encourage all employees to bring complaints to [enter job title – typically their supervisor] promptly and in writing.

We understand employees may choose to seek outside assistance to resolve complaints regarding this coverage. Employees may contact the Oregon Bureau of Labor and Industries to file a complaint or may contact an attorney of their choice to determine if a civil action may be appropriate.

DRAFT

HEALTH AND SAFETY

DRAFT

DRUGS AND ALCOHOL

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

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

- Manufacturing, selling, attempting to sell, using, ~~distributing~~ distributing, or possessing alcohol, marijuana, or other controlled or illegal substances that impair job performance or pose a hazard when use or possession occurs.
- Reporting for or being at work with the presence of alcohol, marijuana, illegal drugs, or controlled substances in your system.

If your doctor prescribes ~~over the counter~~ over the counter or pharmaceutical drugs, you are responsible for ensuring that your ability to maintain work performance standards, including safety, will not be affected by the medication. If you are in doubt, please discuss this with your Department Director before beginning work. Any medical issues discussed will be kept confidential.

If you have a problem with drugs or alcohol and wish to undertake rehabilitation, you may be granted an unpaid leave of absence for this purpose, as long as your work performance warrants and there have been no violations of this policy. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this policy. If you need assistance in seeking this help, you may talk to the Director of Operations or the Director of Finance and Business Services. No one will be discriminated against for undertaking rehabilitation.

For purposes of this policy, having any detectable level of alcohol or drugs in one's system while covered by this policy will be considered to be a violation. Where we have a reasonable basis to believe that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. We reserve the right to determine whether reasonable basis exists.

The following definitions apply Definitions:

Reasonable suspicion is defined as specific, describable observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcohol), behavior, or speech of the employee, or as being involved in an accident on organization premises that results in physical injury or property damage.

Presence of is defined as any detectable level of alcohol or drugs in an employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties.

Controlled Substances are defined as any product causing potential impairment of an employees' mental or physical faculties and whose availability is restricted by law.

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

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

Any employee who is found to be in violation of this policy and who refuses to submit to testing, or refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination. We also reserve the right to involve law enforcement officials for any conduct that we believe might be in violation of state or federal law.

If a professional assessment is made that you have a problem with alcohol or drugs, your continued employment may be conditioned upon your entering into and completing a treatment program (including follow-up recommendations) approved by the organization. You also may be required to sign and live up to the terms of a performance agreement in order to demonstrate your commitment to rehabilitation and staying alcohol- and drug-free. This course of action is likely if you come forward on your own and ask for help in overcoming your problem. If you are caught selling, distributing, using, or having the presence of drugs or alcohol in your system while at work, we may terminate your employment without offering you the opportunity to participate in a treatment program.

If you voluntarily request assistance in dealing with a personal drug or alcohol problem, you may do so through the Employee Assistance Program. The request for assistance will not jeopardize your employment as long as this assistance is sought before work performance has deteriorated or disciplinary problems have begun. Other treatment programs for drug and alcohol problems may be available through our health insurance coverage.

As a result of corrective action arising from a drug or alcohol problem, you may be required to participate in a drug or alcohol treatment program. If so required, you will regularly be evaluated for drug and alcohol use by a professional. When such an evaluation is scheduled, we will pay the cost. You may also be required to participate in follow-up care as part of a comprehensive alcohol and drug treatment program. Depending upon the nature of the conduct that led to your mandated participation in an alcohol and drug treatment program, you may be required to submit to random or unannounced screening for alcohol or drugs for a specified period of time. You may also be required to meet various performance standards that are imposed as a condition of continuing employment.

If you are involved in a job-related accident resulting in property damage in excess of \$1,000 or physical injury requiring off-site medical attention, you will be required to

submit to testing to determine the presence or absence of a controlled substance. We may waive the requirement if we do not have a reasonable basis to conduct drug or alcohol testing or, if we determine, at our discretion, that the accident could not have been caused by the use of a controlled substance.

You will be subject to testing upon transfer or promotion into another position.

You may be required to submit to testing on a random or unannounced basis to determine the presence of, use of, or involvement with drugs or alcohol. This may include testing by random selection, testing of an entire department or work unit, or testing of specific identified categories of employees as a group.

We will also conduct testing as required or recommended under the provisions of any state or federal government regulations. If you are within a regulated group requiring testing, you will be required to abide by policy as well as any government programs.

When being tested, you may request that any sample be split into two parts, with one part tested and the other retained by the testing laboratory for future re-testing in the event of a positive test result. If you request a re-test, it will be at your expense and must be conducted by a laboratory that is acceptable to us. A list of approved laboratories will be provided upon request.

If you believe that your specimen was not collected in accordance with established procedures, you must report any deficiencies within 24 hours of the collection. Deficiencies reported after 24 hours have expired and will not be considered.

WORKPLACE VIOLENCE

The Port of Newport recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work as well as employee productivity.

To foster a safe workplace, this organization specifically prohibits any employee, customer, or vendor from bringing any kind of weapon, knife (other than folding pocket-knife), or firearm on premises. If you have a question whether something may be considered a weapon in violation of this policy, you must ask your supervisor prior to bringing the item onto our premises. Our premises include areas such as personal vehicles parked in our designated parking area.

Situations may occur, despite our best efforts to prevent them, which present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the organization or that threaten the safety, security, or financial interests of the organization. Employees should make such reports directly [to the Director of their Department and immediately to the Director of Finance and Business Services.](#)

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

~~We~~[The Port](#) may, ~~out of business necessity,~~ conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the organization's property such as desks, work areas, lockers, file cabinets, voice mail systems, and computer systems.

If an employee is found to have violated any part of this policy, corrective action up to and including termination may occur.

EMPLOYEE HEALTH AND SAFETY

The Port of Newport is committed to providing our employees with a safe and healthful work environment. To accomplish this goal, both management and employees must make diligent efforts to promote safety within applicable laws and standards. The Port has developed a Safety and Health Manual that each employee will receive when they begin their employment and will be responsible for following the guidelines and procedures outlined in the Manual. Failure to comply with the procedures and policies identified in the Manual could result in corrective action, up to and including termination.

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

[Please refer to the Safety and Health Policy at Employee Intranet Hub - Home \(sharepoint.com\) for the most current practices.](#)

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

While we respect personal taste in clothing, jewelry, and body modification, when any of these areas have the potential to make an employee more vulnerable to injury, we reserve the right to prohibit the attire or behavior or ask the employee to take some steps for safety. As an example, for those who have gauged or stretched earlobes, we request that you always wear ear tapers (plugs, ear lets, tunnels, etc.) while at work to prevent accidental tearing or catching of the earlobe.

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

The [Health and Safety and Health Policy Manual](#), as well as the rules and regulations will be issued or modified from time-to-time and will be effective immediately upon communication. Rules and regulations will be distributed to you and posted on the employee bulletin board.

If an injury occurs you are required to:

- Take remedial first aid actions; seek emergency care if necessary.
- Report the injury as soon as possible.

- Fill out the accident and injury report form and workers' compensation form [at Employee Intranet Hub - Home \(sharepoint.com\)](#).
- Provide your supervisor with a medical release from a doctor.
- Review the incident with [our Director of Operations](#) [your supervisor](#).

Early Return to Work Program

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

The ~~Return to Work~~ [Return-to-Work](#) program consists of a team effort by supervisors, injured employees and their treating physicians, management, and our workers' compensation insurance carrier. All team members will take an active role in returning injured employees to productive work. Through this team effort, we hope to help our employees recover and return to full employment as soon as their medical condition permits.

If you are injured on the job and your doctor determines that you are able to perform modified work, the organization will attempt to provide such a job until you are able to resume your regular duties, except where provided as an accommodation for a permanent disability. [Insurance provides for the limited purchase of equipment to assist employees returning to work. Ask your supervisor if additional equipment can be provided.](#) All modified work is temporary and may be offered at any location or on any shift. If you are offered a modified position that has been medically approved, failure to report at the designated time and place may affect time loss compensation.

A return to work from non-work-related injuries is covered in the Family and Medical Leave section.

Smoking in the Workplace

The Port of Newport is a non-smoking facility. This includes the use of electronic cigarettes and vaping devices. ~~Places outside the office may be designated as smoking areas; smoking is limited to these areas.~~ [Port of Newport buildings and vehicles are non-smoking. This includes the use of electronic cigarettes and vaping devices. Places outside of buildings and vehicles are may be designated as smoking areas, and smoking is strictly limited to these areas.](#) Please do not smoke or vape within 40-25 feet of any entrance, exit, window, or air intake device. If any employee has a concern about the areas designated, that individual should speak with the appropriate supervisor. [Smoking is not permitted in any equipment owned by the Port of Newport.](#)

Employee Right to Know/Hazard Communication Program

The Port of Newport provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this ~~information~~ [information](#), you can help prevent injuries and illnesses from chemical

exposure. ~~—~~ If you have any questions regarding chemical hazards, do not delay in asking your supervisor ~~or the Director of Operations~~.

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

Container Labeling

The Director of Operations or designee will verify that all containers received for use will:

- Be clearly labeled as to the contents with a product identifier.
- Note the appropriate hazard warning with a precautionary statement, pictogram, hazard statement, and supplemental information.
- ~~—~~ List the manufacturer/supplier's name, address, and emergency phone number.

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

The supervisor in each section will ensure that all secondary containers have either an extra copy of the original manufacturer's label or a generic label that has identification and hazard warning blocks. ~~—~~ For help with labeling, see the Director of Operations.

Safety Data Sheets (SDS)

Copies of safety data sheets for all hazardous chemicals that employees of this organization may be exposed to will be kept in the Director of Operations Office. ~~—~~ Safety data sheets will be available to all employees in their work areas for review during each work shift. ~~—~~ Never use a chemical or associated machinery if its safety data sheet is not available; you should immediately contact ~~the Director of Operations~~ your supervisor before using the chemical or the machine containing it.

Employee Information and Training

Before starting work, you will attend a health and safety orientation from your department's Safety Committee representative and receive information and training about the following:

- An overview of the requirements contained in the Globally Harmonized Hazard Communication System ¹⁷
- Chemicals present in your workplace operations ¹⁷
- Location and availability of our written hazard communication program ¹⁷
- Physical and health effects of the hazardous chemicals ¹⁷
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area ¹² and,
- ~~—~~ How to reduce or prevent exposure to these hazardous chemicals through the use of control/work practices and personal protective equipment.

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

Prior to a new hazardous chemical being introduced into any section of this organization, each employee of that section will be given information as outlined above. The [supervisor](#) ~~Director of Operations~~ is responsible for ensuring that Safety Data Sheets (SDS) on new chemicals are available.

DRAFT

EMERGENCY PREPAREDNESS

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

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

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

Should a threat to company property or an employee be received, it should be reported immediately to ~~your supervisor and~~ the Director of Operations, the Director of Finance and Business Services, or the Executive Director.

EMPLOYMENT SEPARATION

DRAFT

SEPARATION FROM EMPLOYMENT

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

Resignation

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

Job Abandonment

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

If an employee fails to call in or show up for work, job abandonment and voluntary resignation will be assumed after the third day of absence.

Job Elimination, Reduction in Work Hours

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

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

Evaluation of these factors is at our discretion. When we conclude that all the factors are substantially equal, we will reduce the hours of or lay off the employee with the shortest term of service. The **General Manager-Executive Director designee or Director** will

personally notify employees of a layoff.— After explaining the layoff procedure, you will be given a letter describing the conditions of the layoff, such as the effects on benefits, the possibility of reemployment, procedures, and any outplacement services.—

If practicable at the time of layoff or upon an employee being placed in an inactive status, we may provide limited re-employment rights for a period of eight (8) weeks. The order of recall will be determined using the above factors.— An offer of re-employment may be made orally or in writing to the last address reflected in your personnel records.— It is your obligation to keep us informed of any changes to your telephone number, email address, and physical address.— The offer will identify the available job and the date you are to report to work.— If you are not rehired during the period specified, your re-employment rights end; if you decline re-employment or fail to report on the date specified in an offer, you generally waive any re-employment privileges.

Discharge

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

The organization has a corrective action policy found on page 34 of this Handbook that describes action management may take, at its discretion, to correct performance infractions prior to discharging employees.— The decision to discharge employees is based not only on the seriousness of the current performance infraction, but also on the individual's overall performance record and length of service.

We also believe that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal dispute resolution procedure found [in the dispute resolution section on page 80](#) of this Handbook for that purpose.— You are encouraged to use this procedure to resolve any issues you may have that cannot be resolved by consulting with your supervisor.

Exit Interview

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

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

Return of Organization Property

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

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Port of Newport

HANDBOOK RECEIPT ACKNOWLEDGMENT FORM

As an employee of the Port of Newport, I acknowledge the following:

I have been provided a copy of, ~~or given access to~~ the Employee Handbook. ~~I~~ understand that the Handbook contains important information about Port of Newport's policies, work rules, and my benefits. ~~I~~ have both read and understood the information in the Handbook and have asked the Director of Finance and Business Services for the clarification of any information I did not understand.

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

The ~~General Manager~~ ~~Executive Director~~ ~~or designees~~ ~~with approval of the Commission~~ ~~is~~ ~~are~~ the only persons authorized to make changes to the Handbook and all such changes must be in writing to be valid. ~~I~~ Any changes to the content will be communicated to employees via official notices.

I understand that, unless stated otherwise in an employment contract, my employment relationship with the organization is "at-will" and either the organization or I can end the relationship at any time, with or without reason or notice. ~~I~~

The ~~Executive Director~~ Port of Newport is only authorized to enter into an employment contract once ~~he or she has~~ ~~it~~ received authorization from the Commission, and it must be in writing and signed by both parties to be valid.

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

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

Employee Signature

Date

Print Employee's Name

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Administrative Office and Commercial Marina

600 SE Bay Blvd, Newport, OR 97365

Recreational Marina

2120 SE Marine Science Drive, Newport, OR 97365

International Terminal

1510 SE Bay Blvd, Newport, OR 97365

NOAA

2003 SE Marine Science Dr, Newport, OR 97365



Port of Newport
OLD BUSINESS

DATE: January 26, 2023
RE: Rogue Brewery Seawall Repair Bids
TO: Paula Miranda, General Manager
ISSUED BY: Aaron Bretz, Director of Operations

BACKGROUND

After a 30-day process of advertising and interacting with bidders, we opened bids from four contractors on the Rogue Brewery Seawall repair project. There was a high degree of interest; attendance at the mandatory site meeting was high. The criteria for selection of contractor on this project is the lowest responsible, responsive bidder.

DETAIL

The low bid for the project did not include key requirements that were in the specifications, so they were not responsive. As shown below, the lowest responsible, responsive bidder was Bergerson Construction with a bid of \$2,983,530.00.

Item No.	Bid Item Description	Quantity	Unit	Engineer's Estimate		Ballard Marine DISQUALIFIED Construction, LLC		Bergerson Construction, Inc.		HP Civil, Inc.		Legacy Contracting, Inc.	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Mobilization, Temporary Support System and Work Access Platform, Containment System, BMP's, Surveying, Cleanup, and Demobilization	1	Lump Sum	\$ 182,344.55	\$ 182,344.55	\$ 62,081.04	\$ 62,081.04	\$ 346,500.00	\$ 346,500.00	\$ 327,965.00	\$ 327,965.00	\$ 255,700.00	\$ 255,700.00
2	Temporary Relocation of the Floating Dock	1	Lump Sum	\$ 13,812.90	\$ 13,812.90	\$ 44,692.79	\$ 44,692.79	\$ 14,000.00	\$ 14,000.00	\$ 80,000.00	\$ 80,000.00	\$ 255,100.00	\$ 255,100.00
3	Repair of Pile Cap Concrete Spalling	20	Square Foot	\$ 540.00	\$ 10,800.00	\$ 1,085.44	\$ 21,708.80	\$ 970.00	\$ 19,400.00	\$ 650.00	\$ 13,000.00	\$ 895.00	\$ 17,900.00
4	Pile Surface Preparation and Coating Application	56	Each	\$ 505.80	\$ 28,325.00	\$ 6,869.64	\$ 384,699.84	\$ 2,440.00	\$ 136,640.00	\$ 7,750.00	\$ 434,000.00	\$ 4,895.00	\$ 274,120.00
5	Weeps Hole Drainage System	94	Each	\$ 1,250.00	\$ 117,500.00	\$ 3,357.55	\$ 315,609.70	\$ 6,575.00	\$ 618,050.00	\$ 7,700.00	\$ 723,800.00	\$ 5,690.00	\$ 535,612.00
6	Soil Stabilization with Polymer Injection	4320	Square Foot	\$ 231.46	\$ 1,000,000.00	\$ 222.22	\$ 959,990.40	\$ 290.00	\$ 1,252,800.00	\$ 240.00	\$ 1,036,800.00	\$ 265.00	\$ 1,144,800.00
7	Pile Strengthening with Steel Plates	653	Square Foot	\$ 529.00	\$ 345,500.00	\$ 453.80	\$ 296,331.40	\$ 860.00	\$ 561,580.00	\$ 985.00	\$ 643,205.00	\$ 785.00	\$ 512,605.00
8	Sink Hole Pavement Repair	1440	Square Foot	\$ 2.50	\$ 3,600.00	\$ 39.72	\$ 57,196.80	\$ 24.00	\$ 34,560.00	\$ 14.50	\$ 20,880.00	\$ 18.55	\$ 26,712.00
Total				\$ 1,701,882.45	\$ 1,701,882.45	\$ 2,142,310.77	\$ 2,142,310.77	\$ 2,983,530.00	\$ 2,983,530.00	\$ 3,279,650.00	\$ 3,279,650.00	\$ 3,022,549.00	\$ 3,022,549.00

The highest estimate that we received on the project was \$2.2MM, so the responsive bids were all significantly higher than projected. There is a possibility that under state law, we might choose to exempt the project from competitive bidding because of this disparity, but that option is currently under legal review. If more details about this option become available prior to the Port Commission meeting, I will issue an amended report.

The action to be taken at this time is to recognize Bergerson Construction as the lowest responsible, responsive bidder, and to issue a notice of intent to award. Following the 7-day appeal time-period after the notice of intent to award has been issued to all the bidders, we may enter into contract negotiations with the lowest responsible responsive bidder. If the Port is able to exercise the option to exempt the project, that could happen immediately. Time is extremely important to this project because we need to get it completed prior to mid-May.

BUDGET

We did not budget for a \$3MM project, and we cannot afford to undertake a project in this amount. We can absorb up to \$2.2MM with this FY's budget. We will need to negotiate the contract down to be able to enter into an agreement.

RECOMMENDATION

I RECOMMEND A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR OR HER REPRESENTATIVE TO NEGOTIATE A CONTRACT NOT TO EXCEED \$2.2MM WITH BERGERSON CONSTRUCTION FOR THE ROGUE BREWERY SEAWALL PROJECT, FOLLOWING COMPLETION OF THE 7-DAY APPEAL PERIOD.

IMPORTANT:

This Document must be filled out and returned to Port of Newport as your quote for this project

PROJECT: Rogue Brewery Seawall Repair, 2024

BIDDER: Bergerson Construction, Inc.

Pricing Breakdown if Applicable:

Bid Item No.	ITEM DESCRIPTION	QUANT.	UNIT	UNIT COST	TOTAL
1	MOBILIZATION, TEMPORARY SUPPORT SYSTEM AND WORK ACCESS PLATFORM, CONTAINMENT SYSTEM, BMP'S, SURVEYING, CLEANUP, AND DEMOBILIZATION	1	L.S.		
3	TEMPORARY RELOCATION OF THE FLOATING DOCK	1	L.S.		
3	REPAIR OF PILE CAP CONCRETE SP		S.F.		
4	PILE SURFACE PREPARATION AND APPLICATION	653	EA		
5	WEEP HOLE DRAINAGE SYSTEM	94	EA		
6	SOIL STABILIZATION WITH POLYMER INJECTION	4320	S.F.		
7	PILE STRENGTHENING WITH STEEL PLATES	653	S.F.		

See Attached Revised Bid Form

TOTAL BASE PRICE

\$ 2,983,530.00

* Price includes all materials FOB job location.

** Price includes all licensing, bonding, insurances, permits and taxes.

*** Price is held for minimum 90 days.

**** Please list on separate sheet, any additional alternates or value engineering pricing.

Proposal is in compliance with the entire project Drawings, Specifications and/or Work Scope? Yes No

Clarifications: _____

(Attach separate sheet if necessary)

Estimated Schedule:

Preparation of Shop Drawings/submittals 10 work days
 Mobilization, disposal site preparation, demobilization 10 work days
 Work performance In-Water 60 work days
 Average Crew Size at 40 hr work week: 8 workers

All Inclusive Labor Rates for Extra Work (or Attach Labor Rate Schedule):

Superintendent \$ 115.00 /hour.
 Foreman \$ 105.00 /hour.
 Craftsman \$ 97.50 /hour.
 Helper \$ 93.50 /hour.
 Markup on cost of Materials 15 %

BID ITEM NO.	ITEM DESCRIPTION	QUANT.	UNIT	UNIT COST	TOTAL
1	MOBILIZATION, TEMPORARY SUPPORT SYSTEM AND WORK ACCESS PLATFORM, CONTAINMENT SYSTEM, BMP'S, SURVEYING, CLEANUP, AND DEMOBILIZATION	1	L.S.	346,500.00	346,500.00
2	TEMPORARY RELOCATION OF THE FLOATING DOCK	1	L.S.	14,000.00	14,000.00
3	REPAIR OF PILE CAP CONCRETE SPALLING	20	S.F.	970.00	19,400.00
4	PILE SURFACE PREPARATION AND COATING APPLICATION	56	EA	2,440.00	136,640.00
5	WEEP HOLE DRAINAGE SYSTEM	94	EA	6,575.00	618,050.00
6	SOIL STABILIZATION WITH POLYMER INJECTION	4320	S.F.	290.00	1,252,800.00
7	PILE STRENGTHENING WITH STEEL PLATES	653	S.F.	860.00	561,580.00
8	SINK HOLE PAVEMENT REPAIR	1440	S.F.	24.00	34,560.00


Provide a list of equipment rates (if applicable):


Equipment Item	Rate	Per
Forklift/Telehandler	\$115.00	HR
Crane Barge with 150 Ton Crawler Crane	\$495.00	HR

List of lower tier suppliers/subcontractors (if applicable):

Name or description of material or work to be performed	Approximate Value
Uretek USA	\$975,240.00

 (Initial) Receipt of Addendum Numbers 1-6 is hereby acknowledged.

 (Initial) I acknowledge the terms and conditions as stated in the Request for Proposal form received from Port of Newport as part of the contract documents, and hereby incorporate them into this proposal.

 (Initial) I acknowledge the terms, conditions and minimum limits and have included all costs for insurance in this proposal.

 (Initial) I acknowledge the requirements of Oregon Prevailing Wage Law ORS 279C.800 and have if applicable incorporated all costs associated into this proposal.

Submitted By:

<u>Gregory A. Morrill</u> Name	<u>Bergerson Construction, Inc.</u> Company	<u>63328</u> CCB#
<u>(503) 325-7130</u> Telephone #	<u>(503) 325-0174 / admin@bergerson-const.com</u> FAX/Email	
<u>P.O. Box 387, Astoria, Oregon 97103</u> Address		
 Signature	<u>01/22/2024</u> Date	

The Port of Newport reserves the right to accept or reject any or all proposals and may at its discretion select the contractor that is deemed to provide the best value to the Port of Newport.

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)
Bergerson Construction, Inc.
300 Railroad Avenue, Suite 200
Astoria, OR 97103

SURETY:

(Name, legal status and principal place of business)
Travelers Casualty and Surety Company of America
One Tower Square
Hartford, CT 06183-6014

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)
Port of Newport
600 SE Bay Boulevard
Newport, OR 97365

BOND AMOUNT: \$ Five Percent (5%) of the Total Bid Amount

PROJECT:

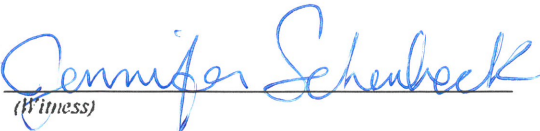
(Name, location or address, and Project number, if any)
Rogue Brewery Seawall Repair, 2024
2320 SE Marine Science Dr., Newport, OR
RFQ 3400-19-01

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.


If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.


When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 19th day of January 2024


(Witness)

Bergerson Construction, Inc.
(Principal) _____ *(Seal)*


(Title) President


(Witness)

Travelers Casualty and Surety Company of America
(Surety) _____ *(Seal)*


(Title) Nicholas A. Fredrickson
Attorney-in-Fact





**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

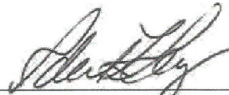
KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Nicholas A Fredrickson** of **BELLEVUE**, **Washington**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, **2021**.



State of Connecticut

City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, **2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, **2026**




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **19** day of **January**, **2024**.




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**

PROPOSAL FOR SERVICES

Bid Information:

3400-19-001

Bergerson Construction, Inc.

Port of Newport - Rogue Brewery - 24/01

Line Item # 6 Soil Stabilization with Polymer Injection

Prepared by:

John Schmidt
Project Manager

URETEK USA, Inc.

(503) 730-4450

jschmidt@uretekusa.com

www.uretekusa.com

Proposal date:

January 19, 2024

URETEK 486 STAR 4R

Polyurethane Soil Stabilization Solutions

Uretek 486 Star 4R is a two-component polyurethane rigid foam. Designed specifically for Uretek 486 Star, this product is excellent for lifting settled pavement, stabilizing weak soil, and the filling or encapsulating of various voids. Uretek 486 Star 4R utilizes a fully EPA approved, non-CFC, non-HFC, zero ozone depleting blowing agent.

Uretek 486 Star 4R is inherently hydrophobic and is capable of being directly injected into water. Due to the hydrophobic nature, this product is excellent for lifting and/or stabilizing in areas with a high level of moisture content. The low viscosity of the system allows for easy penetration into soil and displaces water without losing product integrity as it stabilizes and lifts.

Storage and Handling

Uretek 486 Star 4R has a shelf life of 1 yr when stored in the original, sealed container at a temperature of 65° F - 85° F with humidity levels not greater than 85% and also not in direct sunlight. The “A” component is very sensitive to moisture and caution must be taken to ensure moisture is not introduced. Prolonged storage at temps below 60° F can affect both the “A” and “B” components.

Should the materials be subjected to temperatures at or below 40° F, there may be layering in the B-side containers. Should this occur, gradually raise the temperature to 70° F and use a drum or tote mixer for 30 minutes or more. The material will go back into the proper solution and is then usable.

Containers of Component-A should be kept properly closed and stored indoors at ambient temperatures (20-25° C) (65-80° F) in a well-ventilated area. Storage at low temperatures (below 5° C, 40° F) may lead to some crystallization; this material must, therefore, be protected from frost. If crystallization does occur, the material should be heated but not to exceed 70° C, 158° F, to melt it out, and should then be thoroughly agitated before use. Note that the product will decompose and give off gas above 230° C, 446° F.



Certified to
NSF/ANSI 61

The information herein is to assist customers in determining whether our products are suitable for their applications. Customer assumes full responsibility for quality control, testing and determination of suitability of product for its intended use or application. Uretek 486 Star warrants only that the material shall meet its specifications; this warranty is in lieu of all other written, expressed or implied warranties and Uretek 486 Star expressly disclaims any warranty or merchantability, fitness for a particular purpose, or freedom from patent infringement. Accordingly, buyer assumes all risks whatsoever as to the use of the material. Buyer's exclusive remedy as to any breach of warranty, negligence or other claim shall be limited to the purchase price of the material. Failure to adhere to any recommended procedures shall relieve Uretek 486 Star of all liability with respect to the material or the use thereof.

Typical Physical Properties

Property	4R	Test
Closed Cell Content	>85%	ASTM D 6226
Tensile Strength (PSI)	95	ASTM D 1623
Dimensional Stability	<2%	ASTM D 2126
Comprehensive Strength (PSI)	63	ASTM D 1621
Comprehensive Modules (PSI)	2100	ASTM D 1621
Tensile Modules (PSI)	2100	ASTM D 1623
Shear Strength	47	ASTM C 273
Shear Modulus	945	ASTM C 273
Flexural Strength	95	ASTM D 790
Flexural Modulus	2100	ASTM D 790
Water Absorption	<2%	ASTM D 2842
Core Density	3.5–4.5	

* Data generated under controlled laboratory conditions. Actual performance may vary due to environmental conditions.

Liquid Components as Supplied

	A (ISO)	B (Resin)
Specific Gravity @74°F (23°F)	1.22	1.04
Viscosity (Brookfield) @74°F (23°C), CPS	220–250	400–500
Mixing Ratio By Volume	1	1

Common Chemical Resistance

Chemical	Resistance
Water	Excellent
Toluene	Excellent
Gasoline	Excellent
Sulfuric Acid 10%	Excellent
Hydrochloric Acid 10%	Excellent
Isopropanol	Excellent
Benzene	Excellent
Motor Oil	Excellent
Acetone	Poor
Ethyl Alcohol	Poor
Methyl Alcohol	Poor





August 15, 2017

Randall W. Brown, PhD, PE
Vice President for Engineering
URETEK USA, Inc.
PO Box 1929
Tomball, Texas 77377

Subject: Hydro-Insensitivity Certification for
URETEK High Density Polyurethane Grout
URETEK 02-40R-V3
BEI Project No. 13-071

Dear Dr. Brown:

Boudreau Engineering, Inc. (BEI) has completed the required inspection and physical property testing of a high density polyurethane grout referenced as URETEK 02-40R-V3. The testing was conducted in general conformance with the New York Department of Transportation (NYDOT) Geotechnical Test Procedure (GTP-9): *Hydro-Insensitivity of High Density Polyurethane Grout – Panel Test (March 2013)*.

A dry panel and a wet panel were injected with the polymer on the afternoon of October 2, 2013. The attached data form documents the particulars with respect to material and equipment utilized, as witnessed by Mr. Richard Boudreau.

GTP-9 requires a minimum of 90 percent density retention between the wet panel samples and the dry panel samples. **Test results indicate that this requirement was satisfied** as highlighted at the bottom of the attached data form. The specified minimum compressive strength requirement of 50psi was also achieved.

If you have any questions, please do not hesitate to contact me at (404) 388-1137.

Sincerely,

A handwritten signature in black ink that reads "Richard L. Boudreau".

Richard L. Boudreau, P.E.
Executive VP & Director of Engineering

attachment: Panel Test Data Sheet
clients\uretek\panel tests\02-40R-V3_2oct2013-Rev1.docx

**Hydro-Insensitivity of High Density Polyurethane Grout -
 Panel Test Data Sheet**

Polymer Type & Manufacturer URETEK 02-40R-V3

Lot # & Date on Component Containers Resin: URETEK 4R (Lot #1309LK) / 10-01-2013
Component A Isocyanate (Batch# PB93000674) / 09-20-2013

PROPORTIONING EQUIPMENT

Proportioner Graco Reactor H25 Hose Length (ft.) 50ft
 Gun Graco GX-7 Gun Set-up A20
 A/B/H Temperature (°F) 100 A/B Pressure (psi) 1000/1000

CALIBRATION TEST

1:34:00 Time at Beginning of Injection (HH:MM:SS)
1:34:24 Time at End of Injection (HH:MM:SS)
5.0 Sample Weight (lbs.) vs. 5.0 Certified Flow Meter Weight (lbs.)

INJECTION PROCEDURE - DRY

√ (√) 5 lbs. of Material Injected into Box
√ (√) After 10 minutes, Remove Top Cover
√ (√) After 30 minutes, Sample the HDP Material

INJECTION PROCEDURE - Wet

√ (√) Add 15 lbs. of Water into Box
√ (√) 5 lbs. of Material Injected into Box
√ (√) After 10 minutes, Remove Top Cover
√ (√) After 30 minutes, Sample the HDP Material

MATERIAL ANALYSIS

Dry Injection Shots

	Density (pcf)	Compressive Strength (psi)
Sample 1	<u>5.31</u>	<u>59</u>
Sample 2	<u>5.24</u>	<u>67</u>

Wet Injection Shots

	Density (pcf)	Compressive Strength (psi)
	<u>5.24</u>	<u>64</u>
	<u>5.03</u>	<u>52</u>

% Retention of Density

Sample 1	<u>98.7%</u>
Sample 2	<u>96.0%</u>

Technician Richard L. Boudreau
 Date 2-Oct-13



25-000106454

Construction Safety and Health

This card acknowledges that the recipient has successfully completed the required training to be designated as an **OSHA Authorized Construction Trainer**

Keith McClure

Completion of this course authorizes the trainer to conduct 10- and 30-hour Construction courses in accordance with Outreach Training Program requirements.


Director, Directorate of Training and Education

2/21/2024
Expiration Date

TEXAS A&M ENGINEERING EXTENSION SERVICE

Keith McClure

Is hereby recognized to use the designation of
CERTIFIED SAFETY AND HEALTH OFFICIAL® (CSHO)
Construction Industry

Certificate #3649

Certification Date: 06/02/2008

For meeting the criteria in the areas of references, experience, education, training, and contribution relevant to safety and health professionalism.


Gary A. Sims, Director
Texas A&M Engineering Extension Service




Ron Peltz, Division Director
OSHA Training Institute, Southwest Education Center

Training History

Date Performed	License Number	Training Type	Instructor Name	Employee Name	Training Name	Employee ID
4/28/2010	25-003033853	Offline	Keith McClure	Barnwell, Ed L	OSHA 10-Hour Course	11004
4/28/2010	25-003033848	Offline	Keith McClure	Johnson, Bennie L	OSHA 10-Hour Course	11033
7/15/2011	26-003930591	Offline	Joseph Froyd	Pollan, Scott E	OSHA 10-Hour Course	11179
1/6/2012	25-003920992	Offline	Keith McClure	Cardoza, Hector R	OSHA 10-Hour Course	11012
1/6/2012	25-003920990	Offline	Keith McClure	Hernandez, Jose L	OSHA 10-Hour Course	11026
1/6/2012	25-003920993	Offline	Keith McClure	Hernandez, Richard J	OSHA 10-Hour Course	11090
1/6/2012	25-003920986	Offline	Keith McClure	Hernandez-Lopez, Jose Leon	OSHA 10-Hour Course	11027
1/6/2012	25-003920996	Offline	Keith McClure	Jackson, James R	OSHA 10-Hour Course	11164
1/6/2012	25-003920987	Offline	Keith McClure	Negrete, Erasmo	OSHA 10-Hour Course	11079
1/6/2012	25-003920994	Offline	Keith McClure	Romero-Parada, Jorge L	OSHA 10-Hour Course	11052
8/21/2013	36-701429405	Offline	Rick Gleason	Blackwell, Rodney M	OSHA 10-Hour Course	11008
4/3/2014	25-004798192	Offline	Keith McClure	Medina, Richard I	OSHA 10-Hour Course	11078
4/3/2014	25-004798193	Offline	Keith McClure	Padilla, Sergio	OSHA 10-Hour Course	11046
6/8/2017		Offline	Matthew Luman	Dejournette, Daniel D	OSHA 10-Hour Course	11138
6/10/2017		Offline	Matthew Luman	Holmes, Quantavious	OSHA 10-Hour Course	11029
6/25/2017	36-005966939	Offline	Matthew Luman	Arriaga, Hector R	OSHA 10-Hour Course	11084
10/12/2017	36-006014808	Offline	Matthew Luman	Byrne, Brien A	OSHA 10-Hour Course	11098
11/17/2018		Offline	David Crouch--USF Health	Walker, Thomas E	OSHA 10-Hour Course	11113
12/30/2018	36-006232481	Offline	Dan Johnson	Schroder, Nathan C	OSHA 10-Hour Course	11241
7/23/2019		Offline	David Crouch--USF Health	Adams, Nick (Rey)	OSHA 10-Hour Course	11148
7/26/2019	36-006089323	Offline	David Crouch--USF Health	Lewis, Chad J	OSHA 10-Hour Course	11233
7/26/2019		Offline	David Crouch--USF Health	White, Kevin T	OSHA 10-Hour Course	11062
7/31/2019	36-006089639	Offline	David Crouch--USF Health	Quiroz, Gustavo A	OSHA 10-Hour Course	11154
10/8/2019		Offline	David Couch	Buenostro-Calderon, Jonas A	OSHA 10-Hour Course	11142
11/21/2019	20-0106090	Offline	David Couch	Jordan, Timothy J	OSHA 10-Hour Course	11130
11/22/2019	25-003920994	Offline	Keith McClure	Parada, Jorge	OSHA 10-Hour Course	
11/25/2019	20-0106090	Offline	David Couch	Hibbard, Noah E	OSHA 10-Hour Course	11226
1/21/2020	20-0106090	Offline	David Crouch--USF Health	Hembree, Joseph A	OSHA 10-Hour Course	11184
3/5/2020	20-106090	Offline	David Couch	Hattenbach, Robert	OSHA 10-Hour Course	11174
10/15/2020	20-106090	Offline	David Couch	Campos, Carlos	OSHA 10-Hour Course	
11/12/2020	20-106090	Offline	David Couch	Zamarripa, Hector D	OSHA 10-Hour Course	11175
12/27/2018	OEC-7055742	Offline	Jeffrey Pairan--American Safety Council	Osorio, Jose A	OSHA 30-Hour Course	11045
12/31/2018	OEC-7055888	Offline	Jeffrey Pairan--American Safety Council	Smith, Michael A	OSHA 30-Hour Course	11221
1/1/2019	OEC-7055926	Offline	Jeffrey Pairan--American Safety Council	Pollan, Scott E	OSHA 30-Hour Course	11179
1/1/2019	OEC-7055898	Offline	Jeffrey Pairan--American Safety Council	Price, Luke A	OSHA 30-Hour Course	11220
1/7/2019	OEC-7056183	Offline	Jeffrey Pairan--American Safety Council	Morrison, Herbert C	OSHA 30-Hour Course	11219
2/22/2019		Offline	David Crouch--USF Health	Arriaga, Hector R	OSHA 30-Hour Course	11084
4/4/2019	OEC-7059891	Offline	Jeffrey Pairan--American Safety Council	Fourniquet, Elijah	OSHA 30-Hour Course	
6/20/2019	OEC 1030-7060852	Offline	Jeffrey Pairan--American Safety Council	Byrne, Brien A	OSHA 30-Hour Course	11098
7/23/2019		Offline	David Crouch--USF Health	Boyett, Kevin W	OSHA 30-Hour Course	11156
1/18/2020		Offline	David Crouch--USF Health	Metoyer, Johnny L	OSHA 30-Hour Course	11039
1/18/2020	20-0106090	Offline	David Crouch--USF Health	Nichols, Derrick O	OSHA 30-Hour Course	11243
1/18/2020	20-0106090	Offline	David Crouch--USF Health	Nickles, Jeremy C	OSHA 30-Hour Course	11256
1/18/2020	20-0106090	Offline	David Crouch--USF Health	Schroder, Nathan C	OSHA 30-Hour Course	11241
1/21/2020	20-0106090	Offline	David Crouch--USF Health	Humpries, Brian A	OSHA 30-Hour Course	11242
1/26/2020	20-0106090	Offline	David Crouch--USF Health	Copeland, Casey C	OSHA 30-Hour Course	11257
1/29/2020	20-0106090	Offline	David Couch	Williams, Trevin A	OSHA 30-Hour Course	11244
2/4/2020	20-0106090	Offline	David Couch	Ellis, Ervin	OSHA 30-Hour Course	
2/11/2020	20-0106090	Offline	David Couch	Metoyer, Johnny L	OSHA 30-Hour Course	11039
2/14/2020	20-106090	Offline	David Couch	Parada, Jorge	OSHA 30-Hour Course	
2/21/2020	20-0079009	Offline	David Couch	Hattenbach, Robert	OSHA 30-Hour Course	11174
2/21/2020	20-0079009	Offline	David Couch	Quiroz, Gustavo A	OSHA 30-Hour Course	11154
2/22/2020	20-0079009	Offline	David Couch	Hiser, Jeremy L	OSHA 30-Hour Course	11155
2/22/2020	20-0079009	Offline	David Couch	Padilla, Sergio	OSHA 30-Hour Course	11046
2/28/2020	20-0106090	Offline	David Couch	White, Kevin T	OSHA 30-Hour Course	11062
3/2/2020	20-0106090	Offline	David Couch	Diaz, Esequiel	OSHA 30-Hour Course	
4/24/2020		Offline	Scott Wallace	Essig, Mike	OSHA 30-Hour Course	
7/16/2020	20-0106090	Offline	David Couch	Lewis, Chad J	OSHA 30-Hour Course	11233
7/16/2020	20-0106090	Offline	David Couch	Negrete-Corona, Saul D	OSHA 30-Hour Course	11083
1/14/2021	20-0106090	Offline	David Couch	Ayala, Jeffrey	OSHA 30-Hour Course	

2/24/2021	20-106090	Offline	David Couch	Zamarripa, Hector D	OSHA 30-Hour Course	11175
3/4/2021	20-106090	Offline	David Couch	Adams, Nick (Rey)	OSHA 30-Hour Course	11148
2/21/2020	500132	Offline	Von M. Griggs-Law	McClure, Keith W	OSHA 500 Train the Trainer	11038



URETEK Dynamic Cone Penetrometer (DCP) testing

1. Who manufactures the URETEK DCP?

URETEK employs the DPM 30-20 Model DCP manufactured by Pagani Geotechnical Equipment of Piacenza, Italy.

2. What are the specifications for the URETEK DCP?

- Diameter of Cone Tip = 35.6 mm (1.40 inches)
- Angle of Cone Tip, B = 60 degrees
- Area of Cone Tip, A = 10 square cm (1.55 square inches)
- Diameter of Rods = 20 mm (0.7874 inches)
- Length of Rods = 1 m (39.37 inches)
- Weight of Rods = 2.4 kg (5.29 pounds)
- Weight of Drop Hammer = 30 kg (66 pounds)
- Free Fall Drop Height = 20 cm (7.874 inches)

3. How does the URETEK DCP work?

- A 3.81 cm (1.5 inch) diameter hole is drilled in the pavement.
- A sacrificial cone and rods (incremented every 10 cm or 3.937 inches) are inserted into the hole.
- The cone and the rods are driven into the soil by a percussive head (weighing 30 kg or 66 pounds) dropped 20 cm (7.874 inches.) The percussive head is lifted by a mechanical arm driven by an electrical motor.

- The number of drops of the percussive head required to drive the rod 10 cm (3.937 inches) is recorded.
- These blow counts provide information about soil strength. Moreover, these blow counts can be correlated to the N-value associated with the Standard Penetration Test (SPT) by using a relationship developed by the manufacturer:

$$N (\text{SPT}) = 0.766 \times N (\text{DCP})$$

4. How is the DCP information used?

- Identify weak layers in the soil mass so an injection pattern can be developed.
- Contribute to the development of material estimates. Weaker soils typically require more polyurethane than stronger soils.
- Assist in evaluating the effectiveness of polyurethane injection by comparing pre-injection DCP results to post-injection DCP results. Other evaluative tools (e.g., the Falling Weight Deflectometer – FWD) are used in conjunction with the DCP, when available.

URETEK USA, INC
FLEET, PLATE/REGISTRATION/INSPECTION

YEAR 2016

#	Vehicle Model	Year	Vin #	Plate #	Garaged
S01	FORD F250	2016	1FT7W2BT7GEB76153	HZR8157	GA
S02	FORD F250	2016	1FT7W2BT7GED46396	RMS1318	TX
S03	FORD F250	2016	1Ft7W2BT3GED37968	HZP6367	TX
S04	RAM 2500	2017	3C6UR5HL5HG589337	JDY6816	TX
S05	RAM 2500	2017	3C6UR5HL7HG589338	JDY6817	GA
S06	RAM 2500	2017	3C6UR5HL1HG589321	JDY6818	TX
S07	FORD F250	2017	1FT7W2BT9HEF45676	KMZ0895	TX
S08	FORD F250	2017	1FT7W2BTXHEF36582	KMZ0896	GA
S10	FORD F350	2014	1FT8W3DT0EEA09251	RMW3329	GA
S11	FORD F350	2017	1FT8W3DT0HEF46237	TJF2155	GA
S13	CHEV 3500	2015	1GB4KYC87FF658968	SGM5693	TX
S14	CHEV 2500	2019	1GC1KTEY0KF214730	PMC5674	GA
S15	FORD F250	2019	1FT7W2BT2KEE72917	MBW2719	TX
S16	FORD F250	2019	1FT7W2BT6KEC57993	PKS4685	TX
S17	FORD F150	2019	1FTEW1E58KKC47658	MMS5791	TX
S18	CHEV 3500	2020	1GB4YSEY6LF248229	K101606	TX
S19	RAM 1500	2021	1C6RREFT7MN661486	PKW1665	TX
S20	RAM 1500	2021	1C6RREFT0MN661488	PKW1669	TX
S21	RAM 2500	2022	3C6UR5HL2NG157302	RJG8025	TX
S22	RAM 2500	2022	3C6UR5CL7NG224113	RKJ4194	TX
S23	RAM 2500	2022	3C6UR5CL9NG224114	RKJ4195	TX
S24	RAM 2500	2022	3C6UR5CL0NG224115	TFL0442	TX
S25	RAM 2500	2022	3C6UR5CL4NG224117	RKJ4197	TX
S26	FORD F350	2020	1FD8W3HT4LEC45582	K155957	GA
S27	RAM F3500	2022	3C63RRGL5NG364819	SNT6757	TX
S28	RAM 2500	2022	3C6UR5CL3NG369505	SNT6766	TX
S29	FORD F250	2022	1FT7W2BT8NEG32450	SVK3474	TX
S30	FORD F250	2022	1FT7W2BTXNEG32451	SVK3473	TX
S77	FORD F250	2012	1FT7W2ATXCEB68995	BX80083	GA
S79	FORD F150	2012	1FTEW1CM0CFB83524	BX80018	TX
S80	FORD F150	2013	1FTEW1CM7DKE19580	BXM5762	TX
S82	TOYOTA TUNDRA	2013	5TFEY5F14DX134227	CKH4460	TX
S83	TOYOTA TUNDRA	2013	5TFEY5F14DX135765	CKH4459	TX
S84	TOYOTA TUNDRA	2013	5TFEY5F18DX147109	KDJ2212	GA
S87	FORD F550	2015	1FDOW5HT1FEA48026	K046835	GA
S88	FORD F250	2015	1FT7W2BT7FEA39633	HXV9323	GA
S89	FORD F450	2016	1FT8W4DT0GEA37270	1M31740	TX
S90	FORD F450	2015	1FDOW4GT4FEC65520	K060362	TX
S92	FORD F450	2015	1FDOW4GTXFED58882	K060363	TX
S94	FORD F250	2016	1FT7W2BT9GEA64034	SSC5760	GA
S95	FORD F250	2016	1FT7W2BT1GEB04736	GXP3240	GA
S97	FORD F250	2016	1FT7W2BT2GEC02271	HHX3761	GA
S98	FORD F250	2016	1FT7W2BT4GEC68885	PKS4684	TX

URETEK USA, INC
FLEET, PLATE/REGISTRATION/INSPECTION

YEAR 2016

#	Vehicle Model	Year	Vin #	Plate #	Garaged
T10	FREIGHTLINER	1999	1FUYSYB6XPA87281	1L36442	TX
T13	FREIGHTLINER	2002	1FUJBBCG82LJ55053	R197359	TX
T14	FREIGHTLINER	2002	1FUJBBCG92LJ55059	R197360	GA
T17	FREIGHTLINER	2005	1FUJBBC35LN99627	R197362	GA
T18	FREIGHTLINER	2005	1FUJBBC85LN99607	R197363	GA
T22	FREIGHTLINER	2009	1FUJGLDR59LAH7315	R197366	GA
T23	FREIGHTLINER	2012	1FUJGBDVOCSBM5805	R252493	TX
T24	12 FREIGHTLINER	2012	1FUJGLDRXCLBE9620	R252494	TX
T27	INTERNATIONAL	2007	1HTMSAAR67H361956	K060364	TX
T28	FORD F750	2014	3FRNF7FC4FV643680	PMC8038	GA
T30	FREIGHTLINER	2012	1FUJGNDV3CDBN8408	R281604	GA
T31	PETERBILT	2017	1XPCD49X8HD367823	R325074	GA
T32	PETERBILT	2018	1XPCDP9X1JD455149	R325075	GA
T47	HINO	2016	5PVNV8JV9G4S55457	K125968	GA
T48	HINO	2016	5PVNV8JV1G4S55467	K054835	TX
T51	PETERBILT	2016	2NP3LJ0X1GM325639	K060915	GA
T52	PETERBILT	2016	2NP3LJ0X9GM326182	K065755	GA
T53	PETERBILT	2018	2NP2HM6X5JM479204	TKT4062	TX
T54	PETERBILT	2018	2NP2HM6X7JM479205	JXW8246	TX
T58	HINO	2005	JHBNE8JT851S10692	ZNK4167	TX
T61	FREIGHTLINER	2014	3ALACWDU0EDFU6993	NKM5577	TX
T62	PETERBILT	2014	1XPHDP9X8ED232750	R507950	TX
T63	INTERNATIONAL	2018	1HTMSTAR0JH529853	K135911	TX
T64	INTERNATIONAL	2018	1HTMSTAR3JH529815	K135811	TX
T65	FREIGHTLINER	2016	3AKJGBDV0GDHA6198	1N39208	GA
TC4	INTERNATIONAL	2003	3HTMPAFN03N574943	K005107	GA
TC5	FORD F650	2006	3FRNF65F06V307921	KHJ7453	GA
H02	FORD F650	2002	3FDNF65Y92MA30468	BL6B514	TX
U30	UTILITY TRAILER	1999	1UYVS2489XU953001	Y55671	TX
U31	GREAT DANE	2002	1GRAA72212B055904	090B516	TX
U35	UTILITY TRAILER	1997	1K9133426V2054558	077B148	TX
U36	UTILITY TRAILER	2000	1K9133427Y2054590	122B979	TX
U39	UTILITY TRAILER	2004	1GRAA72284S701734	Y05340	TX
U40	UTILITY TRAILER	2004	1GRAA72244S701732	122C068	TX
U49	UTILITY TRAILER	2007	1UYVS248X7M207401	107B646	GA
U50	UTILITY TRAILER	2008	1UYVS25368G269302	160B689	GA
U3993	CHEETAH CHASIS	2000	5EF2GC405YB741038	093B68	GA
U4000	CHEETAH CHASIS	2001	5EF2GC4001B744550	093B369	TX
U59	HORTON	2011	5E2G12024B1043351	122C170	GA
U60	HORTON	2013	5E2G12028D1046644	139C149	GA
U65	LONE STAR	2022	3EVBC2020P1103801	299913M	GA
UT10	UTILITY TRAILER	2005	17YGN32225B029215	059B156	TX
UT14	UTILITY TRAILER	2012	16VPX2027C2330397	86440L	TX

URETEK USA, INC
FLEET, PLATE/REGISTRATION/INSPECTION

YEAR 2016

#	Vehicle Model	Year	Vin #	Plate #	Garaged
UT15	UTILITY TRAILER	2012	4ZECH1827C1029524	182117H	TX
UT16	UTILITY TRAILER	2014	5VNBU2021ET122232	178504K	TX
UT17	UTILITY TRAILER	2014	5VNBU2021ET122733	332320M	TX
UT18	UTILITY TRAILER	2014	5VNBU1826ET125559	692352J	TX
UT32	UTILITY TRAILER	1995	1UYVS2453SU568001	07617Z	TX
UT37	UTILITY TRAILER	2001	1UYVS248X1M446907	Y05343	TX
UT42	UTILITY TRAILER	2007	1B9GU25287T867073	986990H	TX
UT43	UTILITY TRAILER	2008	1UYVS25348G269301	107B780	TX
UT46	UTILITY TRAILER	2010	IUYVS2531AP830401	122c184	TX
UT47	UTILITY TRAILER	2016	4P5LY3220G1249396	290315J	TX
UT48	LOAD TRAIL	2016	4ZECH2026G1098261	496818J	TX
UT49	FEATHERLITE	2013	4FGA42021DC128669	63368N	TX
UT50	BIG TEX	2017	16VEX1820H2016250	4PX6246	GA
UT51	BIG TEX	2017	16VHX2023H6034376	695594J	GA
UT52	BIG TEX	2017	16VCX2023H2017983	691792J	GA
UT54	BIG TEX	2019	16VEX2020K2005371	437536M	GA
UT55	BIG TEX	2019	16VEX2026K2001986	338456K	GA
SIT1	EXIS	2000	4LAAU2423410055341	761731H	TX
A34	TOYOTA TUNDRA	2020	5TFAY5F13LX939102	NPP2273	TX
A35	FORD F150	2023	1FTFW1E84PFA46838	SVF5472	TX

Flow Meter Certification

TAG: RESIN

UNIT: U27

Tolerance 1.00%

Status: **PASS**

Flow Meter Information

Manufacturer :	MICRO MOTION	SN:	(27)14500616
Flow Meter Model :	(27)FS100SB1CQBAEZZZZ	SN:	
Core Processor :	PUCK800	SN:	N/A
Transmitter :	(27)1700		

Calibration Verification by Meter & Scale Method

TEST #	Meter LBS	Scale LBS	% Error
1	4.8	4.82	0.416666667
2	5.2	5.25	0.961538462
3	5	5.05	1
Average			0.70%

TAG: ISO

Tolerance 1.00%

Status: **PASS**

Flow Meter Information

Manufacturer :	MICRO MOTION	SN:	(27)14500616
Flow Meter Model :	(27)FS100SB1CQBAEZZZZ	SN:	
Core Processor :	PUCK800	SN:	N/A
Transmitter :	(27)1700		

Calibration Verification by Meter & Scale Method

Test #	Meter LBS	Scale LBS	% Error
1	5.6	5.65	0.892857143
2	4.9	4.94	0.816326531
3	4.8	4.84	0.833333333
Average			0.84%

Scale Certification & Traceability Information

Equipment ID:	Wiggins Scale Company	Temp./HR:	50 F / 80%
Manufacturer:	Ohaus ES Series	Cal Interval:	Annual
Model Number :	PA7600M / 4412	Cal Date:	12/5/2022
Serial Number :	6M-002204 / 802113R	Calibration Result:	PASS
Resolution :	100LBS. / 0.01LBS		

DATE OF CERTIFICATION 1/10/2023

Certified By :Christopher Phelps

Flow Meter Certification

TAG: RESIN

UNIT: 50

Tolerance 1.00%

Status: **PASS**

Flow Meter Information

Manufacturer :	MICRO MOTION	SN:	(50)14690387
Flow Meter Model :	(50)F100SB81C2BAEZZ	SN:	
Core Processor :	PUCK800	SN:	(50)14690388
Transmitter :	(50)2700R12CBEZZZ		

Calibration Verification by Meter & Scale Method

TEST #	Meter LBS	Scale LBS	% Error
1	5.4	5.452	0.962962963
2	5.3	5.345	0.849056604
3	5.4	5.455	1.018518519
Average			0.93%

TAG: ISO

Tolerance 1.00%

Status: **PASS**

Flow Meter Information

Manufacturer :	MICRO MOTION	SN:	(50)14697449
Flow Meter Model :	(50)F100SB81C2BAEZZ	SN:	
Core Processor :	PUCK800	SN:	(50)14697449
Transmitter :	(50)2700R12CBEZZZ		

Calibration Verification by Meter & Scale Method

Test #	Meter LBS	Scale LBS	% Error
1	6.3	6.355	0.873015873
2	6.5	6.555	0.846153846
3	5.4	5.452	0.962962963
Average			0.89%

Scale Certification & Traceability Information

Equipment ID:	2388	Temp./HR:	60 F / 80%
Manufacturer:	TOLEDO CAROLINA	Cal Interval:	Annual
Model Number :	BBA-442-60-1000	Cal Date:	2/20/2023
Serial Number :	2876422-7LH	Calibration Result:	PASS
Resolution :	100LBS. / 0.01LBS		

DATE OF CERTIFICATION 2/21/2023

Certified By : Christopher Phelps

Flow Meter Certification

TAG: RESIN

UNIT: 60

Tolerance 1.00%

Status: **PASS**

Flow Meter Information

Manufacturer :	MICRO MOTION	SN:	(60)14920556
Flow Meter Model :	(60)1700SB81C2BAEZZZ	SN:	
Core Processor :	PUCK800	SN:	(60)33709620
Transmitter :	(60)2700R12CBAEZZZ		

Calibration Verification by Meter & Scale Method

TEST #	Meter LBS	Scale LBS	% Error
1	5.4	5.45	0.925925926
2	5.4	5.44	0.740740741
3	5.3	5.35	0.943396226
Average			0.86%

TAG: ISO

Tolerance 1.00%

Status: **PASS**

Flow Meter Information

Manufacturer :	MICRO MOTION	SN:	(60)14933357
Flow Meter Model :	(60)1700SB81C2BAEZZZ	SN:	
Core Processor :	PUCK800	SN:	(60)3440220
Transmitter :	(60)2700R12CBAEZZZ		

Calibration Verification by Meter & Scale Method

Test #	Meter LBS	Scale LBS	% Error
1	6.7	6.76	0.895522388
2	6.6	6.67	1.060606061
3	6.4	6.46	0.9375
Average			0.96%

Scale Certification & Traceability Information

Equipment ID:	Wiggins Scale Company	Temp./HR:	50 F / 80%
Manufacturer:	Ohaus ES Series	Cal Interval:	Annual
Model Number :	PA7600M/4412	Cal Date:	12/5/2022
Serial Number :	6M-002204/802113R	Calibration Result:	PASS
Resolution :	100LBS./0.01LBS		

DATE OF CERTIFICATION 1/10/2023

Certified By :Christopher Phelps



January 17, 2024

Port of Newport
Newport, Oregon

Past projects over 500sf in past 3 years

URETEK has completed the following projects:

Alaska Native Tribes Health Consortium-2023
Roger Hickel Contracting
Anchorage, AK
38,797sf with injections to -32ft

T-Mobile PDX-2022
Andersen Construction
Portland, OR
20,000sf with injections to -40ft

PDX - 2024
Interior Exterior Specialties
Portland, OR
4200sf with injections to -4'

John Schmidt
Project Manager OR/WA/AK

URETEK USA, Inc.
(503) 730-4450
jschmidt@uretekusa.com
www.uretekusa.com

REX KLENTZMAN, P.E.

DIRECTOR OF ENGINEERING, URETEK USA, INC.

LICENSED P.E.: TX, FL, WV, KY, LA, NY, MD, IL, VA, MI

Experience

URETEK USA, Director of Engineering Tomball TX (September 2017 – Present)

- Consult on Polyurethane Grouting Ground Improvement Projects relating to transportation infrastructure
- Coordinate and execute testing regimens with the goal of ground improvement verification
- Present Engineering solutions to potential clients in a concise and direct manner
- Educate sales staff design innovative and cost effective solutions for land development projects
- Review geotechnical reports and recommend pavement remediation designs

URETEK ICR, Engineering Support Manager Tomball TX (September 2014 - Present)

- Consult on Polyurethane Grouting Ground Improvement Projects relating to underground infrastructure, structural foundations, dewatering and shoreline stabilization
- Review geotechnical reports and recommend structural foundation remediation programs
- Develop training and educational materials for internal and public distribution
- Review geotechnical reports and recommend structural foundation remediation programs

Bleyl & Associates, Engineer Austin & Conroe TX (October 2008 - Present)

- Prepare construction documents; developed grading plans, cost estimates, utility plans, engineering reports and contract documents
- Provide construction oversight; conduct site visits, respond to requests for information and approve pay requests
- Design innovative and cost effective solutions for land development projects
- Review geotechnical reports and recommend pavement designs
- Develop and Maintain excellent relationships; stay in contact with all clients, respond promptly to inquiries, develop relationships with potential clients

Doucet & Associates, Engineer Austin TX (January 2006 – October 2008)

- Facilitate site permitting and platting with utility companies and the City of Austin and surrounding areas
- Manage project deadlines and give instructions to drafters
- Conduct hydraulic and hydrologic drainage studies, design storm water infrastructure
- Coordinate commercial and residential site and subdivision design with clients and design team

Uretek ICR Central Texas, Technician/Sales Austin TX (August 2004 – October 2004, Summer 2001)

- Apply the Uretek Method to resolve problem areas in sunken concrete
- Prepare project bids and make sales visits to potential clients

Uretek USA, Technician Houston TX (Summer & Fall 1998, Summer 1999)

- Apply the Uretek Method to resolve problem areas in sunken concrete

Education

Texas A&M University College Station, TX (1999-2003)

- Bachelor of Science, Civil Engineering, GPA 3.2



July 28, 2023

Uretek USA
13900 Humble Road
Tomball, TX 773775

Re: Workers Compensation Experience Modifier

To Whom It May Concern:

IBTX is the insurance agent for Uretek, USA. Please see below for current and past 5 years of experience modifier rates.

Effective Date of Modifier	Modifier Rate
7/1/2023	.66
7/1/2022	.65
7/1/2021	.76
7/1/2020	.76
7/1/2018	.84

Sincerely,

Bryan K. Moore

President



7 June 2019

URETEK USA
P.O. Box 1929
Tomball, TX 77377

The purpose of this letter is to provide a summary of the results reported in EA Engineering, Science, and Technology's final report titled "Results of Acute and Chronic Toxicity Testing on a TCLP Leachate Sample Prepared from a Uretek USA Foam Sample" (EA Report # 7002). The testing was conducted in order to satisfy the requirements of the Minnesota Department of Transportation Product Hazard Evaluation Process. The testing consisted of aquatic and terrestrial toxicity testing, and chemical analyses (RCRA metals, TOC and COD). As a part of the MNDOT requirements the toxicity test results needed to show a lack of toxicity at 100 ppm TCLP leachate, and the testing indicated that for all three test species, there was no observed toxicity. Furthermore, at MNDOT's request, we also tested 200 ppm TCLP leachate, and the Uretek samples tested were also non-toxic for all test species at double the pass/fail criterion.

Sincerely,

Michael K. Chanov II

A handwritten signature in black ink, appearing to read "Michael K. Chanov II". The signature is stylized and cursive.

Director,
Ecotoxicology Laboratory



EA Engineering, Science,
and Technology, Inc.

RESULTS OF ACUTE AND CHRONIC TOXICITY TESTING
ON A TCLP LEACHATE SAMPLE PREPARED FROM
A URETEK USA FOAM SAMPLE

Prepared for:

Uretek USA
P.O. Box 1929
Tomball, Texas 77377

Prepared by:

EA Engineering, Science, and Technology, Inc.
231 Schilling Circle
Hunt Valley, Maryland 21031
For questions, please contact Wayne McCulloch
ph: 410-584-7000

Results relate only to the items tested or to the samples as received by the laboratory.

*This report shall not be reproduced, except in full, without written approval of
EA Engineering, Science, and Technology, Inc.*

This report contains 15 pages plus 3 attachments.

Wayne L. McCulloch
Laboratory Director

15 October 2014
Date

EA Project Number 70005.08

Printed on sustainable wood forest paper using soy-based ink



EA Report Number 7002

1. INTRODUCTION

At the request of Urettek USA, EA Engineering, Science, and Technology, Inc. performed toxicity testing on a sample of TCLP Leachate prepared by Eurofins Lancaster Laboratories Environmental (hereafter, Eurofins) on a sample of Urettek final foam product. The toxicity tests included definitive, multi-concentration chronic toxicity tests with *Ceriodaphnia dubia* (water flea), and *Pimephales promelas* (fathead minnow), and a 10-day acute toxicity test with the redworm, *Eisenia fetida*. The objective of the testing was to evaluate the acute and chronic effects on the organisms exposed to the TCLP Leachate sample, as compared to the organisms exposed to the laboratory control. Additionally, Eurofins performed selected chemical analyses (RCRA metals, TOC and COD) on the TCLP Leachate. Eurofins also performed RCRA metal analysis of the Part A and Part B components of the foam product. The results of the toxicity testing and the chemical analyses are included in this report.

2. METHODS AND MATERIALS

2.1 TEST MATERIAL DESCRIPTIONS

Eurofins provided a TCLP Leachate sample prepared from a Uretek foam sample to EA's Ecotoxicology Laboratory. The sample was couriered to EA's Ecotoxicology Laboratory in Hunt Valley, Maryland, and arrived on 19 September 2014. Upon receipt at EA, the sample was logged in and assigned EA laboratory accession number AT4-460. The initial pH of the TCLP Leachate sample upon receipt was 5.0. The pH of the sample was adjusted up to 7.5 with NaOH per guidance from Dr. Robert Edstrom (MNDOT).

2.2 TEST ORGANISMS

The *Ceriodaphnia dubia* (water flea) were obtained from EA's Culture Facility in Hunt Valley, Maryland. The *C. dubia* were cultured in moderately hard synthetic freshwater, and the cultures were kept in an environmentally controlled room at 25°C with a 16-hour light/8-hour dark photoperiod. Organisms were fed daily a suspension of yeast/cereal leaves/trout chow supplemented with the algae *Pseudokirchneriella subcapitata* as described in US EPA (2002a). Individual adults were maintained in 30 ml cups. Gravid adults were reisolated during the day prior to the initiation of toxicity testing to ensure that neonates (young) produced were less than 24 hours old, had all been released within an 8-hour period, and all neonates were produced in broods of 8 or more from individual females.

The *Pimephales promelas* (fathead minnow) were obtained from EA's Culture Facility in Hunt Valley, Maryland. Brood organisms were maintained in recirculating dechlorinated tap water at 25°C in 20-gallon aquaria. Eggs produced from the brood system were removed from the brood aquaria and placed into culture water at 25°C until hatched. Hatched larvae were acclimated to the test temperature of 25°C prior to testing. The larvae utilized for testing were all less than 24 hours old at test initiation.

The adult redworm *Eisenia fetida* were obtained from Carolina Biological Supply Company, Burlington, North Carolina. The lot of *E. fetida* (EF-037) was received at EA on 17 September 2014.

2.3 DILUTION WATERS AND ARTIFICIAL SOIL

Test solutions for the *C. dubia* and *P. promelas* chronic toxicity tests were prepared with moderately hard synthetic freshwater (80-100 mg/L CaCO₃). Batches of this water were made by passing deionized water through activated carbon and adding reagent grade chemicals per US EPA guidance (2002a), and aerating overnight. The water was stored up to 14 days at 25°C under gentle aeration, until needed. Moderately hard synthetic freshwater was also used as the control water for these tests, and as culture water for the *C. dubia*.

Dechlorinated tap water was used as culture water for the *P. promelas*. The source of the tap water was the City of Baltimore municipal water system. Upon entering the laboratory, the water passed through a high-capacity, activated-carbon filtration system to remove any possible contaminants such as chlorine and trace organic compounds. This water source has proven safe for aquatic organism toxicity testing at EA as evidenced by maintenance of the multigeneration *H. azteca*, and fathead minnow cultures with no evident loss of fecundity.

An artificial soil was used as the control for the redworm toxicity test. The artificial soil was prepared by combining 10 percent sphagnum peat moss, 20 percent kaolinite clay, and 70 percent fine silica sand on a dry weight basis. The pH of the artificial soil was adjusted to pH 7.0 ± 0.5 with the addition of calcium carbonate. Prior to use in testing, the soil was hydrated to a target of 45 percent moisture at test initiation with dechlorinated tap water.

2.4 TOXICITY TEST OPERATIONS AND PERFORMANCE

Toxicity testing was conducted following EA's standard operating procedures (EA 2013) which are in accordance with US EPA guidance (2002a, 2002b). The results of the acute and chronic toxicity tests were analyzed using the ToxCalc statistical software package (Version 5.0,

Tidepool Scientific Software) and follow US EPA guidance (US EPA 2002a, 2002b). The acute toxicity test endpoint is expressed as the 10-day (*E. fetida*) median lethal concentration (LC50). The short-term chronic toxicity test endpoints are expressed as the No Observed Effect

Concentration (NOEC), the Lowest Observed Effect Concentration (LOEC), the Chronic Value (ChV), and the 25 Percent Inhibition Concentration (IC25).

The definitions of the chronic toxicity test endpoints are as follows:

- No Observed Effect Concentration (NOEC) - The highest concentration of toxicant to which organisms are exposed in a full life-cycle or partial life-cycle test, that causes no statistically significant adverse effect on the observed parameter (usually hatchability, survival, growth, or reproduction).
- Lowest Observed Effect Concentration (LOEC) - The lowest concentration of toxicant to which organisms are exposed in a life-cycle or partial life-cycle test, which causes a statistically significant adverse effect on the observed parameter (usually hatchability, survival, growth, or reproduction).
- Chronic Value (ChV) - A point estimate of the presumably safe (no-effect) concentration, lying between the NOEC and LOEC, and derived by calculating the geometric mean of the NOEC and LOEC.
- 25 Percent Inhibition Concentration (IC25) – A point estimate of the concentration that causes a 25 percent decrease in the observed parameter (usually hatchability, survival, growth, or reproduction).

Attachment I contains copies of the original data sheets and statistical analyses. The Eurofins analytical report is included as Attachment II. The Report Quality Assurance Record is included as Attachment III.

2.4.1 *Ceriodaphnia dubia* Chronic Toxicity Testing

The *Ceriodaphnia dubia* chronic toxicity test was conducted in 30 ml cups with 15 ml of test solution per cup. The definitive toxicity test utilized a test concentration series of control, 18, 32, 56, 100 and 200 mg/L TCLP Leachate. The test had 10 replicates per concentration and control, with one organism per replicate, for a total of 10 organisms exposed per test concentration and

control. To initiate the chronic toxicity test, neonates (<24 hours old) were assigned to the test chambers using the known parentage (blocking) procedure. The test were maintained at $25\pm 1^{\circ}\text{C}$ with a 16-hour light/8-hour dark photoperiod. Daily renewals of test solutions were performed by transferring the test organisms to new cups containing freshly prepared test solutions. Test organisms were fed daily with trout chow/yeast/cereal leaves solution supplemented with algae (*S. capricornutum*) as described in US EPA (2002). Temperature, dissolved oxygen, conductivity, and pH were measured in one replicate of each concentration and the controls for new and old test solutions daily during the test. Water quality measurements, mortality observations and young counts were made daily throughout the study and were recorded on the data sheets.

2.4.2 *Pimephales promelas* Chronic Toxicity Testing

The *P. promelas* chronic toxicity test was conducted in 1,000 ml beakers, with each beaker containing 250 ml of test solution. For the definitive chronic toxicity tests, each test concentration and the control had four replicates of ten organisms, for a total of 40 organisms exposed per test concentration and control. The test concentration series for the *P. promelas* chronic toxicity test was: control, 18, 32, 56, 100 and 200 mg/L TCLP Leachate. The tests were performed at $25\pm 1^{\circ}\text{C}$ with a 16-hour light/8-hour dark photoperiod. The test solutions were renewed each day by siphoning approximately 80 percent of the old test solution from the beaker, and replacing with freshly prepared test solution. Observations of mortality were recorded daily, and dead organisms were removed when observed. Temperature, pH, dissolved oxygen, and conductivity measurements were recorded on one replicate of each concentration daily on the new and old test solutions. The *P. promelas* larvae were fed 0.10 ml of a 0.05 g/ml suspension of newly hatched brine shrimp nauplii (*Artemia* sp., less than 24 hours old) daily.

2.4.4 *Eisenia fetida* Acute Toxicity Testing

The 10-day soil toxicity test with *Eisenia fetida* was conducted in accordance with ASTM Standard E 1676-04. The definitive acute toxicity test utilized a test concentration series of control, 18, 32, 56, 100 and 200 mg/L TCLP Leachate.

The toxicity test was performed in 500 ml wide-mouth glass jars equipped with screw-top lids with a screened hole for air exchange. The test concentrations were added to the test chambers a minimum of 24 hours before the worms were introduced to allow the temperature of the soils to reach the target test temperature. The test concentrations were hydrated with dechlorinated tap water in order to achieve a water holding capacity of 35-45 percent at test initiation.

Each test concentration and control had three replicate test chambers, with 10 worms per replicate. Organisms were selected for testing based on maturity, uniformity of size, and absence of morphological abnormalities. The organisms used in the test were a minimum of 300 mg each. At test initiation, ten worms were randomly loaded into the test chambers. The test chambers were maintained in an environmentally controlled laboratory at 20±1°C with a 16 hour light:8 hour dark photoperiod. The worms were not fed during the 10-day exposure period.

On Day 10, the soil from each replicate was removed from the test chamber and spread out in a 9 x 11 inch Pyrex baking dish. Adult worms were removed from the soil and the number of surviving adult worms was recorded. Death was defined by lack of response to a gentle prod.

2.5 REFERENCE TOXICANT TESTS

In conformance with EA's quality assurance/quality control program, reference toxicant tests were performed on the in-house cultured organisms (*Ceriodaphnia dubia*, and *Pimephales promelas*) and on the acquired organism stock of *Eisenia fetida*. The results of each reference toxicant test were compared to EA's established control chart limits. The reference toxicants used were potassium chloride (KCl) for *C. dubia* and *P. promelas* and 2-chloroacetamide for *E. fetida*.

2.6 ARCHIVES

Original data sheets, records, memoranda, notes, and computer printouts are archived at EA's Baltimore Office in Hunt Valley, Maryland. These data will be retained for a period of 5 years unless a longer period of time is requested by Uretex USA.

3. RESULTS AND DISCUSSION

The goal of the toxicity testing program was to evaluate the acute and chronic toxicity of the TCLP Leachate sample prepared by Eurofins for Uretex to selected test species. The results of these toxicity tests comply with current NELAC standards where applicable.

3.1 *Ceriodaphnia dubia* CHRONIC TOXICITY TEST

The results of the *C. dubia* definitive chronic renewal toxicity tests are presented in Table 1. At test termination at the end of six days there was 100 percent survival in all of the test concentrations and in the laboratory control. The 6-day LC50 value for the chronic toxicity test was >200 mg/L TCLP Leachate. Mean young production in the TCLP Leachate concentrations ranged from 27.0 to 30.2 neonates per organism, none of which were significantly different ($p=0.05$) from the control mean young production of 30.1 neonates per organism. Based on this data for the chronic toxicity test, the 6-day NOEC was 200 mg/L TCLP Leachate. The LOEC, ChV and IC25 were all >200 mg/L TCLP Leachate. Water quality parameters (temperature, pH, dissolved oxygen and conductivity) measured on the new and old test solutions of the chronic toxicity test are also presented in Table 1.

3.2 *Pimephales promelas* CHRONIC TOXICITY TEST

Table 2 presents the results of the *Pimephales promelas* definitive chronic renewal toxicity test. At test termination on day 7, there was a minimum of 95 percent survival in all of the TCLP Leachate concentrations and in the control. The resulting 7-day LC50 value for the chronic toxicity test was >200 mg/L TCLP Leachate. At test termination, mean biomass in the TCLP Leachate concentrations ranged from 0.755 to 0.824 mg per organism, and none were significantly different from the control mean biomass of 0.838 mg per organism. The 7-day NOEC for the *P. promelas* chronic toxicity test was 200 mg/L TCLP Leachate. The LOEC, ChV and IC25 were all > 200 mg/L. Water quality parameters (temperature, pH, dissolved oxygen and conductivity) measured on the new and old test solutions of the chronic toxicity test are also presented in Table 2.

TCLP Leachate concentrations ranged from 0.755 to 0.824 mg per organism, and none were significantly different from the control mean biomass of 0.838 mg per organism. The 7-day NOEC for the *P. promelas* chronic toxicity test was 200 mg/L TCLP Leachate. The LOEC, ChV and IC25 were all > 200 mg/L. Water quality parameters (temperature, pH, dissolved oxygen and conductivity) measured on the new and old test solutions of the definitive chronic toxicity test are also presented in Table 2.

3.3 *Eisenia fetida* ACUTE TOXICITY TEST

The results of the definitive acute toxicity test with *Eisenia fetida* are presented in Table 3. At the end of the 10-day test, there was a minimum of 97 percent survival in all TCLP Leachate concentrations, and there was 100 percent survival in the control. Therefore, in the definitive acute toxicity test, the 10-day LC50 was >200 mg/L TCLP Leachate. A summary of the test temperature measurements recorded during the 10-day test period are also presented on Table 3.

3.6 REFERENCE TOXICANT TESTING

The results of the reference toxicant tests conducted on the EA-cultured and acquired organisms used in the definitive toxicity tests for this study are reported in Table 4. The reference toxicant test results were within acceptable control charts limits for the test species.

4. REFERENCES

- American Society for Testing and Materials (ASTM). 2004. Standard Guide for Conducting Laboratory Soil Toxicity or Bioaccumulation Tests with the Lumbricid Earthworm *Eisenia fetida* and the Enchytraeid Potworm *Enchytraeus albidus*. ASTM Designation: E1676-04, Philadelphia, Pennsylvania.
- EA. 2013. EA Ecotoxicology Laboratory Quality Assurance and Standard Operating Procedures Manual. EA Manual ATS-102. Internal document prepared by EA's Ecotoxicology Laboratory, EA Engineering, Science, and Technology, Inc., Hunt Valley, Maryland.
- US EPA. 2002a. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. Fifth Edition. EPA-821-R-02-012. U.S. Environmental Protection Agency, Office of Water, Washington, DC.
- US EPA. 2002b. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. EPA-821-R-02-013. U.S. Environmental Protection Agency, Office of Water, Washington, DC.

TABLE 1 RESULTS OF *Ceriodaphnia dubia* CHRONIC TOXICITY TESTING ON A TCLP LEACHATE SAMPLE FROM URETEK USA

Test Species: ***Ceriodaphnia dubia* (water flea)**
 Sample Description: TCLP Leachate Sample
 Sample Receipt: 19 September 2014
 EA Test Number: TN-14-439

Test Concentration (mg/L TCLP Leachate)	6-Day Percent Survival	Mean Young Production as Neonates/Organism (\pm S.D.)
Control	100	30.1 (\pm 3.5)
18	100	28.6 (\pm 4.5)
32	100	28.2 (\pm 2.9)
56	100	28.6 (\pm 6.0)
100	100	27.0 (\pm 5.2)
200	100	30.2 (\pm 5.0)

Chronic Toxicity Test Endpoints (as mg/L TCLP Leachate)

NOEC: 200
 LOEC: >200
 ChV: >200
 IC25: >200
 PSMD: 15.7

<u>Water Quality Parameters on Test Solutions</u>	<u>Range</u>
Temperature ($^{\circ}$ C):	24.0 – 25.1
pH:	7.6 – 8.4
Dissolved Oxygen (mg/L):	7.9 – 8.7
Conductivity (μ S/cm):	318 – 349

TABLE 2 RESULTS OF *Pimephales promelas* CHRONIC TOXICITY TESTING ON A TCLP LEACHATE SAMPLE FROM URETEK USA

Test Species: *Pimephales promelas* (fathead minnow)
 Sample Description: TCLP Leachate Sample
 Sample Receipt: 19 September 2014
 EA Test Number: TN-14-440

Test Concentration (mg/L TCLP Leachate)	7-Day Percent Survival	Mean Biomass as mg/Organism (\pm S.D.)
Control	95	0.838 (\pm 0.043)
18	95	0.755 (\pm 0.072)
32	98	0.801 (\pm 0.060)
56	95	0.816 (\pm 0.078)
100	98	0.824 (\pm 0.111)
200	98	0.802 (\pm 0.064)

Chronic Toxicity Test Endpoints (as mg/L TCLP Leachate)

NOEC: 200
 LOEC: >200
 ChV: >200
 IC25: >200
 PMSD: 15.1

Water Quality Parameters on Test Solutions	Range
Temperature ($^{\circ}$ C):	24.0 – 25.4
pH:	7.6 – 8.4
Dissolved Oxygen (mg/L):	6.1 – 8.4
Conductivity (μ S/cm):	318 – 341

TABLE 3 RESULTS OF *Eisenia fetida* ACUTE TOXICITY TESTING ON A TCLP LEACHATE SAMPLE FROM URETEK USA

Test Species: *Eisenia fetida* (redworm)
 Sample Description: TCLP Leachate Sample
 Sample Receipt: 19 September 2014
 EA Test Number: TN-14-436

<u>Test Concentration (mg/L TCLP Leachate)</u>	<u>10-Day Percent Survival</u>
Control	100
18	100
32	97
56	97
100	100
200	100
10-day LC50 (mg/L)	>200

<u>Selected Test Parameter</u>	<u>Range</u>
Temperature (°C):	20.4 – 21.9

TABLE 4 RESULTS OF REFERENCE TOXICANT TESTS ASSOCIATED WITH URETEK USA TESTING

Test Species	Reference Toxicant	Endpoint	Acceptable Control Chart Limits
<i>Ceriodaphnia dubia</i>			
September 2014	Potassium chloride (KCl)	IC25: 436 mg/L KCl	149-459 mg/L KCl
<i>Pimephales promelas</i>			
September 2014	Potassium chloride (KCl)	IC25: 611 mg/L KCl	496-717 mg/L KCl
<i>Eisenia fetida</i>			
September 2014	2-Chloroacetamide	96-Hour LC50: 141 mg/L 2-Chloroacetamide	14-249 mg/L 2-Chloroacetamide

TABLE 5 RESULTS OF CHEMICAL ANALYSES PERFORMED ON URETEK USA FOAM PRODUCTS^(a)

Analyte	TCLP Leachate	Uretek 4R ISO (Part "A")	Uretek 4R Resin (Part "B")
Arsenic	<0.0072 mg/L	<0.634 mg/kg	<0.610 mg/kg
Barium	0.147 mg/L	<0.0327 mg/kg	0.0514 mg/kg ^(b)
Cadmium	<0.00033 mg/L	<0.0327 mg/kg	<0.0314 mg/kg
Chromium	0.0018 mg/L ^(b)	<0.109 mg/kg	<0.105 mg/kg
Lead	<0.0047 mg/L	<0.495 mg/kg	<0.476 mg/kg
Selenium	<0.0048 mg/L	<0.436 mg/kg	<0.419 mg/kg
Silver	<0.0018 mg/L	<0.188 mg/kg	<0.181 mg/kg
Tin	0.02117 mg/L	0.638 mg/kg ^(b)	28.3 mg/kg
Mercury	<0.000060 mg/L	<0.0097 mg/kg	<0.0097 mg/kg
TOC	2,650 mg/L	N/A	N/A
BOD	17.4 mg/L	N/A	N/A

(a) For detailed analyses, see Eurofins report in Attachment II.

(b) Estimated Value – The results is \geq the Method Detection Limit (MDL) and $<$ the Limit of Quantitation (LOQ).

ATTACHMENT I

Data Sheets and Statistical Analyses
(32 pages)



**SAMPLE CHECK-IN
FOR TESTING**

Client: Uetek

EA Accession Number: AT4-460 TCLP Leachate

Parameter	Acceptable Range	Measurement*	Date	Time	Initials
Temperature (°C)	≤4	1.3°C	9/19/14	1004	WJM
Is ice present?	---	YES	↓	↓	↓
pH	6.0-9.0	5.0			
TRC (mg/L)	<0.01	NA			
Visual Description	---	CLEAR			

***If outside acceptable range, contact project manager.**

OTHER PARAMETERS IF REQUIRED (SEE STUDY PLAN):

Parameter	Acceptable Range	(✓)	Date	Time	Initials
Ammonia (preserve aliquot)	--				
Parameter	Acceptable Range	Measurement*	Date	Time	Initials
Salinity (ppt)	--				



C. dubia CHRONIC TOXICITY TEST DATA SHEET

Test Method: EPA 821-R-02-013 (1002.0)

Beginning Date: 9/23/14 Time: 1015

Project Number: 70005.08

Ending Date: 9/29/14 Time: 1410

Client: Uretex

QC Test Number: TN-14-439

Adults Isolated Date: 9/22/14 Time: 1209

Test Material: Leachate

Neonates Pulled Date: 9/22/14 Time: 1620

Accession Number: AT4-460

Age of Neonates: <24 hrs Brood Size: 8+

Dilution Water: Mod Hard

Source: EA

Accession Number: LD4-408

Culture Water Temperature: 24.7 °C

Test Container: 30 mL cup Test Volume: 15 mL

Photoperiod: 16 L, 8 d Light Intensity: 50 - 100 fc

TEST SET-UP

TEST INITIATION				CONCENTRATION SERIES		
Date	Time	Initials	Activity	Test Concentration	Volume Test Material	Final Volume
9/23/14	0930	WJ	Dilutions Made	Mod Hard Control		200ml
				18 ppm	SEE ATTACHED	
	0938		Test Vessels Filled	32 ppm		
				56 ppm		
	1015		Organisms Transferred	100 ppm		
				200 ppm		
	1041	MJ	Head Counts			

Comments:

INTERMEDIATE DILUTION PREPARATION AND FEEDING

DILUTION PREPARATION

FEEDING

Day	Date	Time	Initials	Sample / Diluent	Day	Date	Time	Initials	Amount
0	9/23/14	0930	WJ	AT4-460 LD4-408	0	9/23/14	1017	WJ	200µl
1	9/24/14	0836	MJ	AT4-460 LD4-409	1	9/24/14	0911	MJ	200µl
2	9/25/14	0847	WJ	AT4-460 LD4-411	2	9/25/14	1030	WJ	200µl
3	9/26/14	1005	MJ	AT4-460 LD4-412	3	9/26/14	1115	MJ	200µl
4	9/27/14	0914	MJ	AT4-460 LD4-416	4	9/27/14	1302	MJ	200µl
5	9/28/14	0940	WJ	AT4-460 LD4-417	5	9/28/14	1200	WJ	200µl
6					6				



Ceriodaphnia dubia CHRONIC TOXICITY TEST

Client: Uretex

QC Test Number: TN-14-439

First column=# neonates ; Second column = 0 (female), 1 (dead female), 2 (male), 3 (dead male), 9 (lost replicate)

Concentration	Day	1	2	3	4	5	6	7	8	9	10	Time/Initials
Mod Hard Control	1	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0903 MJ
	2	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	1012 UJ
	3	4 0	6 0	5 0	5 0	3 0	3 0	5 0	4 0	5 0	5 0	1109 MJ
	4	0 0	8 0	8 0	7 0	8 0	6 0	4 0	9 0	9 0	2 0	1254 MJ
	5	13 0	0 0	0 0	0 0	0 0	0 0	1 0	0 0	0 0	12 0	1125 UJ
	6	19 0	16 0	15 0	17 0	18 0	14 0	21 0	17 0	17 0	15 0	1410 UJ
	7											
Total # Neonates:		36	30	28	29	29	23	31	30	31	34	

Concentration	Day	1	2	3	4	5	6	7	8	9	10	Time/Initials
18 ppm	1	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	MJ
	2	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	UJ
	3	7 0	2 0	5 0	6 0	4 0	5 0	3 0	5 0	5 0	6 0	MJ
	4	8 0	6 0	6 0	8 0	9 0	9 0	6 0	8 0	8 0	2 0	MJ
	5	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	12 0	UJ
	6	15 0	16 0	18 0	18 0	13 0	19 0	14 0	14 0	12 0	17 0	UJ
	7											
Total # Neonates:		28	24	29	32	26	33	23	27	25	37	

Concentration	Day	1	2	3	4	5	6	7	8	9	10	Time/Initials
32 ppm	1	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	MJ
	2	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	UJ
	3	3 0	4 0	6 0	5 0	2 0	4 0	4 0	5 0	4 0	2 0	MJ
	4	9 0	8 0	7 0	2 0	10 0	8 0	8 0	5 0	10 0	0 0	MJ
	5	0 0	0 0	0 0	10 0	0 0	0 0	0 0	0 0	0 0	12 0	UJ
	6	16 0	14 0	15 0	17 0	14 0	14 0	15 0	14 0	17 0	16 0	UJ
	7											
Total # Neonates:		28	26	28	34	28	26	27	24	31	30	

Concentration	Day	1	2	3	4	5	6	7	8	9	10	Time/Initials
56 ppm	1	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	MJ
	2	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	UJ
	3	3 0	3 0	5 0	4 0	0 0	5 0	4 0	5 0	3 0	2 0	MJ
	4	9 0	8 0	11 0	6 0	6 0	8 0	0 0	0 0	9 0	4 0	MJ
	5	0 0	0 0	0 0	0 0	0 0	0 0	12 0	11 0	6 0	14 0	UJ
	6	15 0	16 0	16 0	12 0	16 0	14 0	15 0	12 0	15 0	23 0	UJ
	7											
Total # Neonates:		27	27	32	22	22	27	31	28	27	43	

Concentration	Day	1	2	3	4	5	6	7	8	9	10	Time/Initials
100 ppm	1	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	MJ
	2	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	UJ
	3	6 0	3 0	4 0	3 0	3 0	4 0	4 0	3 0	4 0	6 0	MJ
	4	0 0	9 0	10 0	8 0	10 0	5 0	11 0	6 0	10 0	0 0	MJ
	5	11 0	0 0	0 0	0 0	0 0	0 0	0 0	13 0	0 0	14 0	UJ
	6	14 0	14 0	16 0	11 0	13 0	16 0	12 0	3 0	12 0	18 0	UJ
	7											
Total # Neonates:		31	26	30	22	26	25	27	19	26	38	

Concentration	Day	1	2	3	4	5	6	7	8	9	10	Time/Initials
200 ppm	1	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	MJ
	2	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	UJ
	3	5 0	4 0	4 0	4 0	3 0	7 0	5 0	4 0	4 0	5 0	MJ
	4	0 0	8 0	11 0	9 0	0 0	0 0	10 0	0 0	1 0	0 0	MJ
	5	13 0	0 0	0 0	0 0	9 0	9 0	0 0	13 0	14 0	7 0	UJ
	6	17 0	8 0	17 0	18 0	12 0	14 0	21 0	13 0	16 0	17 0	UJ
	7											
Total # Neonates:		35	20	32	31	24	30	36	30	35	29	

Neonate totals checked (date, initials): 9/30/14 CH

1,500 ml Total Volume

Leachate = 1,000,000 ppm

Stock A (1 ml leachate: 99 ml mod hard) = 10,000 ppm (10 mg/ml)

200 mg/L Add 30 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

100 mg/L Add 15 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

56 mg/L Add 8.4 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

32 mg/L Add 4.8 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

18 mg/L Add 2.7 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

Mod Hard Control

1,000 ml Total Volume

Leachate = 1,000,000 ppm

Stock A (1 ml leachate: 99 ml mod hard) = 10,000 ppm (10 mg/ml)

200 mg/L Add 20 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

100 mg/L Add 10 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

56 mg/L Add 5.6 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

32 mg/L Add 3.2 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

18 mg/L Add 1.8 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

Mod Hard Control



TOXICITY TEST WATER QUALITY DATA SHEET - NEW SOLUTIONS

Project Number: 70005.08 TEST ORGANISM: 9/23/14 Beginning Date: 9/23/14 Time: 1015
 Client: Urefek Common Name: Water flea Ending Date: 9/29/14 Time: 1410
 QC Test Number: TN-14-439 Scientific Name: C. dubia

TARGET VALUES: Temp: 25±1 °C pH: 6.0 - 9.0 DO: ≥4.0 mg/L Salinity: 0 ppt Photoperiod: 16L, 8D Light Intensity: 50 - 100 fc

Test Conc	Rep	Temperature (°C)						pH						Dissolved Oxygen (mg/L)						Conductivity (µS/cm) Salinity (ppt)												
		0	1	2	3	4	5	6	0	1	2	3	4	5	6	0	1	2	3	4	5	6	0	1	2	3	4	5	6			
MH Control		24.1	24.2	24.0	24.0	24.5	24.5	8.4	7.7	8.1	7.9	7.6	7.7	8.2	8.4	8.3	8.4	8.2	8.3	323	324	322	323	319	320							
18 ppm		24.1	24.5	24.0	24.0	24.6	24.5	8.3	7.7	8.0	7.9	7.7	7.8	8.4	8.4	8.4	8.4	8.2	8.3	323	325	323	322	319	320							
32 ppm		24.1	24.6	24.0	24.4	24.9	24.5	8.2	7.7	8.0	7.9	7.7	7.7	8.4	8.4	8.5	8.4	8.3	8.3	324	324	323	321	319	321							
56 ppm		24.1	24.5	24.0	24.4	25.0	24.5	8.1	7.7	8.0	7.9	7.7	7.7	8.4	8.4	8.6	8.4	8.2	8.3	324	324	323	322	318	322							
100 ppm		24.1	24.6	24.0	24.4	25.1	24.5	8.1	7.7	8.0	7.9	7.8	7.8	8.4	8.3	8.6	8.4	8.3	8.3	325	324	323	323	318	321							
200 ppm		24.1	24.6	24.0	24.4	25.0	24.5	8.0	7.7	8.0	7.9	7.8	7.9	8.4	8.4	8.6	8.4	8.3	8.3	326	325	325	323	319	323							
Meter Number		678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678							
Time		0935	0945	0855	1011	0920	1017	0935	0845	0855	1011	0920	1017	0935	0845	0855	1011	0920	1017	0935	0845	0855	1011	0920	1017							
Initials		VX	MS	VX	MS	VX	VX	VX	MS	VX	MS	VX	VX	VX	MS	VX	MS	VX	VX	VX	MS	VX	MS	VX	VX							



TOXICITY TEST WATER QUALITY DATA SHEET - OLD SOLUTIONS

Project Number: 70005.08 TEST ORGANISM: 9/23/14 Beginning Date: 9/23/14 Time: 1015
 Client: Uretek Common Name: Water flea Ending Date: 9/29/14 Time: 1410
 QC Test Number: TN-14-439 Scientific Name: C. dubia

TARGET VALUES: Temp: 25±1 °C pH: 6.0-9.0 DO: ≥4.0 mg/L Salinity: 0 ppt Photoperiod: 16L8d Light Intensity: 50 - 100 fc

Test Conc	Rep	Temperature (°C)							pH							Dissolved Oxygen (mg/L)							Conductivity (µS/cm) Salinity (ppt)									
		1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7			
MH Control		24.0	24.1	24.4	24.7	24.7	24.3	7.9	7.9	8.0	8.2	8.1	7.9	8.5	8.5	8.6	8.5	7.9	8.1	334	349	339	333	328	333							
18 ppm		24.0	24.1	24.4	24.7	24.7	24.5	7.8	7.9	8.0	8.0	7.9	7.8	8.6	8.7	8.5	8.5	8.1	8.1	339	336	333	331	325	333							
32 ppm		24.0	24.4	24.6	24.9	24.6	24.7	7.8	7.9	7.9	7.9	7.8	7.8	8.8	8.6	8.5	8.5	8.1	8.1	343	330	335	332	328	338							
56 ppm		24.0	24.5	24.7	25.0	24.6	24.7	7.8	7.9	7.9	7.8	7.7	7.7	8.9	8.6	8.4	8.4	8.2	8.2	333	330	333	332	323	335							
100 ppm		24.1	24.6	24.7	24.9	24.6	24.7	7.8	7.9	7.9	7.8	7.7	7.7	8.9	8.5	8.4	8.4	8.2	8.2	336	333	337	342	329	339							
200 ppm		24.0	24.6	24.7	24.8	24.6	24.9	7.8	7.9	7.9	7.8	7.7	7.7	8.8	8.6	8.4	8.4	8.3	8.2	334	329	334	331	326	349							
Meter Number		678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678							
Time		0917	1020	1332	1306	1132	1419	0917	1020	1332	1306	1132	1419	0917	1020	1332	1306	1132	1419	0917	1020	1332	1306	1132	1419							
Initials		MS	VX	MS	MS	VX	VX	MS	VX	MS	MS	VX	VX	MS	VX	MS	MS	VX	VX	MS	VX	MS	MS	VX	VX							



RANDOMIZATION CHART (*C. dubia* Chronic Toxicity Test)

Project Number: 70005.08

Client: Uretek

QC Test Number: TN-14-439

(White Boards)

1	4	6	3	5	2
4	3	6	1	2	5
6	1	5	2	4	3
6	2	1	4	5	3
3	6	2	4	1	5
3	5	4	6	2	1
5	4	1	3	6	2
1	5	3	2	4	6
6	2	4	1	5	3
4	1	2	6	3	5



TOXICOLOGY LABORATORY BENCH SHEET

Project Number: 70005.08

Client: Uretak

QC Test Number: TN-14-439

Date/Time/Initials	Comments/Activity
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Ceriodaphnia Survival and Reproduction Test-6 Day Survival

Start Date: 9/23/2014	Test ID: TN-14-439	Sample ID: Uretek
End Date: 9/29/2014	Lab ID:	Sample Type: TCLP Leachate AT4-460
Sample Date:	Protocol: EPAF 91-EPA Freshwater	Test Species: CD-Ceriodaphnia dubia
Comments:		

Conc-mg/L	1	2	3	4	5	6	7	8	9	10
Control	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
18	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
32	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
56	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
100	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
200	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Conc-mg/L	Mean	N-Mean	Resp	Not Resp	Total	N	Fisher's Exact P	1-Tailed Critical
Control	1.0000	1.0000	0	10	10	10		
18	1.0000	1.0000	0	10	10	10	1.0000	0.0500
32	1.0000	1.0000	0	10	10	10	1.0000	0.0500
56	1.0000	1.0000	0	10	10	10	1.0000	0.0500
100	1.0000	1.0000	0	10	10	10	1.0000	0.0500
200	1.0000	1.0000	0	10	10	10	1.0000	0.0500

Hypothesis Test (1-tail, 0.05)	NOEC	LOEC	ChV	TU
Fisher's Exact Test	200	>200		

Ceriodaphnia Survival and Reproduction Test-Reproduction

Start Date: 9/23/2014 Test ID: TN-14-439 Sample ID: Uretex
 End Date: 9/29/2014 Lab ID: Sample Type: TCLP Leachate AT4-460
 Sample Date: Protocol: EPAF 91-EPA Freshwater Test Species: CD-Ceriodaphnia dubia
 Comments:

Conc-mg/L	1	2	3	4	5	6	7	8	9	10	s.d.
Control	36.000	30.000	28.000	29.000	29.000	23.000	31.000	30.000	31.000	34.000	3.47851
18	30.000	24.000	29.000	32.000	26.000	33.000	23.000	27.000	25.000	37.000	4.45222
32	28.000	26.000	28.000	34.000	28.000	26.000	27.000	24.000	31.000	30.000	2.85968
56	27.000	27.000	32.000	22.000	22.000	27.000	31.000	28.000	27.000	43.000	5.98517
100	31.000	26.000	30.000	22.000	26.000	25.000	27.000	19.000	26.000	38.000	5.18545
200	35.000	20.000	32.000	31.000	24.000	30.000	36.000	30.000	35.000	29.000	5.02881

Conc-mg/L	Mean	N-Mean	Transform: Untransformed					N	t-Stat	1-Tailed Critical	MSD	Isotonic	
			Mean	Min	Max	CV%	Mean					N-Mean	
Control	30.100	1.0000	30.100	23.000	36.000	11.556	10				30.100	1.0000	
18	28.600	0.9502	28.600	23.000	37.000	15.567	10	0.726	2.287	4.725	28.600	0.9502	
32	28.200	0.9369	28.200	24.000	34.000	10.141	10	0.919	2.287	4.725	28.500	0.9468	
56	28.600	0.9502	28.600	22.000	43.000	20.927	10	0.726	2.287	4.725	28.500	0.9468	
100	27.000	0.8970	27.000	19.000	38.000	19.205	10	1.500	2.287	4.725	28.500	0.9468	
200	30.200	1.0033	30.200	20.000	36.000	16.652	10	-0.048	2.287	4.725	28.500	0.9468	

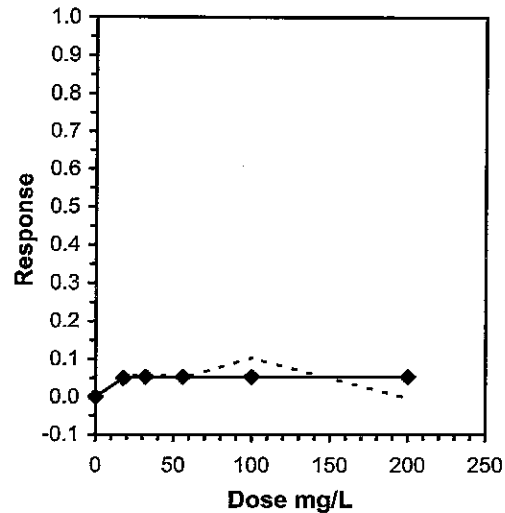
Auxiliary Tests

	Statistic	Critical	Skew	Kurt
Kolmogorov D Test indicates normal distribution ($p > 0.01$)	0.91533	1.035	0.55692	1.45688
Bartlett's Test indicates equal variances ($p = 0.32$)	5.90304	15.0863		

Hypothesis Test (1-tail, 0.05)	NOEC	LOEC	ChV	TU	MSDu	MSDp	MSB	MSE	F-Prob	df
Dunnett's Test	200	>200			4.72516	0.15698	14.6567	21.35	0.63571	5, 54

Linear Interpolation (200 Resamples)

Point	mg/L	SD	95% CL	Skew
IC05	18.700			
IC10	>200			
IC15	>200			
IC20	>200			
IC25	>200			
IC40	>200			
IC50	>200			





TOXICITY TEST SET-UP BENCH SHEET

Project Number: 70005.08

Client: Uretex

QC Test Number: TN-14-440

TEST ORGANISM INFORMATION

Common Name: Fathead minnow Adults Isolated (Time, Date): _____
 Scientific Name: P. promelas Neonates Pulled & Fed (Time, Date): _____
 Lot Number: FH4-9/22-23 Acclimation: <24 hrs Age: <24 hrs
 Source: EA Culture Water (T/S): 24.6 °C 0 ppt

TEST SET-UP

TEST INITIATION				CONCENTRATION SERIES		
Date	Time	Initials	Activity	Test Concentration	Volume Test Material	Final Volume
9/23/14	0930	WJ	Dilutions Made	18 ppm	SEE ATTACHED	1000ml
	1456	MJ	Test Vessels Filled	32 ppm		↓
	1456	MJ	Organisms Transferred	56 ppm		
	1620	MC	Head Counts	100 ppm		
					200 ppm	

Comments:

INTERMEDIATE DILUTION PREPARATION AND FEEDING

DILUTION PREPARATION					FEEDING			
Day	Date	Time	Initials	Sample / Diluent	Food: <i>Artemia</i>			
Day	Date	Time	Initials	Sample / Diluent	Day	Time, Initials, Amount	Time, Initials, Amount	Time, Initials, Amount
0	9/23/14	0930	WJ	AT4-460 LD4-408	0			1620 AMU 3 drops
1	9/24/14	0836	MJ	AT4-460 LD4-409	1	0740MS 3drops	1200MJ 3drops	1555MJ 3drops
2	9/25/14	0847	WJ	AT4-460 LD4-411	2	0755MS 4drops	1200MJ 4drops	1642WJ 4 drops
3	9/26/14	1005	MJ	AT4-460 LD4-412	3	0805MJ 4drops	1165MJ 4drops	1707MJ 4drops
4	9/27/14	0914	MJ	AT4-460 LD4-416	4	0755MJ 5drops	1150MJ 5drops	1650MJ 5drops
5	9/28/14	0940	WJ	AT4-460 LD4-417	5	0830WJ 5drops	1202 WJ 5drops	1715 WJ 5drops
6	9/29/14	0929	WJ	AT4-460 LD4-419	6	0810 WJ 5drops	1210 WJ 5drops	1730 WJ 5drops

1,500 ml Total Volume

Leachate = 1,000,000 ppm

Stock A (1 ml leachate: 99 ml mod hard) = 10,000 ppm (10 mg/ml)

200 mg/L Add 30 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

100 mg/L Add 15 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

56 mg/L Add 8.4 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

32 mg/L Add 4.8 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

18 mg/L Add 2.7 mls of **Stock A** to graduated cylinder and bring to a total of 1,500 ml with mod hard.

Mod Hard Control

1,000 ml Total Volume

Leachate = 1,000,000 ppm

Stock A (1 ml leachate: 99 ml mod hard) = 10,000 ppm (10 mg/ml)

200 mg/L Add 20 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

100 mg/L Add 10 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

56 mg/L Add 5.6 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

32 mg/L Add 3.2 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

18 mg/L Add 1.8 mls of **Stock A** to graduated cylinder and bring to a total of 1,000 ml with mod hard.

Mod Hard Control



TOXICITY TEST WATER QUALITY DATA SHEET - OLD SOLUTIONS

Project Number: 70005.08

TEST ORGANISM

Beginning Date: 9/23/14 Time: 1456

Client: Uretek

Common Name: Fathead minnow

Ending Date: 9/30/14 Time: 1447

QC Test Number: TN-14-440

Scientific Name: P. promelas

TARGET VALUES: Temp: 25±1 °C pH: 6.0 - 9.0 DO: ≥4.0 mg/L Salinity: 0 ppt Photoperiod: 16L, 8d Light Intensity: 50 - 100 fc

Test Conc	Rep	Temperature (°C)							pH							Dissolved Oxygen (mg/L)							Conductivity (µS/cm) Salinity (ppt)						
		1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
MH Control		24.0	24.0	24.0	24.0	24.0	24.0	25.0	7.7	8.1	8.2	8.4	8.3	8.4	8.0	7.9	7.6	7.2	7.8	7.3	7.3	7.5	330	335	339	341	334	335	332
18 ppm		24.4	24.0	24.0	24.4	24.0	24.5	25.2	7.7	7.9	8.1	8.3	8.2	8.3	7.9	7.7	7.8	7.1	7.3	7.2	6.9	7.0	329	333	337	338	334	334	331
32 ppm		24.4	24.3	24.0	24.4	24.0	24.6	25.4	7.7	7.8	8.0	8.1	8.1	8.1	7.8	7.5	7.6	7.2	7.0	7.1	6.8	6.1	328	331	335	338	331	333	330
56 ppm		24.4	24.4	24.0	24.2	24.0	24.6	25.2	7.7	7.8	8.0	7.9	8.0	8.0	7.8	7.6	7.7	7.1	6.9	7.1	6.8	6.6	328	330	335	337	329	333	330
100 ppm		24.5	24.4	24.0	24.3	24.0	24.6	25.2	7.7	7.7	8.0	7.9	8.0	7.9	7.7	7.7	7.6	7.0	6.9	7.1	6.8	6.7	329	332	335	338	331	332	333
200 ppm		24.5	24.4	24.0	24.3	24.0	24.7	25.2	7.7	7.7	7.9	7.9	7.9	7.8	7.7	7.6	7.6	7.0	7.0	7.1	6.9	6.8	329	332	336	338	332	336	331
Meter Number		678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678
Time		0828	0820	0948	0909	1015	1006	1120	0848	0820	0948	0909	1015	1006	1120	0848	0820	0948	0909	1015	1006	1120	0848	0820	0948	0909	1015	1006	1120
Initials		MJ	VX	MJ	MS	VX	VX	CH	MS	VX	MJ	MS	VX	VX	CH	MS	VX	MT	MS	VX	VX	CH	MJ	VX	MS	MS	VX	VX	CH



TOXICITY TEST WATER QUALITY DATA SHEET - NEW SOLUTIONS

Project Number: 70005.08

TEST ORGANISM

Beginning Date: 9/23/14 Time: 1456

Client: Uretek

Common Name: Fathead minnow

Ending Date: 9/30/14 Time: 1447

QC Test Number: TN-14-440

Scientific Name: P. promelas

TARGET VALUES: Temp: 25±1 °C pH: 6.0 - 9.0 DO: ≥4.0 mg/L Salinity: 0 ppt Photoperiod: 16L, 8d Light Intensity: 50 - 100 fc

Test Conc	Rep	Temperature (°C)						pH						Dissolved Oxygen (mg/L)						Conductivity (µS/cm) Salinity (ppt)									
		0	1	2	3	4	5	6	0	1	2	3	4	5	6	0	1	2	3	4	5	6	0	1	2	3	4	5	6
MH Control		24.1	24.3	24.0	24.0	24.5	24.5	24.5	8.4	7.7	8.1	7.9	7.6	7.7	7.8	8.2	8.4	8.3	8.4	8.2	8.3	8.2	323	324	322	323	319	320	318
18 ppm		24.1	24.5	24.0	24.0	24.8	24.5	24.7	8.3	7.7	8.0	7.9	7.7	7.8	7.8	8.4	8.4	8.4	8.4	8.2	8.3	8.2	323	325	323	322	319	320	318
32 ppm		24.1	24.6	24.0	24.4	24.9	24.5	24.7	8.2	7.7	8.0	7.9	7.7	7.7	7.7	8.4	8.4	8.5	8.4	8.3	8.3	8.2	324	324	323	321	319	321	319
56 ppm		24.1	24.5	24.0	24.4	25.0	24.5	24.7	8.1	7.7	8.0	7.9	7.7	7.7	7.8	8.4	8.4	8.6	8.4	8.2	8.3	8.2	324	324	323	322	318	322	320
100 ppm		24.1	24.6	24.0	24.4	25.1	24.5	24.6	8.1	7.7	8.0	7.9	7.8	7.8	7.8	8.4	8.3	8.6	8.4	8.3	8.3	8.2	325	324	323	323	318	321	320
200 ppm		24.1	24.6	24.0	24.4	25.0	24.5	24.6	8.0	7.7	8.0	7.9	7.8	7.9	7.8	8.4	8.4	8.6	8.4	8.3	8.3	8.2	326	325	325	323	319	323	322
Meter Number		678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	
Time		0935	0845	0835	1011	0920	1017	1008	0935	0845	0855	1011	0920	1017	1008	0935	0845	0835	1011	0920	1017	1008	0935	0845	0855	1011	0920	1017	1008
Initials		VY	MJ	VY	MJ	MJ	VY	VY	VY	MJ	VY	MJ	MJ	VY	VY	VY	MJ	VY	MJ	MJ	VY	VY	VY	MJ	VY	MJ	MJ	VY	VY



TOXICITY TEST OBSERVATION DATA SHEET

Project Number: 70005.08

TEST ORGANISM

Beginning Date: 9/23/14 Time: 1450

Client: Uretex

Common Name: Fathead minnow

Ending Date: 9/30/14 Time: 1447

QC Test Number: TN-14-440

Scientific Name: P. promelas

Test Material: Leachate

Accession Number: AT4-460

TEST TYPE: Static / Flowthrough

Test Container: 1-L Beaker

Dilution Water: Mod Hard

Renewal / Non-renewal

Test Volume: 250 ml

Accession Number: LD4-408

Photoperiod: 16L, 8d Light Intensity: 50 - 100 fc

Test Duration: 7 days

Concentration	Rep	Number of Surviving Organisms							
		Day 0	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7
Mod Hard Control	A	10	10	9	9	9	9	9	9
	B	10	10	9	9	9	9	9	9
	C	10	10	10	10	10	10	10	10
	D	10	10	10	10	10	10	10	10
18 ppm	A	10	10	10	10	10	10	10	10
	B	10	10	10	9	9	9	9	9
	C	10	10	10	10	10	10	10	10
	D	10	9	9	9	9	9	9	9
32 ppm	A	10	10	10	10	10	10	10	10
	B	10	10	9	9	9	9	9	9
	C	10	10	10	10	10	10	10	10
	D	10	10	10	10	10	10	10	10
Time / Initials		1620 MC	0951 MS	0927 WJ	1101 MS	1342 MS	1100 WJ	1042 WJ	1447 CH

EPA TEST METHOD: (FW) EPA 821-R-02-013/(SW) EPA 821-R-02-012(CHECK ONE):

ATS-T10
12/02/08

Fathead: (1000.0) X Cyprinodon: (1004.0) Menidia: (1006.0) Americamysis: (1007.0) OTHER:



TOXICITY TEST OBSERVATION DATA SHEET

Project Number: 70005.08

TEST ORGANISM

Beginning Date: 9/23/14 Time: 1456

Client: Uretek

Common Name: Fathead minnow

Ending Date: 9/30/14 Time: 1447

QC Test Number: TN-14-440

Scientific Name: P. promelas

Test Material: Leachate

Accession Number: AT4-460

TEST TYPE: Static / Flowthrough

Test Container: 1-L Beaker

Dilution Water: Mod Hard

Renewal / Non-renewal

Test Volume: 250 ml

Accession Number: LD4-408

Photoperiod: 16L, 8d Light Intensity: 50 - 100 fc

Test Duration: 7 days

Concentration	Rep	Number of Surviving Organisms							
		Day 0	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7
56 ppm	A	10	10	10	10	10	10	10	10
	B	10	9	8	8	8	8	8	8
	C	10	10	10	10	10	10	10	10
	D	10	10	10	10	10	10	10	10
100 ppm	A	10	10	9	9	9	9	9	9
	B	10	10	10	10	10	10	10	10
	C	10	10	10	10	10	10	10	10
	D	10	10	10	10	10	10	10	10
200 ppm	A	10	10	10	10	10	10	10	10
	B	10	10	10	10	10	10	10	10
	C	10	10	10	10	9	9	9	9
	D	10	10	10	10	10	10	10	10
Time / Initials		1620 MC	0951 MJ	0927 WJ	1401 MJ	1342 MJ	1100 WJ	1042 WJ	1447 CH

EPA TEST METHOD: (FW) EPA 821-R-02-013/(SW) EPA 821-R-02-012(CHECK ONE):

ATS-T10
12/02/08

Fathead: (1000.0) X Cyprinodon: (1004.0) Menidia: (1006.0) Americamysis: (1007.0) OTHER:



WEIGHT DATA (Test Species: P. promelas)

Project Number: 70005.08

Client: Uretek

QC Test Number: TN-14-440

Tin Lot: Blue 134

Oven Temp (°C): Start: 102 End: 102.0

Date Time Initials

Loaded tins placed in oven: 9/30/14 1500 CH

Loaded tins removed from oven: 10/1/14 1404 WJ

Loaded tins weighed: 10/1/14 1445 WJ

Oven Number: BLM-01 Balance Number: P0115825

Test Concentration	Rep	Tin #	A Weight of Tin (mg)	B Weight of Tin and Dried Organisms (mg)	B-A Total Dry Organism Weight (mg)	C Number of Organisms Weighed	(B-A)/C Mean Dry Organism Weight (mg)	(if applicable) Mean Biomass (mg/exposed org.)
MH Control	A	1	30.91	39.49	8.58	9	0.953	0.858
	B	2	29.83	37.72	7.89	9	0.877	0.789
	C	3	31.31	39.48	8.17	10	0.817	0.817
	D	4	30.03	38.89	8.86	10	0.886	0.886
18 ppm	A	5	30.57	39.04	8.47	10	0.847	0.847
	B	6	29.52	36.80	7.28	9	0.809	0.728
	C	9	31.91	39.61	7.70	10	0.770	0.770
	D	10	30.71	37.47	6.76	9	0.751	0.676
32 ppm	A	11	33.60	41.32	7.72	10	0.772	0.772
	B	12	31.41	40.00	8.59	9	0.954	0.859
	C	13	31.52	38.83	7.31	10	0.731	0.731
	D	14	30.53	38.95	8.42	10	0.842	0.842

Dry wt. calculations checked (date, initials): 10/2/14 WJ

Biomass calculations checked (date, initials): 10/2/14 WJ



WEIGHT DATA (Test Species: P. promelas)

Project Number: 70005.08

Client: Urettek

QC Test Number: TN-14-440

Tin Lot: Blue 134

Oven Temp (°C): Start: 102 End: 102.0

Date Time Initials

Loaded tins placed in oven: 9/30/14 1500 CH

Loaded tins removed from oven: 10/1/14 1404 WJ

Loaded tins weighed: 10/1/14 1445 WJ

Oven Number: BLM-01 Balance Number: P0115825

Test Concentration	Rep	Tin #	A Weight of Tin (mg)	B Weight of Tin and Dried Organisms (mg)	B-A Total Dry Organism Weight (mg)	C Number of Organisms Weighed	(B-A)/C Mean Dry Organism Weight (mg)	(if applicable) Mean Biomass (mg/exposed org.)
32 ppm	A	15	31.92	40.50	8.58	10	0.858	0.858
	B	16	32.17	39.17	7.00	8	0.875	0.700
	C	17	31.77	40.39	8.62	10	0.862	0.862
	D	18	29.51	37.95	8.44	10	0.844	0.844
100 ppm	A	19	31.62	38.22	6.60	9	0.733	0.660
	B	21	29.91	38.42	8.51	10	0.851	0.851
	C	22	30.97	39.84	8.87	10	0.887	0.887
	D	23	30.91	39.89	8.98	10	0.898	0.898
200 ppm	A	24	31.32	40.10	8.78	10	0.878	0.878
	B	25	31.36	38.95	7.59	10	0.759	0.759
	C	26	30.69	38.10	7.41	9	0.823	0.741
	D	27	31.76	40.07	8.31	10	0.831	0.831

Dry wt. calculations checked (date, initials): 10/2/14 WJ

Biomass calculations checked (date, initials): 10/2/14 WJ



RANDOMIZATION CHART

Project Number: 70005.08

Client: Uretek

QC Test Number: TN-14-440

5	6	2	3	1	4
4	3	2	1	5	6
2	1	4	3	5	6
1	6	3	2	5	4



TOXICOLOGY LABORATORY BENCH SHEET

Project Number: 70005.08

Client: Urettek

QC Test Number: TN-14-440

Date/Time/Initials

Comments/Activity

Larval Fish Growth and Survival Test-7 Day Survival

Start Date: 9/23/2014	Test ID: TN-14-440	Sample ID: Uretek
End Date: 9/30/2014	Lab ID:	Sample Type: TCLP Leachate AT4-460
Sample Date:	Protocol: EPAF 91-EPA Freshwater	Test Species: PP-Pimephales promelas
Comments:		

Conc-mg/L	1	2	3	4
Control	0.9000	0.9000	1.0000	1.0000
18	1.0000	0.9000	1.0000	0.9000
32	1.0000	0.9000	1.0000	1.0000
56	1.0000	0.8000	1.0000	1.0000
100	0.9000	1.0000	1.0000	1.0000
200	1.0000	1.0000	0.9000	1.0000

Conc-mg/L	Transform: Arcsin Square Root						Rank Sum	1-Tailed Critical
	Mean	N-Mean	Mean	Min	Max	CV%		
Control	0.9500	1.0000	1.3305	1.2490	1.4120	7.072	4	
18	0.9500	1.0000	1.3305	1.2490	1.4120	7.072	4	18.00
32	0.9750	1.0263	1.3713	1.2490	1.4120	5.942	4	20.00
56	0.9500	1.0000	1.3358	1.1071	1.4120	11.411	4	19.00
100	0.9750	1.0263	1.3713	1.2490	1.4120	5.942	4	20.00
200	0.9750	1.0263	1.3713	1.2490	1.4120	5.942	4	20.00

Auxiliary Tests	Statistic	Critical	Skew	Kurt
Shapiro-Wilk's Test indicates non-normal distribution (p <= 0.01)	0.80063	0.884	-1.0391	0.04285
Bartlett's Test indicates equal variances (p = 0.86)	1.89771	15.0863		
Hypothesis Test (1-tail, 0.05)	NOEC	LOEC	ChV	TU
Steel's Many-One Rank Test	200	>200		

Larval Fish Growth and Survival Test-7 Day Biomass

Start Date: 9/23/2014	Test ID: TN-14-440	Sample ID: Uretek
End Date: 9/30/2014	Lab ID:	Sample Type: TCLP Leachate AT4-460
Sample Date:	Protocol: EPAF 91-EPA Freshwater	Test Species: PP-Pimephales promelas

Conc-mg/L	1	2	3	4	s.d.
Control	0.8580	0.7890	0.8170	0.8860	0.04299
18	0.8470	0.7280	0.7700	0.6760	0.07225
32	0.7720	0.8590	0.7310	0.8420	0.05996
56	0.8580	0.7000	0.8620	0.8440	0.07772
100	0.6600	0.8510	0.8870	0.8980	0.11116
200	0.8780	0.7590	0.7410	0.8310	0.06374

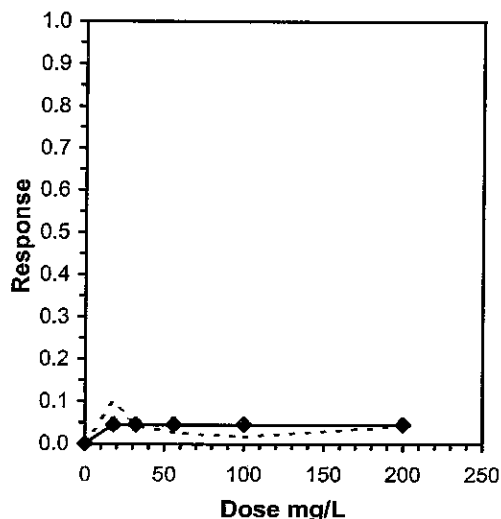
Conc-mg/L	Mean	N-Mean	Transform: Untransformed				N	t-Stat	1-Tailed Critical	MSD	Isotonic	
			Mean	Min	Max	CV%					Mean	N-Mean
Control	0.8375	1.0000	0.8375	0.7890	0.8860	5.133	4				0.8375	1.0000
18	0.7553	0.9018	0.7553	0.6760	0.8470	9.566	4	1.566	2.410	0.1266	0.7997	0.9549
32	0.8010	0.9564	0.8010	0.7310	0.8590	7.486	4	0.695	2.410	0.1266	0.7997	0.9549
56	0.8160	0.9743	0.8160	0.7000	0.8620	9.524	4	0.409	2.410	0.1266	0.7997	0.9549
100	0.8240	0.9839	0.8240	0.6600	0.8980	13.490	4	0.257	2.410	0.1266	0.7997	0.9549
200	0.8023	0.9579	0.8023	0.7410	0.8780	7.945	4	0.671	2.410	0.1266	0.7997	0.9549

Auxiliary Tests	Statistic	Critical	Skew	Kurt
Shapiro-Wilk's Test indicates normal distribution (p > 0.01)	0.93465	0.884	-0.802	0.10838
Bartlett's Test indicates equal variances (p = 0.76)	2.62914	15.0863		

Hypothesis Test (1-tail, 0.05)	NOEC	LOEC	ChV	TU	MSDu	MSDp	MSB	MSE	F-Prob	df
Dunnett's Test	200	>200			0.12662	0.15118	0.00322	0.00552	0.71192	5, 18

Linear Interpolation (200 Resamples)

Point	mg/L	SD	95% CL(Exp)	Skew
IC05	>200			
IC10	>200			
IC15	>200			
IC20	>200			
IC25	>200			
IC40	>200			
IC50	>200			





TOXICITY TEST SET-UP BENCH SHEET

Project Number: 70005.08

Client: Uretek

QC Test Number: TN-436

*14-
wm 9/19/14*

TEST ORGANISM INFORMATION

Common Name: Red worm Adults Isolated (Time, Date): _____
 Scientific Name: E. fetida Neonates Pulled & Fed (Time, Date): _____
 Lot Number: EF-037 Acclimation: _____ Age: Adult
 Source: Carolina Biological Culture Water (T/S): _____ °C 0 ppt

TEST INITIATION

<u>Date</u>	<u>Time</u>	<u>Initials</u>	<u>Activity</u>
9/19/14	1330	WM	Dilutions Made
9/19/14	1330	WM	Test Vessels Filled
9/19/14	1515	WM	Organisms Transferred
		N/A	Head Counts

TEST SET-UP

Sample Number: AT4-460

Dilution Number: ARTIFICIAL SOIL

<u>Test Concentration</u>	<u>Volume Test Material</u>	<u>Final Volume</u>
Control	See Attached	
18 mg/L		
32 mg/L		
56 mg/L		
100 mg/L		
200 mg/L		

Leachate = 1,000,000 ppm

Stock A (1 ml leachate: 99 ml mod hard) = 10,000 ppm (10 mg/ml)

200 mg/L Add 12.0 mls of **Stock A** to 588 grams of Control Soil in a stainless steel bowl and mix well.

100 mg/L Add 6.0 mls of **Stock A** to 594 grams of Control Soil in a stainless steel bowl and mix well.

56 mg/L Add 3.36 mls of **Stock A** to 596.6 grams of Control Soil in a stainless steel bowl and mix well.

32 mg/L Add 1.92 mls of **Stock A** to 598.1 grams of Control Soil in a stainless steel bowl and mix well.

18 mg/L Add 1.08 mls of **Stock A** to 598.9 grams of Control Soil in a stainless steel bowl and mix well.

Control Soil



SOIL TOXICITY TEST OBSERVATION DATA SHEET

Project Number: 70005.08

TEST ORGANISM

Beginning Date: 9/19/14 Time: 1515

Client: Uretek

Common Name: Red worm

Ending Date: 9/29/14 Time: 1558

QC Test Number: TN-14-436

Scientific Name: E. fetida

Test Material(s): Leachate

TEST TYPE: Static / Flowthrough

Test Container: 500ml beaker

Accession Number(s): AT4- 460

Renewal / Non-renewal

Test Volume: 200g sediment

Overlying Water: Artificial Soil

Accession Number: N/A

Photoperiod: 16L, 8d Light Intensity: 50 - 100 fc Test Duration: 10 days

Treatment	Rep	Number of Surviving Organisms										
		Day 0 Date	Day Date	Day Date	Day Date	Day Date	Day Date	Day Date	Day Date	Day Date	Day Date	Day 10 Date 9/29
Control	A	10										10
	B	10										10
	C	10										10
18 mg/L	A	10										10
	B	10										10
	C	10										10
32 mg/L	A	10										10
	B	10										9
	C	10										9 *
56 mg/L	A	10										10
	B	10										9
	C	10										10
100 mg/L	A	10										10
	B	10										10
	C	10										10
200 mg/L	A	10										10
	B	10										10
	C	10										10
Time / Initials		1515 WJM										1558 VY



ACUTE TOXICITY TEST DATA SHEET

Project Number: 70005.08
 Client: Uretak
 QC Test Number: TN-14-436
 Test Material Leachate
 Accession Number: AT4-460
 Dilution Water ARTIFICIAL SOIL
 Accession Number: _____

TEST ORGANISM
 Common Name: Red worm
 Scientific Name: Eisenia fetida

Beginning Date: 9/19/14 Time: 1515
 Ending Date: 9/29/14 Time: 1558

TARGET VALUES
 Temp: 20±1 °C DO N/A mg/L Test Container: 500 ml glass jar
 pH: 6.0 - 9.0 Salinity: 0 ppt Test Volume: 200 ml
 Photoperiod: 16 L, 8 d Light Intensity: 50 - 100 fc Test Duration: 10 days

TEST TYPE: Static / Flowthrough
Non-renewal / Renewal

Concentration	Rep	Number of Live Organisms					Temperature (°C)					pH					Dissolved Oxygen (mg/L)					Conductivity (µS/cm)				
		0	24	48	72	96	0	24	48	72	96	0	24	48	72	96	0	24	48	72	96	0	24	48	72	96
Control												7.4														
18 mg/L												7.4														
32 mg/L												7.4														
56 mg/L												7.4														
100 mg/L												7.4														
200 mg/L												7.4														
Meter Number												678														
Time												1340														
Initials												DM														

EPA Test Method: EPA 821-R-02-012 (CHECK ONE)

Ceriodaphnia: 2002.0
 Magna/pulex: 2021.0
 Fathead: 2000.0
 Trout: 2019.0

Americamysis: 2007.0
 Cyprinodon: 2004.0
 Menidia: 2006.0
 OTHER: X Eisenia fetida



TOXICOLOGY LABORATORY BENCH SHEET - TEMPERATURE RECORD

Project Number: 70005.08

Client: Uretek

QC Test Number: TN-14-436

Day	Date	Time	Initials	Temperature (°C)
0	9/19/14	1608	WJ	21.9
1	9/20/14	1000	CH	21.5
2	9/21/14	1602	VJ	21.6
3	9/22/14	0805	CH	21.5
4	9/23/14	0810	CH	20.6
5	9/24/14	0932	VJ	21.0
6	9/25/14	0830	MJ	21.4
7	9/26/14	1151	MJ	20.7
8	9/27/14	0805	MJ	20.4
9	9/28/14	0841	VJ	20.6
10	9/29/14	1545	VJ	20.8
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				



TOXICOLOGY LABORATORY BENCH SHEET

Project Number: 70005.08

Client: Uretak

QC Test Number: TN-14-436

Date/Time/Initials

Comments/Activity

9/19/14 1110 Wm Initial pH of leachate AT4-460 was 5.0.
pH adjusted sample to 7.5 w/ NaOH per conversation
with Dr. Robert Edstrom - MN DOT.

9/29/14 1558 vy worm was impinged on outside of jar.



PERCENT MOISTURE ANALYSIS

Project Number: 70005.08 Client: Uretck QC Test Number: TN-14-436

Oven Temp. (°C): 103 Drying Duration (hours): 8

Wet Weights Measured (date/time/initials): 9/18/14 1030 Dry Weights Measured (date/time/initials): 9/18/14 1630

Sample ID	Tin #	A Weight of Tin (g)	B Wt. of Tin & Wet Sample (g)	C=B-A Total Wet Sample Wt. (g)	D Wt. of Tin & Dry Sample (g)	E=D-A Total Dry Sample Wt. (g)	(C-E)100 C Moisture Content (%)
Artificial Soil	—	1.400	40.740	39.340	26.012	24.612	37.4%

ATTACHMENT II

Eurofins Analytical Report
(10 pages)

ANALYTICAL RESULTS

Prepared by:

Eurofins Lancaster Laboratories Environmental
2425 New Holland Pike
Lancaster, PA 17601

Prepared for:

EA Science & Technology
225 Schilling Circle
suite 400
Hunt Valley MD 21031

October 02, 2014

Project: Spray Products Testing

Submission Date: 09/09/2014
Group Number: 1503039
PO Number: SERVICE ORDER 13167
State of Sample Origin: GA

Client Sample Description

URETEK 4R Resin (Part "B") Foam
URETEK 4R Iso (Part "A") Foam
URETEK 4R Foam (Finished Product) Foam

Lancaster Labs (LL) #

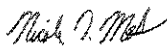
7597869
7597870
7597871

The specific methodologies used in obtaining the enclosed analytical results are indicated on the Laboratory Sample Analysis Record.

ELECTRONIC COPY TO
ELECTRONIC COPY TO
EA EST
EA EST

Attn: Michael Chanov
Attn: Wayne McCulloch

Respectfully Submitted,



Nicole L. Maljovec
Principal Specialist Group Leader

(717) 556-7259

Sample Description: URETEK 4R Resin (Part "B") Foam
Spray Product Testing

LL Sample # G5 7597869
LL Group # 1503039
Account # 04756

Project Name: Spray Products Testing

Collected: 09/04/2014 08:15 by DM

EA Science & Technology
225 Schilling Circle
suite 400
Hunt Valley MD 21031

Submitted: 09/09/2014 09:30

Reported: 10/02/2014 14:28

PART B

CAT No.	Analysis Name	CAS Number	As Received Result	As Received Method Detection Limit	Dilution Factor
Metals SW-846 6010B			mg/kg	mg/kg	
06935	Arsenic	7440-38-2	N.D.	0.610	1
06946	Barium	7440-39-3	0.0514 J	0.0314	1
06949	Cadmium	7440-43-9	N.D.	0.0314	1
06951	Chromium	7440-47-3	N.D.	0.105	1
06955	Lead	7439-92-1	N.D.	0.476	1
06936	Selenium	7782-49-2	N.D.	0.419	1
06966	Silver	7440-22-4	N.D.	0.181	1
06969	Tin	7440-31-5	28.3	0.410	1
SW-846 7471A			mg/kg	mg/kg	
00159	Mercury	7439-97-6	N.D.	0.0097	1
The mercury result was performed by the Method of Standard Addition.					

General Sample Comments

PA DEP Lab Certification ID 36-00037, Expiration Date: 1/31/15.

All QC is compliant unless otherwise noted. Please refer to the Quality Control Summary for overall QC performance data and associated samples.

Laboratory Sample Analysis Record

CAT No.	Analysis Name	Method	Trial#	Batch#	Analysis Date and Time	Analyst	Dilution Factor
06935	Arsenic	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
06946	Barium	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
06949	Cadmium	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
06951	Chromium	SW-846 6010B	1	142595708002	09/19/2014 02:43	Elaine F Stoltzfus	1
06955	Lead	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
06936	Selenium	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
06966	Silver	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
06969	Tin	SW-846 6010B	1	142595708002	09/17/2014 20:05	Katlin N Cataldi	1
00159	Mercury	SW-846 7471A	2	142595711001	09/19/2014 10:45	Damary Valentin	1
05708	SW SW846 ICP/ICP MS Digest	SW-846 3050B	1	142595708002	09/16/2014 12:47	James L Mertz	1
05711	SW SW846 Hg Digest	SW-846 7471A modified	1	142595711001	09/16/2014 16:02	James L Mertz	1

Sample Description: URETEK 4R Iso (Part "A") Foam
Spray Product Testing

LL Sample # G5 7597870
LL Group # 1503039
Account # 04756

Project Name: Spray Products Testing

Collected: 09/04/2014 08:15 by DM

EA Science & Technology
225 Schilling Circle
suite 400
Hunt Valley MD 21031

Submitted: 09/09/2014 09:30

Reported: 10/02/2014 14:28

PARTA

CAT No.	Analysis Name	CAS Number	As Received Result	As Received Method Detection Limit	Dilution Factor
Metals					
		SW-846 6010B	mg/kg	mg/kg	
06935	Arsenic	7440-38-2	N.D.	0.634	1
06946	Barium	7440-39-3	N.D.	0.0327	1
06949	Cadmium	7440-43-9	N.D.	0.0327	1
06951	Chromium	7440-47-3	N.D.	0.109	1
06955	Lead	7439-92-1	N.D.	0.495	1
06936	Selenium	7782-49-2	N.D.	0.436	1
06966	Silver	7440-22-4	N.D.	0.188	1
06969	Tin	7440-31-5	0.638 J	0.426	1
		SW-846 7471A	mg/kg	mg/kg	
00159	Mercury	7439-97-6	N.D.	0.0097	1
	The mercury result was performed by the Method of Standard Addition.				

General Sample Comments

PA DEP Lab Certification ID 36-00037, Expiration Date: 1/31/15.

All QC is compliant unless otherwise noted. Please refer to the Quality Control Summary for overall QC performance data and associated samples.

Laboratory Sample Analysis Record

CAT No.	Analysis Name	Method	Trial#	Batch#	Analysis Date and Time	Analyst	Dilution Factor
06935	Arsenic	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06946	Barium	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06949	Cadmium	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06951	Chromium	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06955	Lead	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06936	Selenium	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06966	Silver	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
06969	Tin	SW-846 6010B	1	142595708002	09/17/2014 19:39	Katlin N Cataldi	1
00159	Mercury	SW-846 7471A	2	142595711001	09/19/2014 10:49	Damary Valentin	1
05708	SW SW846 ICP/ICP MS Digest	SW-846 3050B	1	142595708002	09/16/2014 12:47	James L Mertz	1
05711	SW SW846 Hg Digest	SW-846 7471A modified	1	142595711001	09/16/2014 16:02	James L Mertz	1

Sample Description: URETEK 4R Foam (Finished Product) Foam
Spray Product Testing

LL Sample # TL 7597871
LL Group # 1503039
Account # 04756

Project Name: Spray Products Testing

Collected: 09/04/2014 08:15 by DM

EA Science & Technology
225 Schilling Circle
suite 400
Hunt Valley MD 21031

Submitted: 09/09/2014 09:30

Reported: 10/02/2014 14:28

FINISH

CAT No.	Analysis Name	CAS Number	As Received Result	As Received Method Detection Limit	Dilution Factor
Metals		SW-846 6010B	mg/l	mg/l	
07035	Arsenic	7440-38-2	N.D.	0.0072	1
07046	Barium	7440-39-3	0.147	0.00033	1
07049	Cadmium	7440-43-9	N.D.	0.00033	1
07051	Chromium	7440-47-3	0.0018 J	0.0013	1
07055	Lead	7439-92-1	N.D.	0.0047	1
07036	Selenium	7782-49-2	N.D.	0.0048	1
07066	Silver	7440-22-4	N.D.	0.0018	1
07069	Tin	7440-31-5	0.0217	0.0024	1
		SW-846 7470A	mg/l	mg/l	
00259	Mercury	7439-97-6	N.D.	0.000060	1
Wet Chemistry		SM 5310 C-2000	mg/l	mg/l	
00273	Total Organic Carbon	n.a.	2,650	50.0	100
		SM 5210 B-2001	mg/l	mg/l	
00235	Biochemical Oxygen Demand	n.a.	17.4	0.80	1
The DO uptake for the unseeded blank is greater than 0.20 mg/L.					

General Sample Comments

PA DEP Lab Certification ID 36-00037, Expiration Date: 1/31/15.
For trial 2 of the TCLP analysis, D.I.H2O was used for the extraction fluid for TOC and BOD analyses.

If the analysis is for determination of Hazardous Waste Characteristics, see Table 1 in EPA Code of Federal Regulations 40 CFR 261.24.

All QC is compliant unless otherwise noted. Please refer to the Quality Control Summary for overall QC performance data and associated samples.

Laboratory Sample Analysis Record

CAT No.	Analysis Name	Method	Trial#	Batch#	Analysis Date and Time	Analyst	Dilution Factor
07035	Arsenic	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
07046	Barium	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
07049	Cadmium	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
07051	Chromium	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
07055	Lead	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
07036	Selenium	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
07066	Silver	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1

Sample Description: URETEK 4R Foam (Finished Product) Foam
Spray Product Testing

LL Sample # TL 7597871
LL Group # 1503039
Account # 04756

Project Name: Spray Products Testing

Collected: 09/04/2014 08:15 by DM

EA Science & Technology
225 Schilling Circle
suite 400
Hunt Valley MD 21031

Submitted: 09/09/2014 09:30

Reported: 10/02/2014 14:28

FINSH

Laboratory Sample Analysis Record

CAT No.	Analysis Name	Method	Trial#	Batch#	Analysis Date and Time	Analyst	Dilution Factor
07069	Tin	SW-846 6010B	1	142605705004	09/19/2014 01:01	Elaine F Stoltzfus	1
00259	Mercury	SW-846 7470A	1	142605713006	09/19/2014 10:37	Damary Valentin	1
05705	WW/TL SW 846 ICP Digest (tot)	SW-846 3010A	1	142605705004	09/18/2014 13:15	James L Mertz	1
05713	WW SW846 Hg Digest	SW-846 7470A	1	142605713006	09/18/2014 14:24	James L Mertz	1
00273	Total Organic Carbon	SM 5310 C-2000	1	14261049503A	09/24/2014 05:25	James S Mathiot	100
00235	Biochemical Oxygen Demand	SM 5210 B-2001	1	14267023502A	09/24/2014 14:28	Susan A Engle	1
00947	TCLP Non-volatile Extraction	SW-846 1311	1	14259-482-0947	09/16/2014 12:40	Darin P Wagner	n.a.
00947	TCLP Non-volatile Extraction	SW-846 1311	2	14266-482-0947	09/23/2014 15:00	Darin P Wagner	n.a.

Quality Control Summary

Client Name: EA Science & Technology
Reported: 10/02/14 at 02:28 PM

Group Number: 1503039

Matrix QC may not be reported if insufficient sample or site-specific QC samples were not submitted. In these situations, to demonstrate precision and accuracy at a batch level, a LCS/LCSD was performed, unless otherwise specified in the method.

All Inorganic Initial Calibration and Continuing Calibration Blanks met acceptable method criteria unless otherwise noted on the Analysis Report.

Laboratory Compliance Quality Control

<u>Analysis Name</u>	<u>Blank Result</u>	<u>Blank MDL</u>	<u>Report Units</u>	<u>LCS %REC</u>	<u>LCSD %REC</u>	<u>LCS/LCSD Limits</u>	<u>RPD</u>	<u>RPD Max</u>
Batch number: 142595708002	Sample number(s): 7597869-7597870							
Arsenic	N.D.	0.640	mg/kg	100		82-111		
Barium	N.D.	0.0330	mg/kg	104		83-113		
Cadmium	N.D.	0.0330	mg/kg	103		82-113		
Chromium	N.D.	0.110	mg/kg	100		85-113		
Lead	N.D.	0.500	mg/kg	102		81-112		
Selenium	N.D.	0.440	mg/kg	103		78-111		
Silver	N.D.	0.190	mg/kg	101		82-112		
Tin	1.13 J	0.430	mg/kg	97		80-120		
Batch number: 142595711001	Sample number(s): 7597869-7597870							
Mercury	N.D.	0.0100	mg/kg	95		80-124		
Batch number: 142605705004	Sample number(s): 7597871							
Arsenic	N.D.	0.0072	mg/l	105		87-113		
Barium	0.00043 J	0.00033	mg/l	97		88-113		
Cadmium	N.D.	0.00033	mg/l	104		88-113		
Chromium	N.D.	0.0013	mg/l	100		90-113		
Lead	N.D.	0.0047	mg/l	102		86-113		
Selenium	N.D.	0.0048	mg/l	111		83-114		
Silver	N.D.	0.0018	mg/l	112		84-115		
Tin	N.D.	0.0024	mg/l	98		88-115		
Batch number: 142605713006	Sample number(s): 7597871							
Mercury	N.D.	0.00006	mg/l	98		80-120		
		0						
Batch number: 14261049503A	Sample number(s): 7597871							
Total Organic Carbon	N.D.	0.50	mg/l	105		91-113		
Batch number: 14267023502A	Sample number(s): 7597871							
Biochemical Oxygen Demand				91		85-115		

Sample Matrix Quality Control

Unspiked (UNSPK) = the sample used in conjunction with the matrix spike
Background (BKG) = the sample used in conjunction with the duplicate

<u>Analysis Name</u>	<u>MS %REC</u>	<u>MSD %REC</u>	<u>MS/MSD Limits</u>	<u>RPD</u>	<u>RPD MAX</u>	<u>BKG Conc</u>	<u>DUP Conc</u>	<u>DUP RPD</u>	<u>Dup RPD Max</u>
Batch number: 142595708002	Sample number(s): 7597869-7597870 UNSPK: 7597870 BKG: 7597870								

*- Outside of specification

- (1) The result for one or both determinations was less than five times the LOQ.
- (2) The unspiked result was more than four times the spike added.

Quality Control Summary

Client Name: EA Science & Technology
Reported: 10/02/14 at 02:28 PM

Group Number: 1503039

Sample Matrix Quality Control

Unspiked (UNSPK) = the sample used in conjunction with the matrix spike
Background (BKG) = the sample used in conjunction with the duplicate

Analysis Name	MS %REC	MSD %REC	MS/MSD Limits	RPD RPD	RPD MAX	BKG Conc	DUP Conc	DUP RPD	Dup RPD Max
Arsenic	100	102	82-111	4	20	N.D.	N.D.	0 (1)	20
Barium	99	99	83-113	2	20	N.D.	N.D.	0 (1)	20
Cadmium	101	102	82-113	3	20	N.D.	N.D.	0 (1)	20
Chromium	93	92	85-113	1	20	N.D.	N.D.	0 (1)	20
Lead	102	101	81-112	1	20	N.D.	N.D.	0 (1)	20
Selenium	106	105	78-111	2	20	N.D.	N.D.	0 (1)	20
Silver	98	97	82-112	1	20	N.D.	N.D.	0 (1)	20
Tin	86	89	80-120	5	20	0.638 J	0.826 J	26* (1)	20
Batch number: 142595711001									
Mercury	69*	69*	80-124	3	20	N.D.	N.D.	0 (1)	20
Batch number: 142605705004									
Arsenic	94	92	87-113	2	20	N.D.	N.D.	0 (1)	20
Barium	89	85*	88-113	4	20	0.147	0.143	3	20
Cadmium	89	87*	88-113	3	20	N.D.	N.D.	0 (1)	20
Chromium	88*	86*	90-113	3	20	0.0018 J	0.0021 J	16 (1)	20
Lead	86	83*	86-113	3	20	N.D.	N.D.	0 (1)	20
Selenium	97	95	83-114	2	20	N.D.	N.D.	0 (1)	20
Silver	72*	69*	84-115	4	20	N.D.	N.D.	0 (1)	20
Tin	89	86*	88-115	4	20	0.0217	0.0204	6 (1)	20
Batch number: 142605713006									
Mercury	86	89	80-120	3	20	N.D.	N.D.	0 (1)	20
Batch number: 14261049503A									
Total Organic Carbon	99		63-142			25.4	25.6	1	4
Batch number: 14267023502A									
Biochemical Oxygen Demand	107	109	59-139	2	8	36.3	37.0	2	15

*- Outside of specification

- (1) The result for one or both determinations was less than five times the LOQ.
- (2) The unspiked result was more than four times the spike added.

Explanation of Symbols and Abbreviations

The following defines common symbols and abbreviations used in reporting technical data:

RL	Reporting Limit	BMQL	Below Minimum Quantitation Level
N.D.	none detected	MPN	Most Probable Number
TNTC	Too Numerous To Count	CP Units	cobalt-chloroplatinate units
IU	International Units	NTU	nephelometric turbidity units
umhos/cm	micromhos/cm	ng	nanogram(s)
C	degrees Celsius	F	degrees Fahrenheit
meq	milliequivalents	lb.	pound(s)
g	gram(s)	kg	kilogram(s)
µg	microgram(s)	mg	milligram(s)
mL	milliliter(s)	L	liter(s)
m3	cubic meter(s)	µL	microliter(s)
		pg/L	picogram/liter

< less than - The number following the sign is the limit of quantitation, the smallest amount of analyte which can be reliably determined using this specific test.

> greater than

ppm parts per million - One ppm is equivalent to one milligram per kilogram (mg/kg), or one gram per million grams. For aqueous liquids, ppm is usually taken to be equivalent to milligrams per liter (mg/l), because one liter of water has a weight very close to a kilogram. For gases or vapors, one ppm is equivalent to one microliter per liter of gas.

ppb parts per billion

Dry weight basis Results printed under this heading have been adjusted for moisture content. This increases the analyte weight concentration to approximate the value present in a similar sample without moisture. All other results are reported on an as-received basis.

Data Qualifiers:

C – result confirmed by reanalysis.

J - estimated value – The result is \geq the Method Detection Limit (MDL) and $<$ the Limit of Quantitation (LOQ).

U.S. EPA CLP Data Qualifiers:

Organic Qualifiers

Inorganic Qualifiers

A	TIC is a possible aldol-condensation product	B	Value is $<$ CRDL, but \geq IDL
B	Analyte was also detected in the blank	E	Estimated due to interference
C	Pesticide result confirmed by GC/MS	M	Duplicate injection precision not met
D	Compound quantitated on a diluted sample	N	Spike sample not within control limits
E	Concentration exceeds the calibration range of the instrument	S	Method of standard additions (MSA) used for calculation
N	Presumptive evidence of a compound (TICs only)	U	Compound was not detected
P	Concentration difference between primary and confirmation columns $>25\%$	W	Post digestion spike out of control limits
U	Compound was not detected	*	Duplicate analysis not within control limits
X,Y,Z	Defined in case narrative	+	Correlation coefficient for MSA <0.995

Analytical test results meet all requirements of NELAC unless otherwise noted under the individual analysis.

Measurement uncertainty values, as applicable, are available upon request.

Tests results relate only to the sample tested. Clients should be aware that a critical step in a chemical or microbiological analysis is the collection of the sample. Unless the sample analyzed is truly representative of the bulk of material involved, the test results will be meaningless. If you have questions regarding the proper techniques of collecting samples, please contact us. We cannot be held responsible for sample integrity, however, unless sampling has been performed by a member of our staff. This report shall not be reproduced except in full, without the written approval of the laboratory.

Times are local to the area of activity. Parameters listed in the 40 CFR part 136 Table II as “analyze immediately” are not performed within 15 minutes.

WARRANTY AND LIMITS OF LIABILITY - In accepting analytical work, we warrant the accuracy of test results for the sample as submitted. THE FOREGOING EXPRESS WARRANTY IS EXCLUSIVE AND IS GIVEN IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED. WE DISCLAIM ANY OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING A WARRANTY OF FITNESS FOR PARTICULAR PURPOSE AND WARRANTY OF MERCHANTABILITY. IN NO EVENT SHALL EUROFINS LANCASTER LABORATORIES ENVIRONMENTAL, LLC BE LIABLE FOR INDIRECT, SPECIAL, CONSEQUENTIAL, OR INCIDENTAL DAMAGES INCLUDING, BUT NOT LIMITED TO, DAMAGES FOR LOSS OF PROFIT OR GOODWILL REGARDLESS OF (A) THE NEGLIGENCE (EITHER SOLE OR CONCURRENT) OF EUROFINS LANCASTER LABORATORIES ENVIRONMENTAL AND (B) WHETHER EUROFINS LANCASTER LABORATORIES ENVIRONMENTAL HAS BEEN INFORMED OF THE POSSIBILITY OF SUCH DAMAGES. We accept no legal responsibility for the purposes for which the client uses the test results. No purchase order or other order for work shall be accepted by Eurofins Lancaster Laboratories Environmental which includes any conditions that vary from the Standard Terms and Conditions, and Eurofins Lancaster Laboratories Environmental hereby objects to any conflicting terms contained in any acceptance or order submitted by client.

ATTACHMENT III
Report Quality Assurance Record
(2 pages)



REPORT QUALITY ASSURANCE RECORD

Client: Uretex USA

Project Number: 70005.08

Author: Wayne McCulloch

EA Report Number: 7602

REPORT CHECKLIST

QA/QC ITEM	REVIEWER	DATE
1. Samples collected, transported, and received according to study plan requirements.	<u>W McCulloch</u>	<u>10/6/14</u>
2. Samples prepared and processed according to study plan requirements.	<u>W McCulloch</u>	<u>10/6/14</u>
3. Data collected using calibrated instruments and equipment.	<u>W McCulloch</u>	<u>10/6/14</u>
4. Calculations checked:		
- Hand calculations checked	<u>W McCulloch</u>	<u>10/6/14</u>
- Documented and verified statistical procedure used.	<u>W McCulloch</u>	<u>10/6/14</u>
5. Data input/statistical analyses complete and correct.	<u>Michelle Dumas</u>	<u>10/14/14</u>
6. Reported results and facts checked against original sources.	<u>Michelle Dumas</u>	<u>10/14/14</u>
7. Data presented in figures and tables correct and in agreement with text.	<u>Michelle Dumas</u>	<u>10/14/14</u>
8. Results reviewed for compliance with study plan requirements.	<u>W McCulloch</u>	<u>10/6/14</u>

	AUTHOR	DATE
9. Commentary reviewed and resolved.	<u>W McCulloch</u>	<u>10/15/14</u>
10. All study plan and quality assurance/control requirements have been met and the report is approved:		
	<u>W McCulloch</u>	<u>10/15/14</u>
	PROJECT MANAGER	DATE
	<u>Michelle Dumas</u>	<u>10/14/14</u>
	QUALITY CONTROL OFFICER	DATE
	<u>MJ</u>	<u>10/14/14</u>
	SENIOR TECHNICAL REVIEWER	DATE



OLD BUSINESS

DATE: January 26, 2023
RE: PBS Amendment
TO: Paula Miranda, General Manager
ISSUED BY: Aaron Bretz, Director of Operations

BACKGROUND

Our contract with PBS for support services on the Rogue Brewery Seawall project did not include construction management services. They are best suited to provide these services, and after taking proposals from other firms, have demonstrated themselves to be the best value for this project.

DETAIL

PBS submitted a proposal to provide Construction Management services to include special inspections on the Rogue Brewery in an amount not to exceed \$82,550.

Previous authorizations for professional services by PBS on this project total \$255,825. With this addition, the total authorization through project completion would be \$338,375.

RECOMMENDATION

I RECOMMEND A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR OR HER DESIGNEE TO INCREASE THE PBS CONTRACT FOR PROFESSIONAL SERVICES BY AN AMOUNT NOT TO EXCEED \$82,550.



NEW BUSINESS

DATE: January 19, 2023
RE: Letter of Support for Krab Kettle Inc.
TO: Paula Miranda, General Manager
ISSUED BY: Aaron Bretz, Director of Operations

BACKGROUND

Al Pazar of Krab Kettle Inc. has applied for federal funding under NOAA's Marine Debris Removal Program for the purpose of removing derelict fishing gear off the Central Oregon Coast. He has asked for a letter of support from the Port.

DETAIL

I have talked with Al about his intended program, and in the future, we may seek to provide him a limited amount of space and/or resources to get his operation off the ground; that would be addressed by memorandum of understanding that is yet to be negotiated. Operational agreements would come later. At this time, the immediate request is for the Port to voice support for funding this program. Removal of derelict fishing gear is important, particularly as whale entanglement has become a problem.

More information about the intended operation can be found in the attached documents.

RECOMMENDATION

I RECOMMEND A MOTION TO AUTHORIZE THE PRESIDENT OF THE PORT COMMISSION TO SIGN THE ATTACHED LETTER OF SUPPORT FOR FUNDING OF KRAB KETTLE INC'S FEDERAL GRANT REQUEST.



600 S.E. BAY BOULEVARD NEWPORT, OREGON 97365 PHONE (541) 265-7758 FAX (541) 265-4235 www.portofnewport.com

1/18/2024

National Oceanographic and Atmospheric Administration
Nancy Wallace, Director Marine Debris Program, Office of Response and Restoration
1305 East-West Highway
Silver Spring, MD 20910

Dear Nancy:

We offer our full support for Krab Kettle Fisheries Inc. in their effort to remove derelict fishing gear from the highly valued Dungeness Crab grounds off the central coast of Oregon. We commend the Pazar family and the entire organization for undertaking a well planned and organized effort to apply modern technology to the effort to remove derelict gear from the ocean and reduce the impact to marine mammals and other marine life. The Port of Newport fully supports Krab Kettle Fisheries Inc.'s request for federal funding under the Marine Debris Removal Program.

In recent years, the risk of whale entanglement in derelict crab fishing gear has posed a direct threat to the iconic Commercial Crab Industry, and it is certainly commendable that Al Pazar and his organization have determined to pool federal and private resource to make a tangible difference in the reduction of derelict crab gear in the water. The Port will work cooperatively with Krab Kettle Fisheries to establish a memorandum of understanding that will include a limited amount of dedicated space and resources to support their efforts as their organization gets started.

We urge the National Oceanographic and Atmospheric Administration to approve Krab Kettle Fisheries Inc.'s grant request so that they can start the very important work of removing derelict fishing gear, and reduce the amount of marine mammals lost as a result of their interaction with the submerged gear. We are happy to support them, and thankful for the opportunity to assist in this vital effort.

Sincerely

Gil Sylvia, President
Port of Newport Commission

A. **Applicant Organization:** Krab Kettle Fisheries, Inc.

B. **Project Title:** Development and Implementation of a Standard Operating Procedure (SOP) to locate, identify and remove accumulated Derelict Fishing Gear (DFG), primarily Commercial Ocean Dungeness Crab Pots lost off the Oregon Coast.

C. **Name, Address, Telephone Number and Email Address.**

Alan Pazar	Vessel: 56' <i>Pacific Surveyor</i>
89487 Highway 101 N	Oceanographic Research Vessel
Florence, OR 97439	Owned and operated by Applicant Organization

541-999-1538
alpazar@gmail.com

Alan Pazar: Captain. (P.I.) USCG 100-ton Masters License. 48 years of experience commercial crabbing West Coast waters (WA, OR, CA, AK, Puget Sound). Active and enthusiastic partner with Oregon Department of Fish and Wildlife (ODFW) in NOAA funded DFG removal efforts 2006-2010 (Cyreis Schmitt. P.I.). 20 years video surveys (ODFW, NOAA, OSU, Cal F&G) using ROV, Video Landers, Video Sleds. 30 years performing various research cruises.

Joseph Pazar: Alternate/Co-Captain. Engineer. Personnel Supervisor. USCG 100-ton Masters License. 10 years of experience commercial crabbing West Coast waters, 4 years research cruises for various agencies. Deck safety Lead. Hydraulics.

Nickolas Pazar: ROV Pilot/Sonar Analyst. Retired United States Navy Cryptologist (23 Years/Senior Chief). Disabled veteran. Submarine qualified, multiple advanced analyst qualifications and achievements.

Ryan Doherty: Deck Lead. Engineer. Excellent on deck, winches, hauler, hydraulics. Deck safety. Development of deck protocol. Adaptable as conditions and circumstances dictate required changes to protocol. Excellent seamanship qualities. 18 years crabbing West Coast.

Joshua Madura: Deck and Systems, Electrical Technician. Retired United States Navy Electronics Technician (22 Years/Chief). Disabled veteran. Extensive experience conducting installation, maintenance, and troubleshooting of electronic equipment. Alternate ROV Pilot.

D. **Project Location:** Central Oregon Coast. We expect the survey and recovery locations to be inside the area: 43:10 N to 45:40 N and from 124:06 W to 124:40 W.

E. **Project Description:**

- Using institutional knowledge derived from 48 years of fishery experience and historic DFG locations identified in ODFW ARRA Final Report from 2011, we will conduct sonar surveys in areas with expected or documented concentrations of

DFG. Proposed NOAA funds will facilitate the purchase of an EdgeTech 4125i Side Scan Sonar system and a Deep Trekker Revolution NAV Remotely Operated Vehicle (ROV). These systems will be employed approximately 35 days per project year (yrs. 2 & 3) to locate, identify and remove DFG. The remaining funds will be used to pay the vessel's daily rate (**G.**). In multiple reports (2019, 2012), Natural Resources Consultants, Inc. has indicated that ROV DFG removal is the safest and least environmentally impactful of the five feasible methods accessed.

- The project will primarily target Dungeness crab pots for DFG removal. This category of DFG was chosen because it is the “anchor” fishery for Newport, and the other coastal ports of Oregon. It aligns with our organization’s expertise and passion. ODFW estimates place gear loss at up to 10% of the 100,000 plus pots fished every year. The effects of ghost fishing, whale entanglement and habitat destruction are well documented. There is no ongoing effort to remove this category of DFG in this geographic area (**D.**). Our organization is uniquely qualified to spearhead the creation of a sustainable and ongoing DFG removal effort in the Newport area. Our tailored vessel and experienced crew have conducted dozens of scientific endeavors for state, federal, private, and academic organizations. We can supply letters of support and recommendation from past clients who have first-hand experience dealing with us for at-sea needs and can attest to our capabilities.
- As a private, for-profit corporation, all Grant funds will be placed in a dedicated, separate account and distributed to the vessel for payroll and operations on a daily rate basis.
- The purchased equipment will be integrated into our existing research platform the R/V Pacific Surveyor (<https://www.pacificsurveyorresearch.com/>). Systematic sonar searches will be conducted in traditionally fished areas. The discover software will enable us to ensure the search integrity is maintained and obtain GPS coordinates of DFG targets. GPS coordinates will be programmed into the Revolution mission planning system. The Revolution ROV will be used to attach spectra line and carabiner, or grapple using a manipulator arm. It will be pulled to the surface utilizing onboard hydraulics.
- The proposed project would be three years in duration FY24 – FY26.
- Side-Scan sonar would be utilized to establish a baseline assessment of DFG in the geographic area during the first year as there is no current accumulation data. In each subsequent year, monitoring before and after the season would be conducted in designated control areas identified in year one to provide data for use in project milestone tracking and in academia. By planning around active crab fishing each year, utilizing partners (ODFW, ODCC) for disposal and outreach to the fishing fleet, and other interested parties, we expect buy-in from the fishing fleet.
- No subaward competition is projected.

- F. Anticipated Removal Activity Start Date:** As early as August 1, 2024, we will begin installation, calibration, initial baseline surveys, and crew training. Activities in each subsequent year will begin as early as June 10th to align with state policies and minimize impact to the fishery.
- G. Funding:** Our funding request is near minimum in this funding opportunity at \$825,000. If funded, we expect to spend approx. \$225,000 to acquire and install EdgeTech 4125i Side Scan Sonar system and a Deep Trekker Revolution NAV ROV. The remaining \$600,000 is to be divided for operations between start-up year one, with more robust scheduling years 2 and 3 of this proposed DFG removal project. (\$7,500 vessel daily rate).
- H. Project Outcomes:** This project addresses the need to reverse the continuing accumulation of DFG, which can be harmful to fish, wildlife, and the marine habitat. According to the Oregon Whale Entanglement Group, in 2018, there were 46 confirmed whale entanglements, 24 were associated to specific fisheries and of those 24, 15 were associated with the Dungeness crab fishery. Additionally, returning lost pots to local fishers drastically reduces the financial burden incurred each year due to lost gear. A detailed record of impacted marine organisms will be maintained for the duration of this project. We will release all marine organisms at location caught as carefully as possible, including the use of descending devices for rockfish with signs of barotrauma.
- We believe 150,000 lbs. of recovered pots with associated lines and floats is a reasonable goal for our project.
 - This equates to approximately 625 individual crab pots. Assuming the pots are usable, this equates to over \$187,000 of fishing gear to be reintroduced into the fleet.
 - The area we reasonably expect to survey and recover DFG from is the central Oregon Coast from Coos Bay, OR to Cape Lookout in depths to 90 meters. (lat/long listed in **D.** above) Our initial targeted area will be near Newport, OR in areas of known concentrations of cut-off pots.
- I. Diversity, Equity, Inclusion, Justice, and Accessibility Description:** Newport, Oregon, the base of our operations, is considered a CEJST disadvantaged community based on exceeding the low-income threshold. The members of the fishing community will be served by employment opportunities and by the return of valuable fishing gear otherwise lost as noted in (**H.**). Many employed members of the Newport fishing community are 25 years or older without a high school diploma or a GED, a demographic identified as desirable for inclusion.

FY24 NOAA Marine Debris Removal under the Bipartisan Infrastructure Law

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce

Funding Opportunity Title: FY24 NOAA Marine Debris Removal under the Bipartisan Infrastructure Law

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-ORR-2024-2007993

Federal Assistance Listings Number: 11.999, Marine Debris Program

Dates: ATTENTION: This competition will have a pre-proposal requirement (hereafter described as a Letter of Intent; LOI). Please note the competition's early submission deadline for this requirement.

This funding opportunity requires a Letter of Intent to be submitted for competitive review before a full proposal can be submitted. LOIs must be received via email as an attachment (to grants.marinedebris@noaa.gov) no later than 11:59 p.m. Eastern Time, October 27, 2023. If invited per the instructions in this announcement, full proposals must then be submitted through and validated by Grants.gov on or before 11:59 p.m. Eastern Time, February 23, 2024. Due to limited time, hardcopy LOIs or full applications will not be accepted.

Funding Opportunity Description: The NOAA Marine Debris Program, authorized in the Marine Debris Act, codified at 33 U.S.C. § 1951 et seq., supports the development and implementation of marine debris removal and prevention projects that benefit coastal habitat, waterways, and marine and Great Lake resources. Through this solicitation, NOAA seeks to openly compete funding made available through the Bipartisan Infrastructure Law (PL 117-58) to support large-scale marine debris removal efforts throughout the coastal United States, Great Lakes, territories, and freely associated states, including in Tribal or underserved communities.

The overall objective of this funding opportunity is to support impactful, large marine debris removal projects that will improve the resilience of the coastal and marine environment. This competition considers impactful projects to be those that will have long-lasting, transformational benefits to marine and coastal NOAA Trust Resources, coastal communities, and/or local economies. To accomplish this, the Marine Debris Program seeks proposals for impactful projects that remove and dispose of large marine debris (such as abandoned and derelict vessels, derelict fishing gear, and other large debris) and prevent the reaccumulation of marine debris in

the environment.

The Notice of Funding Opportunity (NOFO) describes the types of projects that are eligible for funding, as well as the proposal requirements and criteria under which applications will be evaluated for funding consideration. Funding of up to \$24,000,000 is expected to be available for this grant solicitation. NOAA MDP expects the majority of the funded projects to be between \$1M and \$4M. The minimum federal request for this solicitation is \$800,000 and in some cases, up to \$6M may be awarded. NOAA expects to support between four to eight projects from this competition, but may support more or fewer based on the merit of submitted applications and their proposed geographies and scale. Cost sharing, leveraged funds, and in-kind support are important to ensuring these projects are impactful and well supported. Applicants are strongly encouraged to explore the opportunity to combine NOAA federal funding with formal matching contributions and informal leverage from a broad range of sources in the public and private sectors.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The overall objective of this funding opportunity is to support impactful, large marine debris removal projects that will improve the resilience of the coastal and marine environment and implement strategies to prevent the reaccumulation of marine debris. “Impactful” projects are considered to be those that will have long-lasting, transformational benefits to marine and coastal NOAA trust resources, coastal communities, and/or local economies. This funding opportunity will openly compete funding made available through the Bipartisan Infrastructure Law (PL 117-58), and will focus support for impactful marine debris removal efforts throughout the coastal United States (including coastal riverine systems), Great Lakes, territories, and freely associated states, including Tribal and underserved communities.

The NOAA Marine Debris Program (MDP), a division of the Office of Response and Restoration, leads national efforts to address marine debris. The mission of the NOAA MDP is to investigate and prevent the adverse impacts of marine debris. This mission is achieved through research, prevention, and removal activities that aim to conserve and protect our nation’s marine environment and coastal economy, as well as ensure navigation safety.

Marine debris is defined as "any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment or the Great Lakes" (15 C.F.R. § 909.1). For the purposes of this funding opportunity, “large debris” is defined as abandoned and derelict vessels (ADVs), derelict fishing gear (DFG), and other debris that is unable to be easily collected by hand.

In alignment with the Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities through the Federal Government, the NOAA MDP encourages applicants and awardees to support the principles of diversity, equity, inclusion, justice, and accessibility when writing their proposals and performing their work. Ensuring these principles means paying particular attention to the most vulnerable or underserved communities, which are often low-income, those already overburdened by pollution, those who lack economic or social opportunity, and people facing disenfranchisement.

B. Program Priorities

The highest priority for this funding opportunity is to support impactful, large marine debris removal projects. For the purposes of this funding opportunity, “large debris” is defined as abandoned and derelict vessels (ADVs), derelict fishing gear (DFG), and other debris that is unable to be easily collected by hand. Priority will be placed on proposals that clearly demonstrate the beneficial impacts the removal project will have on NOAA trust resources, and the surrounding coastal environment or community. Applicants may conduct removal activities on their own, collaborate with other organizations, pass-through funding to subawardees, or administer a competitive funding opportunity to allow for funding of smaller projects and lower the administrative burden on applicant organizations. Subawardees must be capable of planning and executing removal operations. Applicants should reference Section V.A. of this NOFO to review this competition’s evaluation criteria, and develop proposals with those criteria in mind.

NOAA seeks to fund a suite of projects that together address large marine debris across the country. When selecting proposals for this competition, NOAA will consider the proposals in the context of already-funded projects, including projects that received funding through previous Bipartisan Infrastructure Law Marine Debris Removal Grants, to avoid duplication of removal efforts in similar locations (see the NOAA MDP website for examples of past and current removal projects: <https://marinedebris.noaa.gov/our-work/removal>).

NOAA trust resources generally refer to marine habitats and resources in which NOAA has a stewardship interest. This includes resources associated with National Marine Sanctuaries, Marine Monuments, National Estuarine Research Reserves, and areas under state coastal management programs, including Areas of Concern within the Great Lakes. NOAA trust resources also include commercial and recreational fishery resources (marine and Great Lakes fish and shellfish); coastal habitats; diadromous fish species; endangered and threatened marine species; marine mammals and marine turtles; marshes, mangroves, seagrass beds, coral reefs, other coastal habitats; Essential Fish Habitat (EFH); and Habitat Areas of Particular Concern (HAPCs). For the purposes of this competition, NOAA trust resources may also include transient or transboundary marine species.

NOAA will prioritize applications that demonstrate clear removal and disposal outcomes. Removals should be conducted with a focus on alternative disposal methods when possible, which means applicants should use disposal methods that are the most environmentally friendly given the location, availability, and resources of the specific removal effort. Examples of alternative disposal may include: recycling, reuse, waste-to-energy, or other innovative disposal methods.

Removal projects that include strategies to prevent the reaccumulation of marine debris in the future may be prioritized. This might include: the development or expansion of state-, regionally-, or nationally-focused marine debris prevention programs, vessel or fishing gear turn-in opportunities, vessel or fishing gear recycling programs, targeted programs working with boaters or fishermen, etc. Prevention activities should aim to reduce the recurrence of the type of debris removed.

Prevention and removal activities should prioritize collaboration with diverse entities and groups. These include (but are not limited to) collaborations with public and nonprofit organizations, community and watershed groups, anglers, boaters, industry (e.g., commercial and recreational fishing industries, other marine industries, and plastic and waste management industries), corporations and businesses, youth groups, students, academia, Tribal governments, and local and state government agencies.

Removal projects that include monitoring activities to demonstrate long-term outcomes are encouraged. Monitoring refers to project-specific, re- or post-removal data collection where important ecological metrics (large debris accumulation over time, habitat/species impacts, changes in ecosystem services, vegetation, etc.) are analyzed to show the effect of the removal project. Long-term outcomes can be described as the anticipated benefits to habitats, communities, and the economy. Examples include the ecological services to be restored, benefits to local economies from an increase in tourism, the economic benefit to fishers from the removal of ghost gear, jobs created, or how planned prevention activities will sustain the benefits of the marine debris removal activity. All monitoring activities must be complementary to proposed large-debris removal efforts.

NOAA is committed to advancing equity and support for underserved communities. The NOAA MDP strongly encourages applicants (and when relevant, subawardees) to incorporate diversity, equity, inclusion, justice, and accessibility through proactive, meaningful, and equitable community engagement in the identification, design, and/or implementation of proposed projects. Applicants may demonstrate this in a variety of ways, and examples include, but are not limited to, working in or with underserved communities, working with stakeholders for whom there is currently limited direct engagement on marine debris issues, encouraging diverse perspectives from project leaders and partners (including, but not limited to, sectors, age, career stage, gender, ethnicity, disability, geography), incorporating different learning or engagement approaches into the project, or translation of resources/signage into other languages (see signage requirements in sections IV.B.4 Budget Justification and VI.B.2 Special Award Conditions). Greater consideration will be given to projects that propose to work in areas with underserved communities that have been historically marginalized and overburdened by pollution.

Applicants should describe any project activities that will take place within, have a portion of the benefits flow to, and/or meaningfully engage Tribal or underserved communities. Meaningful engagement relies on the involvement of those potentially affected in a manner that builds trust and addresses barriers to community participation to ensure that the scope of the activities is inclusive of the priorities and needs of communities and that the benefits of the activities flow back to the community. In this competition, meaningful engagement refers to an intentional exchange between the applicant and the underserved community where both have multiple opportunities to ensure the other is correctly understanding each other's perspectives and ideas. This will ensure the Tribal and/or underserved community is an integral part of the visioning, decision-making, and/or leadership for project activities that may affect their environment and/or health and wellbeing. Outreach or communications directed to a Tribal or underserved community without any description for how feedback and ideas from the community receiving the messaging will be incorporated into the project design and/or execution will not be considered meaningful engagement.

This priority aligns with the Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities through the Federal Government. Competitive proposals will describe how their proposed project will advance equity, inclusion, and accessibility. For this funding competition, the following definitions from Executive Order 13985 are included:

-Equity: means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

-Underserved communities: refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

-Accessibility: means the design, construction, development, and maintenance of facilities, information and communication technology, programs, and services so that all people, including people with disabilities, can fully and independently use them.

-Diversity: is defined by NOAA as a collection of individual attributes that together help organizations achieve objectives.

-Inclusion: is defined as a culture that connects each person to the larger organizing

structure.

Funding is primarily aimed at supporting new or impactful removal efforts, or programs that require funding to scale-up or expand their existing removal efforts to achieve broader and more impactful outcomes. Proposals that scale-up projects that were funded through the previous Bipartisan Infrastructure Law Marine Debris Removal competition are allowed, but the proposals must clearly indicate how additional funding will lead to outcomes above and beyond what was considered through the previous grant application.

Proposals to develop new marine debris databases will not be competitive under this competition. Applications addressing microplastics or microfibers are not priorities for this solicitation and will be withdrawn from the review, as will research and development proposals. Other NOAA funding opportunities may be available for such activities (e.g., the National Sea Grant BIL Marine Debris Challenge Competition NOFO and the National Sea Grant BIL Marine Debris Community Action Coalitions NOFO). Funding for marine debris interception technologies is available from the NOAA MDP through competition NOAA-NOS-ORR-2024-2007991 “FY24 NOAA Marine Debris Interception Technologies under the Bipartisan Infrastructure Law.” This funding opportunity is not intended for removal efforts in non-coastal states or inland areas outside the Great Lakes watershed.

Applicants should also note that the following activities, in general, will not be considered for use of federal dollars under project awards: (1) activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state, or federal law; (2) activities that constitute restoration for natural resource damages under federal, state, or local law; (3) activities that are required by a separate consent decree, court order, statute, or regulation; (4) activities that are eligible for removal and reimbursement under a Federal Disaster Declaration.

C. Program Authority

Marine Debris Act (33 U.S.C. § 1951 et seq.); Infrastructure Investment and Jobs Act (PL 117-58)

II. Award Information

A. Funding Availability

Funding of up to \$24,000,000 is expected to be available for this grant solicitation. NOAA MDP expects the majority of the funded projects to be between \$1M and \$4M. The minimum federal request for this solicitation is \$800,000 and in some cases, up to \$6M may

be awarded. NOAA expects to support between four to eight projects but may support more or less based on the merit of submitted applications and their proposed geographies and scale. The number of marine debris projects will be based on the merit of submitted applications. The exact amount of funds to be awarded and the number of awards made will be at the discretion of NOAA following pre-award negotiations with highly meritorious applicants. NOAA may request that a highly ranked applicant submitting more than one meritorious proposal combine all or parts of its proposals into one award. Publication of this opportunity does not obligate NOAA to award any specific project or obligate all or any part of available program funds. Awards may include funding from other programs or agencies. There is no guarantee that sufficient funds will be available to make awards for any or all proposals. The number of awards to be made under this solicitation will depend on the number and quality of eligible applications, the amount of funding requested by recommended applicants, the merit and ranking of the proposals, and other program funding needs.

B. Project/Award Period

Applications should cover a project period of performance from two to four years in duration. The earliest anticipated start date for awards will be August 1, 2024 – applicants should consider this date when developing plans for initiating proposed project activities. Applicants selected to receive funding may be asked to modify the project start date to accommodate any delays in federal funding or environmental compliance consultations. Applications for renewal or supplementation of previously awarded NOAA projects are allowed; however, such proposals will be subject to the competitive process and will not receive preferential treatment. In some cases, NOAA may fund a project with incremental funding, usually in the form of a multi-year award. If incremental or multi-year funding is awarded, in which NOAA only obligates funds initially for the first phase of a project, NOAA has no obligation to provide any additional prospective funding in connection with that award in subsequent time periods; additional funding is contingent upon satisfactory performance, continued relevance to program mission and priorities, and the availability of funds.

C. Type of Funding Instrument

Selected applications will be funded through cooperative agreements since NOAA staff will be substantially involved in aspects of the large marine debris removal projects. Substantial involvement may include, but is not limited to, tracking the progress of removal, disposal, and prevention efforts through site visits; developing performance measures to assess project outcomes; participating in regular conference calls, and progress report evaluation and milestone approval; engaging with the recipient on environmental compliance requirements, technical collaboration, or permitting assistance; supporting the development

of public-facing communication materials or events to highlight marine debris prevention activities; supporting the development of and/or reviewing study approach, methodologies, and conceptual models; and reviewing manuscript drafts (if any).

Activities funded through this competition may have long-term planning goals and objectives common to the programmatic needs of both NOAA and the recipients. As such, NOAA may seek to maintain a long-term partnership with recipients by establishing cooperative agreements in relevant situations as “institutional awards.” If a cooperative agreement is established as an institutional award, the initial cooperative agreement will be established for no more than five years and NOAA may issue new cooperative agreements to the recipient for similar or related activities through a noncompetitive selection process.

III. Eligibility Information

A. Eligible Applicants

As outlined in the Marine Debris Act, eligible applicants for projects taking place in the coastal United States, Great Lakes, territories, and freely associated states (or their adjacent waterways), are state, local, Tribal, and territory governments whose activities affect research or regulation of marine debris. Equally eligible are any institution of higher education, nonprofit organization, or commercial (for-profit) organization with expertise in a field related to marine debris. Applications from federal agencies or employees of federal agencies will not be considered. Interested federal agencies may collaborate with eligible applicants but may not receive funds through this competition. Foreign public entities (see 2 CFR 200.1) from outside of the freely associated states are not eligible to apply.

NOAA is strongly committed to broadening the participation of veterans, minority-serving institutions, and entities that work in underserved and underrepresented areas. The NOAA MDP encourages applicants of all backgrounds, circumstances, perspectives, and ways of thinking to apply.

Applications that have been submitted to other NOAA grant programs or as part of another NOAA grant may be considered under this solicitation. Applicants should indicate if the proposal has been submitted elsewhere for funding as described in the Budget Justification referenced in Section IV. Application and Submission Information (Subsection B “Content and Form of Application”) of this announcement.

B. Cost Sharing or Matching Requirement

There is no non-federal matching requirement for this funding. However, cost sharing,

leveraged funds, and in-kind support are important to ensuring these projects are impactful and meaningfully supported by other project partners. Applicants are strongly encouraged to explore the opportunity to combine NOAA federal funding with formal matching contributions and informal leverage from a broad range of sources in the public and private sectors. In cases where non-federal match or informal leverage cannot be obtained, the challenges preventing this type of support should be described (see Section V.A “Evaluation Criteria” for more detail on how this will be evaluated).

Applicants should refer to 2 C.F.R. 200.306 for cost sharing or matching policies. Applicants with approved indirect cost rates planning to provide cost sharing may propose a portion or all of their indirect costs as match, since the valuation of such costs has already been federally approved and documentation is readily available. Refer to Section IV.F “Funding Restrictions” for information on indirect costs.

For funded applications that include non-federal match funds within the proposed budget, the ratio of approved NOAA funds to non-federal match funds will be legally binding within the award document signed by NOAA's Grant Management Division (GMD). NOAA is under no obligation to amend the match contributions once the award document is signed by the recipient.

C. Other Criteria that Affect Eligibility

Activities involving the collection, assessment, oversight, or interpretation of scientific information are required to adhere, to the best of their ability, to the principles, policies, and codes of conduct identified in NOAA’s Policy on Scientific Integrity (NOAA Administrative Order 202-735D-2), which is available at:

<https://www.noaa.gov/organization/administration/nao-202-735d-2-scientific-integrity>

The intent of the policy is to strengthen widespread confidence (from scientists, decision makers, and the general public) in the quality, validity, and reliability of NOAA-funded science. Further information on this policy can be found at:

<https://sciencecouncil.noaa.gov/Scientific-Integrity-Commons>

IV. Application and Submission Information

A. Address to Request Application Package

Applicants must follow the LOI and full application requirements stated in this announcement, or they may not be considered. Complete application packages, including required federal forms, general instructions, and supplementary instructions specific to this

competition can be found on Grants.gov (<http://www.grants.gov>). If the application forms and instructions cannot be downloaded from Grants.gov, please contact Amanda Dwyer (amanda.dwyer@noaa.gov, 240-533-0402).

B. Content and Form of Application

LETTER OF INTENT:

The Letter of Intent (LOI) submission is a critical step to determine if proposed projects are well-suited for this specific competition. Applicants must submit a LOI and receive an invitation from the NOAA MDP before submitting a full proposal. LOIs must be submitted as an email attachment to grants.marinedebris@noaa.gov by 11:59 pm Eastern time on October 27, 2023 (see Section IV.D. below). Please put “FY24 NOAA Marine Debris Removal Letter of Intent (LOI)” in the email subject heading. An email confirmation will be sent indicating successful submission of the LOI. If no confirmation email is received, that is an indication that the LOI submission was not successful and will not be reviewed. In such cases please contact the NOAA MDP to resolve the issue prior to the deadline. For this reason, it is highly recommended that LOIs are submitted early.

The goal of the competitive LOI process is to streamline the proposal review and to be able to provide feedback and guidance on invited application ideas. In the LOI, applicants must indicate clearly how their project proposes to address the competition priorities, the need for the proposed debris removals, the geographic location of all project activities, and a short description of the methods, outcomes, and efforts to address diversity, equity, inclusion, justice, and accessibility. Those applicants whose LOIs do not strongly align with program objectives and priorities, as determined by the NOAA MDP (through the review process described below in Section V.A.), will not be invited to submit full applications.

The LOI must be no more than three (3) pages in length. It should be single spaced, use 11- or 12-point font on an 8.5” x 11” page size and have page margins no smaller than 1” on each edge. A fourth page may be submitted showing only project site maps and photographs of the area or the debris targeted for removal. If the LOI is incomplete, does not meet the guidelines above, or is submitted late, it may not be considered. Those applicants invited to submit a full proposal will receive an email notification containing feedback and full-proposal submission instructions from NOAA MDP. NOAA MDP may limit the number of full applications invited in order to meet the Program’s expected budget or to manage the review workload.

The LOI should include each of the components listed below:

- a) Applicant Organization

b) Project Title

c) Principal Investigator(s) Name, Address, Telephone Number and Email Address: Briefly describe the PI or organization's experience or expertise that would lead to a successful removal project. A list of primary project partners and their roles/contributions should also be part of this section.

d) Project Location: List the geographic area(s) in which the project will be implemented. Include geographic coordinates of removal sites if known.

e) Project Description: Clearly state the purpose of the project and briefly list specific tasks to be accomplished with requested funds. Applicants should identify the debris type and include a clear explanation for why this type or category of debris was chosen. Applicants should identify the mechanism(s) for distributing funds (e.g., applicant removal activities, collaboration with other organizations, pass-through funding to subawardees, or administration of a competitive funding opportunity). Applicants should describe proposed techniques that will be used and indicate the duration of the project. This section should describe associated prevention, and/or monitoring activities that are planned. Applicants administering a competition for subawardees that will propose marine debris removal projects should clearly articulate the proposed approach for planning and executing the competition.

f) Anticipated removal activity start date (not the proposed award start date)

g) Funding: Indicate the approximate amount of federal funds requested and approximate amount of non-federal match or informal leverage anticipated.

h) Project Outcomes and Metrics: Describe how project activities will be impactful on NOAA trust resources, coastal communities, and/or local economies and how the project benefits will be sustained beyond the life of the project; identify NOAA trust resources that are likely to benefit (habitats and species expected to benefit) and how the project will make a measurable impact. Describe project metrics expected to be tracked, including, at a minimum when applicable: an estimate of how many pounds of debris will be removed from the marine/coastal environment, the number and type of ADVs/DFG/other debris items removed, geographic area (in square miles or shoreline miles) surveyed. When applicable, the following metrics are encouraged to be tracked: weight of debris recycled/reused/converted to energy, footprint of debris

removed (square feet), number of volunteers, and number of volunteer hours.

i) Diversity, Equity, Inclusion, Justice, and Accessibility Description: Indicate how the project demonstrates principles of diversity, equity, inclusion, and accessibility through proactive, meaningful, and equitable community engagement in the identification, design, and/or implementation of proposed projects. This may be demonstrated in a variety of ways and examples include but are not limited to working in or with underserved communities, working with stakeholders for whom there is currently limited direct engagement on marine debris issues, working with a project team with diverse perspectives (including, but not limited to, sectors, age, career stage, gender, ethnicity, disability, geographic), or incorporating different learning or engagement approaches into the project.

Applicants should identify if project activities will take place within, have a portion of the benefits flow to, and/or meaningfully engage Tribal or underserved communities and how those benefits will be measured. Please reference the Climate and Economic Justice Screening Tool (CEJST) (<https://screeningtool.geoplatform.gov/>) to identify if any known project locations are considered disadvantaged communities. If a community is not considered disadvantaged by CEJST, the applicant may provide an alternate reference or description.

An LOI template can be found at:

<https://marinedebris.noaa.gov/resources/funding-opportunities>

FULL PROPOSAL (only if invited):

Applicants may only submit a full proposal if invited to do so by the NOAA MDP. Applicants are required to apply through the Grants.gov website. No hardcopy applications will be accepted due to limited staff time.

Please visit <https://marinedebris.noaa.gov/resources/funding-opportunities> for helpful information on developing and submitting proposal documents/information.

Applicants are also encouraged to minimize the number of files uploaded to an application by combining the proposal's files as much as possible. Adobe PDF is the preferred file format for application attachments.

Applications must adhere to page limits and any pages that exceed the limit for each section may not be reviewed. Files that cannot be opened or downloaded will not be reviewed. Proposals will not be accepted if sent via fax or email. Application documents must use 11- or 12-pt font on an 8.5" x 11" page size and have page margins no smaller than 1" on each edge.

Applications should be sufficiently detailed in accordance with the guidelines and information requirements listed below and elsewhere in this announcement, and proposed activities should be able to be completed within the proposed period of performance. Each proposal application must contain the following required federal application forms (available from Grants.gov (<http://www.grants.gov>)) and adhere to page limits indicated for each category, unless otherwise noted below:

- SF-424 - Application for Federal Assistance
- SF-424A - Budget Information, Non-construction Programs
- SF-424B - Assurances, Non-construction Programs
- CD-511 - Certifications Regarding Lobbying
- SF-LLL - Disclosure of Lobbying Activities (if applicable)
- Summary (described below, 3 pages or less)
- Narrative (described below, 15 pages or less)
- Data Management Plan (described below, 2 pages or less)
- Budget Justification Narrative (described below, 8 pages or less)
- Curriculum vitae or résumé of applicant personnel (2 pages or less per person)
- Maps depicting the geographic extent of where removal efforts will be targeted including any site location(s) and/or potential removal locations highlighted (no page limit)
- Photographs of example debris targets, if any (no page limit)

- Letter(s) documenting partner support (no page limit)
- Indirect cost rate agreement, if applicable (no page limit)
- Other relevant attachments important to the overall understanding and evaluation of the proposed project, such as documentation of permits necessary to perform the work proposed under the project (20 pages or less).

The following sections describe the information that should be provided in the proposal.

1. Summary (3 pages or less)

- a) Applicant Organization
- b) Proposal Title
- c) Applicant Point of Contact Name, Address, Telephone Number, and Email Address
- d) Proposed project activities: List the types of activities proposed (i.e. number of targeted removals, surveying/scoping new removal targets, subaward competition, prevention/monitoring activities, etc.)
- e) Location: List the geographic area(s) in which the project activities will be implemented. Include geographic coordinates of removal sites if known.
- f) Funding: Indicate the amount of federal funds requested and the amount of non-federal match or informal leverage anticipated.
- g) Description: Clearly state the purpose of the proposed activities and the specific marine debris issues being addressed, including a clear explanation for why this type or category of debris was chosen, how it is detrimental to the area, including impacts to both the environment and wildlife, as well as the surrounding communities. Applicants should clearly articulate the proposed project components; summarize all proposed planning and on-the-ground activities expected; identify stakeholders and non-federal partners that are likely to be involved; identify NOAA trust resources that are likely to benefit; and indicate the duration of the project and provide a general timeline of activities.
- h) Outcomes and Metrics: Briefly describe the anticipated ecological and socio-economic

outcomes (i.e. ecological services to be restored, benefits to NOAA trust resources, benefits to local economies from an increase in tourism, etc.) the project is expected to produce, including how the project benefits will be sustained beyond the life of the project. Provide an estimate of how many pounds of debris will be removed from the marine/coastal environment, the number and type of ADVs/DFG/other debris items removed, geographic area (in square miles or shoreline miles) surveyed. Provide approximate numbers for outcomes of project activities and describe how data will be recorded and maintained. Long-term outcomes can be measured with an increased focus on prevention activities and monitoring activities in association with the removal efforts. Examples of long-term outcomes include the ecological services to be restored, benefits to local economies from an increase in tourism, the economic benefit to fishers from the removal of ghost gear, jobs created, or how planned prevention activities will sustain the benefits of the marine debris removal activity.

2. Narrative (15 pages or less)

When writing the Narrative, applicants should understand the components of the evaluation criteria (see Section V.A. "Evaluation Criteria" in this announcement), as they explain how proposals will be scored for the application to be competitive. The Narrative is limited to 15 pages and should give a clear presentation of the proposed work. Generally, the Narrative should include the following information.

- a) Introduction & Outcomes: A summary of the problem the proposed removal project is addressing. Describe the geographic reach of the project and whether the project will directly conduct targeted marine debris removal or will create and administer a competition for subawardees that will propose marine debris removal projects. Identify the habitats, species, and/or resources (including specific NOAA trust resources (as described in Section I.A) expected to directly and indirectly benefit from removal activities, including anticipated ecological services to be restored by debris removal (these benefits should be tracked during the award period). Also include any benefits to the economy, local communities, or navigation safety that might result.

Applicants should align efforts with existing regional or national publicly vetted programs, priorities, or strategic plans (e.g., regional Marine Debris Action Plans, National Estuary Program or NOAA Habitat Focus Area sites, 2021-2025 NOAA MDP Strategic Plan, National Marine Sanctuary management plans, etc.) and describe how they do so. Proposal narratives should explicitly list or otherwise cite such documents for verification purposes, including the page number or specific action number within the plan. NOAA Marine Debris Action Plans can be found on the

NOAA MDP website at:

<https://marinedebris.noaa.gov/emergency-response-guides-and-regional-action-plans>.

Describe how project activities will be impactful on NOAA trust resources, coastal communities, and/or local economies, and how the project benefits will be sustained beyond the life of the project. Applications should include the metrics expected to be tracked, including specific, measurable metrics on removal, disposal, prevention, tracking, and post-removal monitoring efforts, species/habitat impacts, volunteer participation, economic benefits, and other performance measures. Provide an estimate of how many pounds of debris will be removed from the marine/coastal environment, the number and type of ADVs/DFG/other debris items removed, geographic area (in square miles or shoreline miles) surveyed. When applicable, the following metrics are encouraged to be tracked: weight of debris recycled/reused/converted to energy, footprint of debris removed (square feet), number of volunteers, number of volunteer hours. Provide approximate numbers for outcomes of project activities and describe how data will be recorded and maintained. Long-term outcomes can be measured with an increased focus on prevention activities in association with the removal efforts. Examples of long-term outcomes include the ecological services to be restored, benefits to local economies from an increase in tourism, the economic benefit to fishers from the removal of ghost gear, jobs created, or how planned prevention activities will sustain the benefits of the marine debris removal activity.

- b) Project Location(s): The geographic area (e.g., national or a specific region) in which the project will take place should also be clearly described. Provide maps (if needed) of expected locations of on-the-ground work. Indicate the time of year that those activities will take place in each location, if possible. If exact locations are unknown at the time of application, describe project locations in as much detail as possible and when/how locations will be determined.
- c) Detailed Description: This section should clearly describe the following components in detail:
 - i) Project Overview: How the project would be carried out and how it will meet the goals of this NOFO. This should include a description of short- and long-term goals and objectives that align with goals of this NOFO; an overview of each proposed activity (removal, disposal, prevention, and monitoring); and a description of how project results will be shared more broadly.
 - ii) Removal Methods: For applications that propose to execute a plan for a particular

marine debris removal project, the application should include the specific marine debris they plan to remove, how those marine debris targets were identified, and how they will be removed. If the list of the specific marine debris targets has not been finalized or the applicant is proposing to subaward funding based on a competition, the applicant should describe their goals in detail and the process they will use to finalize the list of marine debris targets.

For applications that propose administering a competition for subawardees, the application should include what applicants, geographies, and types of marine debris will be eligible for the competition. Applications should identify the targeted applicant pool for sub-awards (if applicable), as well as the expected number and funding range of sub-awards to be made for the overall life of the project. Applications should also include the methods proposed for identifying potential sub-awards or projects, how NOAA will be involved in the process and funding decisions, and the criteria that will be used for selecting strong projects and determining the success of project activities. Please note, it is NOAA's intention to maintain maximum competition and flexibility in the administration of federal funds through these awards. If the applicant anticipates limiting competition or otherwise restricting the allocation of funding to specific purposes, these limitations or restrictions should be clearly detailed in the narrative.

- iii) Disposal Approach: For applications that propose executing a plan for a particular marine debris removal project, the application should describe the planned disposal methods, including plans for alternative disposal as defined in Section I.B. Program Priorities. For applications that propose administering a competition for subawardees that will propose marine debris removal projects, the application should describe how disposal methods will be considered and tracked as part of the competition and on-going monitoring.
- iv) Prevention Activities (see Section I.B): For prevention activities proposed, the application should clearly describe the activities and how they complement the removal and disposal activities proposed. By incorporating prevention activities along with removal, the application should describe how the likelihood of reaccumulation of specific debris types will decrease. Prevention activities may include those activities aimed at building capacity to address chronic large marine debris problems (See I.B). Any prevention activities aimed at changing behaviors and raising awareness should also be described. Applicants should clearly identify the target audience for any prevention activities and describe the

approaches that will be used to engage that audience.

- v) **Monitoring Activities:** If monitoring activities are being proposed, clear methods and information on data collection should be outlined. The application should clearly describe how the activities complement the removal and disposal activities being proposed.
- d) **Permitting and Compliance:** A discussion of how the applicant organization will ensure that all necessary environmental permits will be secured prior to the use of federal funds on activities where such permits are required. Applicants should note, the National Environmental Policy Act (NEPA) requires NOAA to analyze a project's potential environmental impacts. As such, this section should also describe how necessary project information would be provided to NOAA staff in order to ensure compliance with all federal regulatory requirements. All successful applicants will be expected to have a process in place to provide as much detailed information as is reasonable on project activities, including details about site locations, species and habitat(s) to be affected, on-the-ground project activities and processes proposed, the time of year that work will take place, and any environmental concerns that may exist (e.g., the use of and/or disposal of hazardous or toxic substances, potential introduction of non-indigenous species, impacts to marine mammals, impacts to endangered and threatened species or their designated critical habitat, impacts to coral reef systems). See Section VI. Award Administration Information (Subsection B.(10) "NEPA Requirements") for further detail on the NEPA process and requirements for applicants.
- e) **Diversity, Equity, Inclusion, Justice, and Accessibility:** Information on how proposed activities will promote diversity, equity, inclusion, and accessibility. Projects that demonstrate principles of diversity, equity, inclusion, and accessibility through proactive, meaningful, and equitable actions and community engagement in the identification, design, and/or implementation of proposed project activities will be prioritized. This may be demonstrated in a variety of ways and examples include but are not limited to working in or with under resourced or underserved communities as part of project development or execution; working with stakeholders for whom there is currently limited direct engagement on marine debris issues, working with a project team with diverse perspectives (including, but not limited to, sectors, age, career stage, gender, ethnicity, disability, geographic locations), or incorporating different learning or engagement approaches into the project. Additionally, the applicant should indicate any experience they or their project partners have in promoting diversity, equity, inclusion, justice, and accessibility in their past work.

Describe how benefits from the proposed work will flow to Tribal and/or underserved communities and how those benefits will be measured. When possible, please use the Climate and Economic Justice Screening Tool (CEJST (<https://screeningtool.geoplatform.gov>) to identify if any known project locations take place in disadvantaged communities. We are requesting use of this tool designed to assist agencies in defining and identifying disadvantaged communities. This tool measures environmental and socioeconomic burdens as well as health, housing, and transportation burdens at the census tract level. In this tool, Federally Recognized Tribes, including Alaska Native Villages, are also considered disadvantaged communities. We recognize this tool does not cover all burdens or lack of resources for all Tribal and/or underserved communities, especially for territories and freely associated states. In cases where burdens are not identified by CEJST for a community where project activities will occur, applicants may include their own identification of Tribal or underserved communities based on similar burdens or lack of resources, if CEJST does not identify those communities as disadvantaged. This may include, but is not limited to, a description of the community's previous or current access to resources, community history, power, values, or how they have been historically marginalized and/or overburdened by pollution.

Priority will be given to removal projects that fully meet the other priorities of this competition and describe meaningful engagement with Tribal or underserved communities. Meaningful engagement can occur in the identification, design, and/or implementation of proposed projects (see Section I.B). Some examples of ways to demonstrate meaningful engagement with a Tribal or underserved community include, but are not limited to:

- Describing how Tribal or underserved communities were/will be engaged in the removal site selection process/removal methods to ensure the removals in their community will be seen as a benefit and there aren't unintentional consequences by targeting removals located in an underserved community without the input of that community
- Describing specific project roles that will be conducted by Tribal or underserved community members located in the project area and/or impacted by the targeted debris presence/proposed removal project activities. This description should include how those roles were/will be selected. Ideally, these roles would be included in both the design and execution of the removal activities.

- Describing engagement with the underserved community to learn about the specific challenges they are facing and how the proposed removal activities can be conducted to help mitigate those challenges (i.e., ADV removals will make a local waterfront safer/more accessible, removal of DFG will enhance local fisheries and improve food security, removal of large debris items are expected to restore tourism revenue to improve the local economy, etc.)
- f) **Community Involvement:** Information on how proposed activities will promote community involvement and stewardship. Where appropriate, projects funded under this opportunity may encourage community involvement, such as through direct involvement in project activities, involvement in marine debris prevention, education, and outreach activities that are related to funded work, hands-on training, cash contributions, or donation of in-kind goods and services such as boat time and/or monitoring activities undertaken by volunteers or work crews.
- g) **Project Implementation Timeline and Milestones:** Indicate when the project is expected to begin (month and year, not before August 1, 2024) and end, and include a timeline for other key project activities and benchmarks, including expected competition deadlines for projects proposing subawards.
- h) **Roles and Responsibilities, Project Staff, and Letters of Commitment:**
Applicants should demonstrate a strong understanding of the marine debris issue and the technical requirements of large debris removal and disposal. Information on the roles and responsibilities of applicant organization staff should be detailed. Describe the organizational structure of the applicant and the qualifications of project staff. Describe the level of staff experience and qualifications in managing grants and implementing projects, including specifically any that addressed marine debris. All proposals should clearly demonstrate how the geographic scope of the proposed project fits with the applicant's own expertise, capabilities, and mission.
- Include a description of the experience and qualifications of relevant subcontractors conducting project work. If applicable, describe any previous NOAA involvement in and/or support for the project and include name(s) of any relevant NOAA staff. Examples of successfully implemented past projects, or the organization's experience successfully managing federal grants, partnerships, or funding competitions (if applicable) should be provided. If project staff have no specific examples to provide, applicants will be evaluated on their potential to effectively manage and oversee all project phases, demonstrated by education, training, and/or experience of primary project participants. Additionally, letters of support should be provided from any other

organizations involved to document their commitment to the proposal's goals and objectives, and to show support for long-term goals extending beyond the project's period of performance. Letters of support do not count toward the page limit for the Narrative.

- i) **References Cited:** Include all references to source materials cited within the proposal, if applicable. Applicants may follow any accepted scholarly format for citations that includes authors' names, year of publication, article and journal (or chapter and book) title, volume number, and page numbers. The Reference Cited section is not included in the 15-page limit but should include bibliographic references only (i.e., no additional parenthetical information), and can be included as either a separate attachment or part of the Narrative.

3. Data Management Plan (2 pages or less)

Proposals must include a Data Management Plan of up to two pages describing how project data and information collected or created under an award through this competition will be made discoverable by and accessible to the general public. Such data must be made available in a timely fashion (typically within two years) and should be free of charge or at no more than the cost of reproduction.

The Data Management Plan should be aligned with the Data Management Guidance provided by NOAA in Section VI. Award Administration Information (Subsection B.9 "Data Management Guidance) below. The contents of the Data Management Plan (or absence thereof), and past performance regarding such plans, will be considered as part of the proposal review. A typical plan should include descriptions of the types of project data and information expected to be created during the course of the project (e.g., removal metrics, outreach metrics, etc.); the tentative date by which data will be shared; the standards to be used for data/metadata format and content; methods for providing data access and the medium by which the data will be shared; approximate total volume of data to be collected; and prior experience in making such data accessible. The NOAA MDP manages and maintains a public-facing Clearinghouse (<https://clearinghouse.marinedebris.noaa.gov/>) and is able to ensure grantee compliance with Data Management requirements by hosting project data on that platform.

A sample Data Management Plan may be found at:
<https://marinedebris.noaa.gov/resources/funding-opportunities>

4. Budget Justification Narrative (8 pages or less)

Applicants should follow NOAA's Budget Narrative Guidance document to ensure the appropriate content and format is provided with the proposal. This document can be found at: https://www.noaa.gov/sites/default/files/atoms/files/gmd_budget_narrative_guidance_-_05-24-2017_final.pdf

The Budget Justification should include both a narrative and a summary budget table that lay out and describe each line item's various costs in as much detail as is reasonable. For clarification and simplicity, the Budget Justification narrative should be organized using the object classes in the order that they appear on the SF424A. Include detailed descriptions of all cost justifications for both federal funds and any cost sharing or matching funds (cost share or matching funds should be described in the same level of detail as the federal funds). Cost sharing, leveraged funds, and in-kind support are important to ensuring these projects are impactful and well supported. In cases where non-federal match or informal leverage cannot be obtained, the challenges preventing this type of support should be described.

The amounts described in the Budget Justification narrative and summary table must match the dollar amounts on all required forms. The summary budget table does not count toward the 8-page limit.

The Budget Justification narrative should also indicate if the proposal has been submitted for funding consideration elsewhere, what amount has been requested or secured from other sources, and whether the funds requested/secured are federal or non-federal. The source of any matching funds, including applicant or third-party in-kind contributions, should be explained, along with their status (e.g. pending, secured, etc.). If funding will be used to complete part of a larger project, the Budget Justification should describe the overall budget for the entire project to allow NOAA to make an informed determination of a project's readiness and cost-benefit ratio.

Applicants should ensure personnel roles (including hours and costs by task) are clearly explained and allocable to the project. For projects that will carry out project post-removal monitoring activities, applicants should separate out monitoring or post-project evaluation costs so that NOAA can evaluate the cost-effectiveness and efficiency of those activities.

Projects funded through the Bipartisan Infrastructure Law may be required to display signage throughout any active removal or construction phases that acknowledges funding from NOAA Marine Debris Program and other contributing partners (see VI.B.2 Special Award Conditions). Any project activities where signage would be relevant should include this in their budget request. Additionally, project leads from proposals selected for funding

may be required to participate in a Marine Debris Removal Grantee meeting to share the results of the work conducted, discuss challenges, and foster connections across projects. Costs for any travel support should be included in the budget request.

For any subawards expected to be made, describe the process that will be used to identify recipients and the justification for that process. NOAA expects successful applicants to prioritize cost effectiveness and the use of local contractors where possible and if appropriate.

NOAA assesses budgets to determine the reasonableness, necessity, and adequacy of proposed costs for accomplishing the project objectives and performs a cost analysis to assure that costs are reasonable, allowable, and allocable in accordance with applicable federal cost principles. The NOAA MDP may recommend funding only specific components of a project; as such, applicants should describe the extent to which the overall budget can be scaled up or scaled down.

Requests for equipment (any single piece of equipment costing \$5,000 or more) should be strongly tied to achieving the project's stated goals, and a comparison with rental costs should be provided to justify the need to purchase. If rental of equipment is not possible, an explanation will be required in the budget narrative.

Refer to Section IV. Application and Submission Information (Subsection F(2) "Indirect Costs") regarding indirect costs in the budget.

5. Other Application Submission Information

Applicants should not assume NOAA has any prior knowledge relative to the merits of the project described in the proposal. As such, proposals should be written with an appropriate level of detail. Detailed maps of project activities, photographs of the targeted debris/project site characteristics, summaries of project designs, and letters of support from project partners (especially those partners critical to the success of the project) are strongly encouraged and do not count toward the Narrative page limit, although supplementary materials should not exceed 20 pages. Letters of support from partners, local, state, and federal government agencies, natural resource and/or waste management agencies, industry, and Congressional representatives are also helpful in demonstrating support for the project and if applicable, how project results will be applied to their management objectives. Such supplementary information should be combined and submitted as a single file in the Grants.gov (<http://www.grants.gov>) application.

Files uploaded to Grants.gov should not have any special characters in the filename (example: &, €, *, %, /, #, -), and filenames should be limited to less than 50 characters.

Participant safety is critically important during the implementation of debris removal, disposal, prevention, tracking, and post-removal monitoring projects. Proposals should demonstrate meaningful consideration for the safety of project participants during project activities. It should be noted that all funded projects will be required to have a written safety plan governing all project-related activities, especially regarding the safety and management of interns and volunteers. The safety plan should consider safety at all project sites during and after project implementation and take into account potential safety concerns for current and future uses of the project site.

If a project requires scuba diving or the use of surface-supplied air, it is the responsibility of the recipient organization to ensure that divers are qualified and trained to a level commensurate with the type and conditions of the diving activity to be undertaken. The organization must describe their capacity (e.g., appropriate insurance, safety policies, etc.) to effectively oversee all proposed diving activities. All diving activities must meet, or be specifically exempted from, OSHA guidelines. Assuming all other relevant safety conditions are satisfied, divers that are not advanced divers may perform only simple activities, such as underwater surveys and/or removal of light, non-entangling objects.

Advanced divers are divers with advanced diving training for the proposed tasks and in compliance with OSHA guidelines. Snorkeling activities are similarly restricted, in that snorkelers should complete only simple activities such as surveys and removal of light, non-entangling objects. Furthermore, it is the responsibility of the recipient to ensure that any diving activities under this award meet, at a minimum, all applicable federal, state, and local laws and regulations pertaining to the type of diving being undertaken.

Activities that should be performed only by advanced divers include but are not limited to the following:

- Using hand tools or moving or lifting heavy objects where the tools or objects weigh more than 25 pounds underwater;
- Performing underwater tasks that require substantial physical exertion;
- Using lift bags; and
- Underwater removal of potentially entangling debris, such as nets, crab or lobster pots,

or fishing line.

C. Unique Entity Identifier and System for Award Management (SAM)

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii) Provide a valid unique entity identifier (UEI) in its application; and (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. NOAA may not make a Federal award to an applicant until the applicant has complied with all applicable UEI and SAM requirements and, if an applicant has not fully complied with the requirements by the time NOAA is ready to make a Federal award, NOAA may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Applicants should allow a minimum of several weeks to complete the SAM registration process. Existing registrations may need to be renewed, as such applicants should plan accordingly.

D. Submission Dates and Times

WE STRONGLY RECOMMEND APPLICANTS BEGIN THE APPLICATION SUBMISSION PROCESS EARLY. NOAA WILL NOT ACCEPT LATE SUBMISSIONS. APPLICANTS ARE STRONGLY ADVISED TO SUBMIT IN ADVANCE OF THE DEADLINE. PLEASE PLAN ACCORDINGLY. DUE TO LIMITED STAFF TIME, HARDCOPY APPLICATIONS WILL NOT BE ACCEPTED.

This funding opportunity requires a Letter of Intent to be submitted for competitive review before a full proposal can be submitted. LOIs must be received via email as an attachment (to grants.marinedebris@noaa.gov) no later than 11:59 p.m. Eastern time, October 27, 2023. If invited per the instructions in this announcement, full proposals must then be submitted through and validated by Grants.gov on or before 11:59 p.m. Eastern time, February 23, 2024. Due to limited staff time, hardcopy LOIs or full applications will not be accepted.

Please keep in mind that the registration processes for SAM.gov and Grants.gov may take as long as several weeks and may affect your submission timeline (see Sections IV. Application and Submission Information, Subsections C “Unique Entity Identifier and system for Award Management (SAM), and G “Other Submission Requirements” of this

announcement).

As stated above, no hardcopy, fax, or email applications will be accepted. Applicants without the ability to apply electronically should contact the program to discuss alternate arrangements for submission. It is recommended applications are submitted ahead of the deadline to avoid technical difficulties with Grants.gov.

Applications that have been submitted to other NOAA grants programs or as part of another NOAA grant may be considered under this solicitation but will not be given preferential treatment.

E. Intergovernmental Review

Applications for federal financial assistance are subject to the provisions of Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs." All applications for funding under this competition are required to complete item 19 on the SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, the names, addresses, and phone numbers of participating SPOCs are listed in the Office of Management and Budget's home page at: <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>.

F. Funding Restrictions

1. Allowable Costs

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the project. Generally, costs that are allowable include salaries, fringe benefits, travel, equipment, contractual costs, supplies, and indirect costs, as long as these are "necessary and reasonable" specifically for the purpose of the award. Currently, allowable costs are determined by reference to 2 C.F.R. 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." All subawards are also subject to these federal cost principles. Award recipients are subject to 2 C.F.R. 200.317-.327 when implementing contracts under an award.

Pre-award costs are allowable only with the written approval by NOAA under 2 C.F.R. 200.458 except to the extent allowed for research awards under 2 C.F.R. 200.308(e)(4). Any pre-award costs incurred before the NOAA Grants Office provides a notice of award are at the applicant's own risk. Typically, the earliest date for receipt of awards will be August 1, 2024. Applicants should consider this award timing when developing plans for proposed project activities.

The Build America Buy America Act, enacted as part of the Bipartisan Infrastructure Law, established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States. If applicable, all projects should ensure adherence to this requirement.

2. Indirect Costs

The budget may include an amount for indirect costs if the applicant has an established indirect cost rate with the federal government, or if the applicant elects the 10% de minimis rate, as described below. Indirect costs are essentially overhead costs for basic operational functions (e.g., lights, rent, water, insurance) that are incurred for common or joint objectives and therefore cannot be identified specifically within a particular project. Applicants with approved indirect cost rates may propose a portion or all of their indirect costs as match, since the valuation of such costs has already been federally-approved and documentation is readily available.

A copy of the current, approved negotiated indirect cost rate agreement with the Federal Government should be included with the application. If an applicant has not previously established an indirect cost rate with a Federal agency they may choose to negotiate a rate with the Department of Commerce or use the de minimis indirect cost rate of 10% of MTDC (as allowable under 2 C.F.R. §200.414). The negotiation and approval of a rate is subject to the procedures required by NOAA and the Department of Commerce Standard Terms and Conditions. The NOAA contact for indirect or facilities and administrative costs is: Raishan Adams, Branch Chief, NOAA Grants Management Division, 1325 East West Highway, 9th Floor, Silver Spring, MD 20910, or raishan.adams@noaa.gov.

G. Other Submission Requirements

If invited, full applications must be submitted through Grants.gov (<http://www.grants.gov>). To use Grants.gov, applicants must have an active Grants.gov registration, and be registered with SAM.gov (as described in Section IV. Application and Submission Information (Subsection C "Unique Entity Identifier and System for Award Management (SAM)"). Applicants should note that it may take up to several weeks for first time users to register with each of these systems. Even if an applicant has registered with each of these systems previously, renewing, updating or reactivating accounts are required prior to proposal submission, and may take some time to complete. Grants.gov will not accept submissions if the applicant has not been authorized or if credentials are incorrect.

Authorizations and credential corrections can take several days. For further information please visit <http://www.sam.gov>. See also 2 C.F.R. 25.

Users of Grants.gov will be able to download a copy of the application package, complete it offline, and then upload and submit the application via the Grants.gov site. If an applicant has problems downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@grants.gov.

The Grants.gov validation process for a submitted application can take up to two business days to complete following submission through Grants.gov. After submission, Grants.gov will send a series of e-mail notifications (potentially for up to two business days) indicating the application's status and whether NOAA's system has received the application. Only validated applications are sent to NOAA for review. Late submissions will be rejected.

V. Application Review Information

A. Evaluation Criteria

LETTER OF INTENT EVALUATION CRITERIA:

LOIs will be reviewed to ascertain whether the proposal has the potential to address marine debris removal activities that meet the competition's priorities. Priorities are listed in Section I.B above.

By assigning a score of 0 to 5 to each criterion, the NOAA MDP will assess whether the proposed approach is appropriate, focused on priority marine debris issues, and whether the LOI clearly explains how project activities will be carried out. Specifically, LOIs will be evaluated using the following criteria and weighting:

- How likely is it that the project will have impactful benefits to NOAA trust resources, and the surrounding coastal environment or community (as described in Section I.B)? Does the LOI clearly describe the anticipated ecological and socio-economic outcomes that the project is expected to produce, including how the project benefits will be sustained beyond the life of the project? Are project metrics described and estimates provided? (30%)
- Does the LOI clearly identify the project's overall goals and objectives and lay out a realistic and cost-effective approach? How well developed are the proposal ideas at this stage? Does it clearly state the purpose of the project and specific tasks to be

accomplished with requested funds and clearly describe proposed techniques that will be used? (20%)

- Does the organization demonstrate the capabilities, experience, or expertise that would lead to a successful effort? Organizations demonstrating high levels of technical and administrative expertise or capability are likely to score higher on this criterion. (15%)

- Does the LOI include prevention activities? Is there an appropriate and effective level of prevention activities to be conducted about the identified marine debris issue to prevent reaccumulation? Is a target audience identified? (20%)

- Does the project demonstrate how diversity, equity, inclusion, justice, and accessibility will be promoted in the proposed work? Does the proposal describe proposed activities taking place in Tribal and/or underserved communities and whether a portion of the benefits will flow to those communities and how those benefits will be measured? Does the project include meaningful engagement with Tribal or underserved communities? Projects that indicate a high likelihood of a realized benefit and meaningful engagement (see Section I.B) with the community in developing the proposal and executing the project activities will score higher on this criterion. Applicants that reference CEJST (<https://screeningtool.geoplatform.gov>) will score higher in this criterion. If CEJST does not have adequate data to identify a community as disadvantaged, applicants should outline other identifying burdens that define that community as underserved. (15%)

The NOAA MDP may use the Selection Factors described in Section V.C. below during the LOI process to determine final invitations. Furthermore, the NOAA MDP may establish cut offs based on reviewer score or the number of reviewer invite recommendations.

FULL PROPOSAL EVALUATION CRITERIA:

Technical reviewers will assign scores to proposals ranging from 0 to 100 points based on the following five evaluation criteria and respective percentages specified below. Each of the five evaluation criteria have sub-criteria components. Applications that fully address the issues described in all five sub-criteria are likely to be more competitive.

The criteria are also available in table format on the NOAA MDP website (<https://marinedebris.noaa.gov/resources/funding-opportunities>). This is the recommended viewing format for both applicants and reviewers, for clarity of the expectations of a strong

proposal.

Applications will be evaluated based on the following metrics for each priority.

Summary of Evaluation Criteria

- Importance and Applicability of Proposal to Program Priorities (40 points)
- Technical Merit (25 points)
- Overall Qualification of Applicant (10 points)
- Project Costs (15 points)
- Community Support (10 points)

1. Importance and Applicability of Proposal to Program Priorities (40 points)

This criterion ascertains whether the proposed work is relevant to the goals set out by the NOAA MDP in this announcement. Applications will be evaluated based on the following:

Project Outcomes (30 points)

- Will the project have impactful benefits to NOAA trust resources, and the surrounding coastal environment or community (as described in Section I.B)? Will the project cover an appropriate geographic scale and remove large marine debris? (10 points)
- Does the proposal clearly describe the anticipated ecological and socio-economic outcomes that the project is expected to produce? (10 points)
- Does the proposal include strategies to prevent the reaccumulation of marine debris? This may include project activities aimed at building capacity to address chronic large marine debris problems, or activities aimed at sustaining the benefits of the marine debris removal proposed in the application. (6 points)
- Does the proposal clearly describe how the prevention strategies will ensure the project benefits will be sustained beyond the life of the project? (4 points)

Diversity, Equity, Inclusion, Justice, and Accessibility (10 points)

- Does the applicant identify project activities taking place in and/or benefits flowing to a Tribal or underserved community, and does that community have a connection to the project activities? Applicants that reference CEJST

(<https://screeningtool.geoplatform.gov/>) will score higher in this criterion. If CEJST does not have adequate data to identify a community as disadvantaged, applicants should outline other identifying burdens that define that community as underserved. (4 points)

- Does the application indicate the removal of this debris will help address other challenges the underserved community is facing (eg. removal of debris will help improve local fisheries/food security)? (2 points)
- Does the applicant describe how their team will bring a diversity of viewpoints to this project? (2 points)
- Does the applicant describe any experience they or their project partners have in promoting diversity, equity, inclusion, justice, and accessibility in their past work? (2 points)

Projects that demonstrate a thoughtful approach to coordinate among diverse groups and ensure federal funding is allocated in the most efficient and equitable way, and does not duplicate any existing efforts, as well as those that aim to prioritize the use of local partners/contractors, where possible and appropriate, will score higher on this criterion.

2. Technical Merit (25 points)

This criterion assesses whether the approach is technically sound and if the methods are appropriate, and whether there are clear goals and objectives. Applications will be evaluated based on the following:

Project Goals and Objectives (5 points)

- Does the proposal clearly identify the project's overall goals and objectives and are they realistic and achievable? Reference Section IV.B.2 which describes the requirements for the Project Narrative.

Project Description (10 points)

- Does the application provide a realistic project timeline (in line with the award period guidelines described in Section II.B)? (2 points)
- Does the application provide a clear description of proposed removal, disposal, prevention, and monitoring techniques and activities likely to be implemented and

are these techniques appropriate for the project? (8 points)

Environmental Impacts (5 points)

- Does the application include detailed maps of removal sites and information on the expected species that may be encountered in the area and affected by project activities? (3 points)

- Does the applicant provide assurances that implementation will meet all federal, state, and local environmental laws? (2 points)

Applications submitted with all of the above information, along with evidence of completed environmental assessments, completed consultations, or secured permits, and that demonstrate that proposed debris removal activities are legally permissible in the project area are likely to score higher on this criterion. Additionally, proposals that demonstrate that the project site selection process included consideration of benefit to/impact on a Tribal and/or underserved community or how those communities were meaningfully engaged in the selection process are also likely to score higher.

Project Metrics (5 points)

- Does the applicant describe how they and any project partners or subawardees will collect specific, measurable metrics on removal, disposal, prevention, monitoring, species/habitat impacts, volunteer participation, economic benefits, benefits to Tribal and/or underserved communities and other performance measures as described above in Section IV. B? Do they provide realistic estimates of these metrics? (3 points)

- Does the proposal include a Data Management Plan? If so, does it adequately describe what data will be collected during the project and how it will be made accessible and independently understandable to general users in a timely manner, in compliance with Data Management requirements described in Section VI.B.9? (2 points)

3. Overall Qualifications of Applicants (10 points)

This criterion ascertains whether the applicant possesses the necessary experience, training, facilities, and administrative resources to meet proposal objectives. Applications will be evaluated based on the following:

Applicant Technical & Administrative Qualifications (10 points)

- Do the applicant and any identified project partners or subawardees have the ability and expertise to conduct the scope and scale of the proposed work? Does the applicant propose to prioritize the engagement of local partners or removal contractors? This should be indicated by the qualifications, planning, and/or past experience of project partners in designing, implementing, and effectively managing large debris removal, disposal, prevention, and post-removal monitoring projects, or regional coordination efforts. (5 points)

- Does the applicant have the administrative capacity (i.e., the administrative resources and capabilities that the applicant has, or that are available to the applicant) to successfully manage both the federal award as well as any potential subawards? (5 points)

Proposals that demonstrate access to extensive technical expertise and federal grant experience, or that have systems and personnel in place to effectively manage federal grant requirements are likely to score higher on this criterion. Applicants with the ability to ensure project success through on-the-ground monitoring and oversight, and effectively track and report on project/subaward accomplishments are likely to score higher on this criterion.

4. Project Costs (15 points)

This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and timeframe. Applications will be evaluated on the following:

Project Budget Composition (5 points)

- Is the overall budget realistic, enabling the applicant to effectively and successfully meet all proposed objectives with the funding requested? (3 points)

- Is the overall budget reasonable, including only those costs necessary to effectively and successfully meet all proposed objectives? (2 points)

Applications that propose to use NOAA funds to expand an organization's day-to-day administrative activities are unlikely to score high under this criterion. Funding directed at supporting new or impactful efforts, or programs that require funding to scale-up or expand their existing efforts to achieve broader and more impactful outcomes are likely to score higher under this criterion.

Project Budget Organization (5 points)

- Does the budget justification narrative contain a sufficient level of detail, as required in Section IV.B.? This includes whether the applicant includes a detailed summary budget table, the budget is organized by SF-424A object classes, and describes both the federal and non-federal funding needs for all required project costs (i.e., for both implementation and administration activities).

Proposals with detailed Budget Narratives that follow the format of NOAA's Budget Narrative Guidance document (link is provided in Section IV.B.) are likely to score higher on this criterion.

Cost-sharing and Leveraging Federal Funds (5 points)

- Does the applicant complement NOAA's investment with other funding sources, including formal, non-federal matching contributions and/or informal, leveraged funds? Are matching and/or leveraged funding sources (both planned and confirmed) documented in the proposal? In cases where non-federal match or informal leverage are not provided, does the proposal describe challenges in a way that indicates it is unlikely the applicant could have done more to secure match or leveraged funds?

5. Community Support (10 points)

This criterion evaluates whether the project has effective engagement from relevant stakeholders, including engagement of underserved and underrepresented communities, if applicable. Applications will be evaluated based on the following:

Community Support (10 points)

- Does the proposal effectively integrate well with existing regional or national publicly vetted programs, priorities, or strategic plans? (2 points)

Program or plan examples include, but are not limited to: NOAA Marine Debris Action Plans, National Estuary Program or NOAA Habitat Focus Area sites, 2021-2025 NOAA MDP Strategic Plan, National Marine Sanctuary management plans etc. Check your region's page on the NOAA MDP website (<https://marinedebris.noaa.gov/your-region>) for a regional Marine Debris Action Plan. Projects that work toward actions prioritized in the above, or similar, plans will score higher on this criterion.

- Has the applicant demonstrated meaningful engagement from project partners (as defined in Section I.B.), and strong community support for the project? This may be

reflected by the diversity, strength and involvement of project participants, partners and local entities, as well as include letters of support from project partners, state and local governments, members of Congress, private landowners, community groups, or relevant resource agency personnel familiar with the issue? Do these letters indicate that the partners are meaningfully involved in both the planning and execution of the project? (8 points)

Proposals that include letters of support from all proposed project partners will score higher on this criterion if those letters demonstrate the specific commitments to the project. This also includes letters from landowners and other stakeholders involved with or impacted by the project, granting permissions and other assurances that the project has their full support. As appropriate, projects that make connections to underserved and/or underrepresented individuals or communities, both in the development of the proposal and/or to broaden participation of stakeholders for whom there is currently limited direct engagement on marine debris issues and/or for whom social and economic vulnerability due to marine debris impacts is high, may score higher on this criterion.

B. Review and Selection Process

Letters of intent and full proposal applications will be screened to determine if they are eligible, complete, and responsive to this funding announcement. NOAA, in its sole discretion, may continue the review process for an application with omitted documentation or a minor administrative discrepancy that can be easily rectified or cured.

LETTER OF INTENT MERIT REVIEW

Letters of Intent will undergo a merit review by at least three qualified reviewers, in accordance with the LETTER OF INTENT EVALUATION CRITERIA (see Section V.A). Each reviewer will evaluate their assigned proposals and provide individual scores. Reviewers may discuss applications with each other but scoring will be on an individual basis. The MDP will set a cut off score to determine which LOIs will receive invitations to submit full proposals. The NOAA MDP may also use the Selection Factors described in Section V.C. below during the LOI process to determine final invitations.

FULL PROPOSAL MERIT REVIEW

Full proposal applications will undergo a technical merit review where they will be evaluated by at least three qualified reviewers, and according to the evaluation criteria and weights described in this announcement (see Section V. Application Review Information

(Subsection A “Application Review Information”). Proposals may be organized into distinct review groups (e.g., based on geography, project type, or some combination thereof), with reviewers assigned to one or more review groups. Each reviewer will evaluate their assigned proposals and provide individual scores, comments, and/or recommendations. Reviewers may discuss applications with each other, but if one or more non-federal reviewers are involved, scoring will be on an individual basis and no consensus advice will be given. Once the technical merit reviews are complete (and provided that no panel review is conducted, as discussed below), reviewer comments, project scores, and a rank order for each review group will be presented to the NOAA MDP electing Official. Based on the results of the technical merit review, the Selecting Official may recommend proposals for funding to the NOAA Grants Management Division based on those review group rankings. The Selecting Official may recommend proposals for funding out of rank order if justified by any of the selection factors listed below in Section V. Application Review Information (Subsection C “Selection Factors”). The Selecting Official may not recommend proposals for funding from all review groups, and conversely, may elect multiple awards from the same review group if it is determined they are higher quality proposals.

In some cases, as determined by the Competition Manager, after the technical merit review is complete for full proposals but prior to presenting final recommendations to the Selecting Official, NOAA may conduct a secondary panel review to determine which top-ranked proposals best meet the program’s objectives and priorities outlined in Section I. Funding Opportunity Description (Subsections A “Program Objective” and B” Program Priorities”) and were most responsive to the evaluation criteria outlined in Section V.A. The panel would be composed of federal employees and may convene in person, by telephone, or video conference. The panel would be presented with the top ranked applications (based on the results of the technical merit review), technical review scores, and comments for each application. The panel would then rate all top ranked proposals based on their relevance to the program priorities outlined in this NOFO.

The panel review rating would then be presented to the Selecting Official in order to determine which applications should be recommended to the NOAA Grants Management Division. The Selecting Official may recommend proposals for funding out of the panel review’s rank order if justified by any of the selection factors listed below in Section V. Application Review Information (Subsection C “Selection Factors”). NOAA will aim for geographic diversity with the portfolio of projects awarded under this solicitation and will balance that objective with the objective for high-impact projects.

Applicants may be asked to modify objectives, work plans or budgets, and may be

requested to provide supplemental information required by the agency prior to the award. NOAA may select all, some, or none of the applications, or part of any application, ask applicants to work together or combine projects, defer applications to the future, or reallocate funds to different funding categories, to the extent authorized. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific NOAA cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the NOAA Grants Office, and NOAA program staff.

The NOAA Grants Officer will review financial and grants administration aspects of a proposed award, including conducting an assessment of the risk posed by the applicant in accordance with 2 C.F.R. 200.206. In addition to reviewing repositories of government-wide eligibility, qualifications or financial integrity information, the risk assessment conducted by NOAA may consider items such as the financial stability of an applicant, quality of the applicant's management systems, an applicant's history of performance, previous audit reports and audit findings concerning the applicant and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. All performance is checked through SAM.gov under Responsibilities and Qualifications. Upon review of these factors, if appropriate, specific award conditions that respond to the degree of risk may be applied by the NOAA Grants Officer pursuant to 2 C.F.R. 200.208. In addition, NOAA reserves the right to reject an application in its entirety where information is uncovered that raises a significant risk with respect to the responsibility or suitability of an applicant. The final approval of selected applications and issuance of awards will be by the NOAA Grants Officer. The award decision of the Grants Officer is final.

Applicants may submit comments to the System for Award Management, about any information included in the system about their organization for consideration by the awarding agency. NOAA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in §200.206.

C. Selection Factors

The proposals will be recommended in the rank order unless the selection of a proposal out of rank order is justified based on one or more of the following factors:

1. The availability of funding
2. The balance/distribution of funds
 - a. Geographically

- b. By institution type
 - c. By partner type
 - d. By habitat type
 - e. By debris type
3. Duplication of other projects funded or considered for funding by NOAA, partner organizations, and/or other federal agencies
 4. Program priorities and policy factors as set out in Sections I. Funding Opportunity Description Subsections A “Program Objective” and B “Program Priorities” of this announcement
 5. The applicant's capacity to meet program objectives, or their prior award performance
 6. Partnerships and/or participation of targeted groups, including tribes and underserved communities; and
 7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA Grants Management Division.
 8. Relevance to legislative priorities of the NOAA MDP.
Therefore, awards may not necessarily be made to the highest-scored proposals. Unsuccessful applicants will be notified that their proposal was not among those recommended for funding.

D. Anticipated Announcement and Award Dates

NOAA anticipates that successful applications will be identified by April 1, 2024, and notifications to all applicants are anticipated to be made as soon as possible thereafter. Typically, the earliest start date for projects will be August 1, 2024, dependent on the completion of all NOAA/applicant negotiations, environmental compliance analysis, and documentation supporting cooperative agreement activities. Applicants should consider this timeline when developing requested start dates for proposed project activities.

VI. Award Administration Information

A. Award Notices

Successful applicants may be asked to modify objectives, work plans, and/or budgets

prior to final approval of an award. The exact amount of funds to be awarded, final scope of activities, project duration, and specific NOAA substantial involvement with the activities of each project will be determined in pre-award negotiations between the applicant, the NOAA Grants Management Division, and NOAA program staff. Projects should not be announced or initiated in expectation of federal funding until a notice of award is received from the NOAA Grants Management Division. A "Notice of Award" will be made electronically from the NOAA Grants Management Division via NOAA electronic grants management system.

PRE-AWARD COSTS. Per 2 CFR 200.458, NOAA authorizes award recipients to expend pre-award costs up to 90 days before the period of performance start date at the applicant's own risk without approval from NOAA and in accordance with the applicant's internal policies and procedures. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award. This does not include direct proposal costs (as defined at 2 CFR 200.460). In no event will NOAA or the Department of Commerce be responsible for direct proposal preparation costs. Pre-award costs will be a portion of, not in addition to, the approved total budget of the award. Pre-award costs expended more than 90 days prior to the period of performance start date require approval from the Grants Officer. This does not change the period of performance start date.

GRANTS OFFICER SIGNATURE. Proposals submitted in response to this solicitation are not considered awards until the Grants Officer has signed the grant or cooperative agreement. Only Grants Officers can bind the Government to the expenditure of funds. The Grants Officer's digital signature constitutes an obligation of funds by the federal government and formal approval of the award.

LIMITATION OF LIABILITY. Funding for programs listed in this notice is contingent upon the availability of funds. Applicants are hereby given notice that funds may not have been appropriated yet for the programs listed in this notice. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

B. Administrative and National Policy Requirements

1. Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements:

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79 FR 78390), are applicable to this solicitation. These may be accessed online at <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

2. Uniform Administrative Requirements, Cost Principles and Audit Requirements: Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.

3. Department of Commerce (DOC) Terms and Conditions: Successful applicants who accept a NOAA award under this solicitation will be bound by the DOC Financial Assistance Standard Terms and Conditions. This document will be provided in the award package in NOAA electronic grants management system at <http://www.ago.noaa.gov> and at <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

4. Research Terms and Conditions: For awards designated on the CD-450 as Research, the Commerce Terms, and the Federal-wide Research Terms and Conditions (Research Terms) as implemented by the Department of Commerce, currently, at <https://www.nsf.gov/awards/managing/rtc.jsp>, both apply to the award. The Commerce Terms and the Research Terms are generally intended to harmonize with each other; however, where the Commerce Terms and the Research Terms differ in a Research award, the Research Terms prevail, unless otherwise indicated in a specific award condition.

5. Bureau Terms and Conditions: Successful applicants who accept an award under this solicitation will be bound by bureau-specific standard terms and conditions. These terms and conditions will be provided in the award package in NOAA electronic grants management system. For NOAA awards only, the Administrative Standard Award Conditions for National Oceanic and Atmospheric Administration (NOAA) Financial Assistance Awards U.S. Department of Commerce are applicable to this solicitation and may be accessed online at <https://www.noaa.gov/organization/acquisition-grants/financial-assistance>.

6. Specific Award Conditions: In addition, award documents provided by the NOAA Grants Management Division in the NOAA electronic grants management system award package may contain specific award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements and/or stating other compliance requirements for the award as applicable, such as the required use of the NOAA MDP Performance Progress Report approved by OMB under control number 0648-0718 for submitting semiannual progress

reports, as well as any signage requirements associated with the funding source. The DOC encourages the use of public signage on projects funded in whole or in part by the Bipartisan Infrastructure Law (BIL) (also known as the Infrastructure Investment and Jobs Act IJJA), the CHIPS and Science Act (CHIPS), the Inflation Reduction Act (IRA), the American Rescue Plan (ARP), and other Federally-funded projects as appropriate. Clear and prominent construction signage on projects is one of several ways to inform taxpayers about how Federal funds from these laws are being spent and advance the goals of accountability and transparency. Construction signs should be displayed throughout the construction phase of the project in an easily visible location that can be directly linked to the work taking place and be maintained in good condition throughout the construction period. Award-specific conditions for construction signage may require the use of the official Investing in America emblem, and refer to the general guidelines and design specifications for applying the emblem and corresponding logomark available in the Official Investing in America Emblem Style Guide: <https://www.whitehouse.gov/wp-content/uploads/2023/02/Investing-in-America-Brand-Guide.pdf> If the project is installing a plaque citing the origins or history of the project, the plaque should identify the project as a “project funded by [Insert name of the law].” Costs associated with signage must be reasonable and limited, and recipients are encouraged to use recycled or recovered materials when procuring signs. Signs should not be produced or displayed if doing so results in unreasonable cost, expense, or recipient burden.

7. Access to Information:

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other federal employees, and also by federal agents and contractors, and/or by non-federal personnel, all of whom enter into appropriate conflict of interest and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

In addition, Department of Commerce regulations implementing the Freedom of

Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

8. Executive Order 12866: This action has been determined to be not significant for purposes of Executive Order 12866 (Regulatory Planning and Review).

9. Data Management Guidance:

(a) Environmental data and information collected or created under NOAA grants or cooperative agreements must be made discoverable by and accessible to the general public, in a timely fashion (typically within two years), free of charge or at no more than the cost of reproduction, unless an exemption is granted by NOAA. Data should be available in at least one machine-readable format (Machine-readable means the data are stored on a computer in a digital format whose structure is well described and the data can be read without the aid of a human), preferably a widely-used or open-standard format (An open-standard format is one that does not require proprietary software to be read), and should also be accompanied by machine-readable documentation (metadata), based on widely used or international standards.

(b) Funding recipients are responsible for ensuring that environmental data produced by the project is discoverable and accessible to the general public in the required timeframes. The NOAA Marine Debris Program requires that public access to grant-produced data be enabled by one of the following methods (1) data hosting by the NOAA MDP (preferred method; NOAA MDP manages and maintains a public-facing Clearinghouse and is able to ensure grantee compliance with Data Management requirements by housing project data on the Clearinghouse); (2) the recipient establishing their own procedures and hosting capabilities for collected environmental data; or (3) hosting by another authorized organization (such as NOAA National Centers for Environmental Information). Regardless of hosting method, the recipient is responsible for

collecting, managing, and appropriately structuring data and metadata. The NOAA MDP does not require any specific data format, access method, or other technical guidance beyond what is described in this section, however the use of open-standard formats and widely used methods is encouraged. The proposal budget may include reasonable costs associated with compliance with this data management guidance. The NOAA MDP encourages grantees to coordinate with NOAA staff on the best approach to meet this public access requirement. In some cases, as appropriate, NOAA may request project data and share / post project data on NOAA systems, potentially in addition to the agreed data sharing/access approach. The proposal may request permission not to make data publicly accessible and the proposal should explain rationale for lack of public access. If funded, the applicant will need to obtain approval from Responsible NOAA Official listed below.

- (c) Proposals submitted in response to this announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied, see Section IV. Application and Submission Information (Subsection B.4 “Data Management Plan” above). The Data Management Plan should be aligned with the Data Management Guidance described in this section. The contents of the Data Management Plan (or absence thereof), and past performance regarding such plans, will be considered as part of proposal review. A typical plan should include descriptions of the types of environmental data and information expected to be created during the course of the project; the tentative date by which data will be shared; the standards to be used for data/metadata format and content; methods for providing data access; approximate total volume of data to be collected; and prior experience in making such data accessible. The costs of data preparation, accessibility, or archiving may be included in the proposal budget unless otherwise stated in the Guidance.
- (d) The NOAA MDP may, at its own discretion, make publicly visible the Data Management Plan (and any subsequent revisions or updates) from funded proposals, or use information from the Data Management Plan to produce a formal metadata record and include that metadata in a Catalog to indicate the pending availability of new data.
- (e) Applicants are hereby advised that the final pre-publication manuscripts of scholarly articles produced entirely or primarily with NOAA funding will be required to be submitted to the NOAA Institutional Repository after acceptance, and no later than one year upon publication. Such manuscripts shall be made

publicly available by NOAA one year after publication by the journal. Manuscripts submitted to the NOAA Institutional Repository must also be 508 compliant. For more information about the repository, see <https://repository.library.noaa.gov/welcome>.

- (f) Failing to share environmental data and information in accordance with the submitted Data Management Plan may lead to disallowed costs and be considered by NOAA when making future award decisions.
- (g) Information on NOAA's Environmental Data Management Policy is available under:
https://nosc.noaa.gov/EDMC/documents/Data_Sharing_Directive_v3.0.pdf
- (h) The Responsible NOAA MDP Official for questions regarding this guidance and for verifying accessibility of data produced by funding recipients: Amanda Dwyer (amanda.dwyer@noaa.gov); 240-533-0402.

10. NEPA Requirements:

As stated in Section IV.B., and as required by the National Environmental Policy Act (NEPA), NOAA must analyze the potential environmental impacts of projects or proposals seeking NOAA funding. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6.pdf, and the Council on Environmental Quality implementation regulations, http://energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf.

Consequently, as part of an applicant's award package, and under their description of program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

Applicants to be recommended for funding will be required to answer relevant questions from the Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Notice of Federal Funding Opportunity Applicants (OMB Control Number 0648-0538; <https://www.nepa.noaa.gov/grants.html>). These applicants may be requested to assist NOAA in drafting an Environmental Assessment or other NEPA analysis, or provide for NOAA review a copy of an Environmental Assessment that covers the proposed

activities, if one exists, if NOAA determines that it is required. This may also be required of applicants proposing activities that cannot be categorically excluded from further NEPA analysis or that are not covered by the NOAA MDP's Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI). Applicants will be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. Failure to do this will result in denial of an application. Applicants will be notified if additional analysis is required after the peer review stage. Successful applications cannot be recommended for funding until NOAA completes the NEPA process.

Specific award conditions may be imposed limiting the use of funds for activities that have outstanding NEPA compliance requirements (and compliance with other applicable law requirements) and in some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a specific award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment. Projects that would require permits to complete the project should list them and include the appropriate contact information for each permitting agency, documentation of all permits already secured for the project, and an expected timeline for those permits not yet acquired.

NOAA may make funding recommendations based on the level of effort needed to fulfill NEPA requirements. The NOAA MDP PEA and FONSI can be found on the NOAA MDP website: http://marinedebris.noaa.gov/sites/default/files/mdp_pea.pdf.

It is the applicant's responsibility to obtain all necessary federal, state, and local government permits and approvals for the proposed work to be conducted. Applicants are expected to design their proposed activities to minimize the potential for adverse impacts to the environment. If applicable, documentation of requests for or approvals of required environmental permits should be included in the application package. Applications will be reviewed to ensure that they contain sufficient information to allow NOAA MDP staff to conduct a NEPA analysis so that appropriate NEPA documentation, required as part of the application package, can be submitted to the NOAA Grants Management Division along with the recommendation for funding for selected applications.

11. Minority Serving Institutions:

The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to increasing the participation of Minority Serving Institutions (MSIs), i.e., Historically Black Colleges and Universities, Hispanic-serving

institutions, Tribal colleges and universities, Alaskan Native and Native Hawaiian institutions, and institutions that work in underserved communities.

12. Science Integrity:

1. **Maintaining Integrity.** The non-Federal entity shall maintain the scientific integrity of research performed pursuant to this grant or financial assistance award including the prevention, detection, and remediation of any allegations regarding the violation of scientific integrity or scientific and research misconduct, and the conduct of inquiries, investigations, and adjudications of allegations of violations of scientific integrity or scientific and research misconduct. All the requirements of this provision flow down to subrecipients.

2. **Peer Review.** The peer review of the results of scientific activities under a NOAA grant, financial assistance award or cooperative agreement shall be accomplished to ensure consistency with NOAA standards on quality, relevance, scientific integrity, reproducibility, transparency, and performance. NOAA will ensure that peer review of "influential scientific information" or "highly influential scientific assessments" is conducted in accordance with the Office of Management and Budget (OMB) Final Information Quality Bulletin for Peer Review and NOAA policies on peer review, such as the Information Quality Guidelines.

3. In performing or presenting the results of scientific activities under the NOAA grant, financial assistance award, or cooperative agreement and in responding to allegations regarding the violation of scientific integrity or scientific and research misconduct, the non-Federal entity and all subrecipients shall comply with the provisions herein and NOAA Administrative Order (NAO) 202-735D, Scientific Integrity, and its Procedural Handbook, including any amendments thereto. That Order can be found at <http://nrc.noaa.gov/ScientificIntegrityCommons.aspx>.

4. **Primary Responsibility.** The non-Federal entity shall have the primary responsibility to prevent, detect, and investigate allegations of a violation of scientific integrity or scientific and research misconduct. Unless otherwise instructed by the grants officer, the non-Federal entity shall promptly conduct an initial inquiry into any allegation of such misconduct and may rely on its internal policies and procedures, as appropriate, to do so.

5. By executing this grant, financial assistance award, or cooperative agreement the non-Federal entity provides it assurance that it has established an administrative process for performing an inquiry, investigating, and reporting allegations of a violation of scientific integrity or scientific and research misconduct; and that it will comply with its own administrative process for performing an inquiry, investigation, and reporting of such misconduct. 6. The non-Federal entity shall insert this provision in all subawards at all tiers under this grant, financial assistance award, or cooperative agreement.

13. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials:

If applicable, and pursuant to the Infrastructure Investment and Jobs Act (“IIJA”), Pub.L. No. 117-58, which includes the Build America, Buy America (BABA) Act, Pub. L. No. 117-58, §§ 70901-52 and OMB M-22-11, recipients of an award of Federal financial assistance from the Department of Commerce (DOC) are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: 1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; 2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and 3) all construction materials(1) are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

-WAIVERS. When necessary, recipients may apply for, and DOC may grant, a waiver from these requirements. DOC will notify the recipient for information on the process for requesting a waiver from these requirements. 1) When DOC has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which DOC determines that: a. applying the domestic content procurement preference would be inconsistent with the public interest; b. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or c. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. DOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at

whitehouse.gov/omb/management/made-in-america.

-DEFINITIONS. “Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives(2) —that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall. “Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States. “Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy. “Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

(1) Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

(2) IIJA, § 70917(c)(1).

14. NOAA Sexual Assault and Sexual Harrassment Prevention and Response Policy:

NOAA requires organizations receiving federal assistance to report findings of sexual harassment, or any other kind of harassment, regarding a Principal Investigator (PI), co-PI, or any other key personnel in the award. NOAA expects all financial assistance recipients to establish and maintain clear and unambiguous standards of behavior to ensure harassment free workplaces wherever NOAA grant or cooperative agreement work is conducted, including notification pathways for all personnel, including students, on the awards. This expectation includes activities at all on- and offsite facilities and during conferences and workshops. All such settings should have accessible and evident means for reporting violations and recipients should exercise due diligence with timely investigations of allegations and corrective actions.

For more information, please visit: <https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial>.

C. Reporting

Reporting requirements are described at 2 CFR 200.328-.330, 2 CFR Part 170, and in the Department of Commerce Financial Assistance Standard Terms and Conditions. Progress

and financial reports are generally due semi-annually and cover 6 month periods, however more frequent reporting may be required. Progress reports are to be submitted to NOAA via NOAA electronic grants management system and are due no later than 30 days after each reporting period ends. Interim reports for the last reporting period may not be required in some cases. A final report is due no later than 120 days after the expiration date of an award. Progress reports may be required to be submitted using a specific format for narrative information. A project progress report template may be provided by the NOAA MDP. Complete details on reporting requirements will be provided to successful applicants in the award documentation provided by the NOAA Grants Management Division in the NOAA electronic grants management system award package, however the following information should be reported at minimum: For interim progress reports, the Performance Narrative should include a description of project activities and accomplishments that covers the reporting period only, and contain at least the following components: overall short and long-term goals for the project and a description of the approved award activities that were performed to achieve those goals; a comparison of actual accomplishments to the schedule established in the award. This should include a narrative and details on the status of approved activities (completed, not-completed, on-going), and an explanation of why targets may not have been met or other extenuating circumstances surrounding project progress; quantitative performance metrics (e.g., weight of debris removed, number of vessels removed, weight of debris disposed through alternative methods, number of volunteers); details on any perceived challenges or potential roadblocks to future progress; an updated timeline of remaining tasks, and a summary of any changes made to the project's approved plan that occurred during the reporting period.

For the final progress report, the Performance Narrative should be a comprehensive description of project activities and accomplishments that covers the entire award period, and contain the following components: overall short and long-term goals and background, including relevance of the project to reducing the impacts of marine debris on NOAA trust species populations and habitats and/or increasing awareness about marine debris issues; a description of any NOAA trust species or habitats that the project benefited; how important the project was to a particular species or habitat; how important the project was to human use values of a given resource (e.g., commercial, recreational uses, or other ecosystem services); the prevention activities conducted, including any behavior change measurement practices used; lessons learned (e.g., Best Management Practices (BMPs) or protocols followed, new techniques tested, innovative partnerships established); a description of any deviations from original plans and challenges faced; other general accomplishments (e.g., results and outcomes). Reports should explain the project's performance measures (e.g., weight of debris removed, number of vessels removed, weight of debris disposed through alternative methods, number of volunteers, volunteer hours, etc.) and provide a summary of monitoring

results, if any; a description of outreach activities and products; and next steps for any additional marine debris prevention efforts, debris removal, monitoring, or research needs, as applicable.

The NOAA Marine Debris Program Performance Progress Report approved by OMB under control number 0648-0718 is required for submitting semi-annual progress reports.

The Federal Funding Accountability and Transparency Act (31 U.S.C. 6101 Note) includes a requirement for awardees of applicable federal grants to report information about first-tier subawards and executive compensation under federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.fsrs.gov on all subawards over \$30,000.

VII. Agency Contacts

For further information contact Amanda Dwyer (amanda.dwyer@noaa.gov); 240-533-0402.

VIII. Other Information

Not Applicable.



EXECUTIVE DIRECTOR MONTHLY REPORT

DATE: 01/09/24
PERIOD: 12/15/23 – 01/09/24
TO: Board of Commissioners
ISSUED BY: Paula J. Miranda, Executive Director

OVERVIEW

These past few weeks have been quite stormy. Fortunately, we don't have any major issues to report, other than our operations crew have been hard at work all throughout the Port.

Here are some of the highlights for the month:

South Beach

RV Park Annex Plan: Our consultant is trying to wrap up the concept design. Meanwhile, we found out that we have no survey for the properties in question. We may consider getting that done first at a reasonable price without having to bring it back to commission.

Rogue Seawall: We should have bids in by the 22nd, so most likely by the time you get your packets the selected contractor should be included for approval. Our consultants are also working on a variance to extend the in-water work for another couple months.

Derelict Vessels: We are still waiting to hear from DSL as to the removal of the various derelict vessels we are still holding (12 stored, 1 underwater).

Fish Cleaning Tables: Again, thanks to a grant received from Business Oregon and some additional general funds, our first fish cleaning table is underway and it will be installed prior to the beginning of the season. Meanwhile, a second table is being fabricated and should be installed sometime in the Spring. We have received a lot of complaints in the past about the lack of tables. Hopefully, this will solve some of those issues.

North Commercial

Port Dock 7 General Maintenance: If you recall, per engineering work, in order to use Port Dock 7 prior to major realignment, several repairs needed to be completed in order to avoid displacing commercial vessels. Commissioners recently approved funds to start on piling replacements. The work is currently underway.

Port Dock 7 Plan/ Commercial Marina Channel Dredging Sediment Plan: We are trying to complete the sediment sampling, but additional requirements keep been thrown our way. All parties have been meeting, Port, agencies and consultants trying to figure out the path forward. We will then decide if we need to elevate some of these issues to our federal legislators. Meanwhile, consultants continue to work on getting

as much of the plan done, so we can still apply for ConnectOregon grant (State) and RAISE (federal), which are both due at the end of February. We are very hopeful to have enough information to submit applications for both grants in order to complete the Port Dock 7 Replacement.

Newport International Terminal

RORO Dock Piling Assessment: Permit is now completed, but there is still uncertainty if we will receive the congressionally direct funds from the federal government, as long as the entire government isn't funded.

MARAD PIDP Grant: We are still coordinating with MARAD additional details of the grant. We have also obtained a couple estimates for new equipment and are evaluating the same.

Business Oregon Gran Loan for NIT Crane: The crane has been purchased and staff is getting the appropriate training. The older crane will be disposed of soon. Meanwhile, we are finalizing the last loan details with Business Oregon, which should be completed within the next few days.

Miscellaneous:

WRDA: We have been working with Rep. Hoyle's staff on asking that our South Beach Marina Dredging is added to the work/funding coming out of Water Resources Development Act through the US Army Corps. We thank Senator Anderson, Lincoln County, the Economic Development of Lincoln County and the Chamber of Commerce for their support letters thus far.

Congressionally Direct Spending FY 24: Although the federal government has yet to fund the CDS FY 23, they are moving on in requesting projects for the FY 24. We will most likely add the NIT dredging, but we are trying to figure out what projects make sense and are more likely to get support.

Finances: You will see prior to the commission meeting, a supplemental budget giving some options in how to carry out projects matching funds, which will ease out our cash flow concerns.

Employee Handbook: Employee Handbook is being updated and attached to the packet for approval.

Fiscal Manual: A fiscal manual is also underway.

Audit and Budget processes: A full audit and the budget process are underway, so these should keep our finance department quite busy.

Capital Improvement Projects: As previously discussed, attached is the latest update in our capital improvement projects list for your review.

Meetings/Trainings/Summits:

- 12/18/23 - Operations Recurring Meeting
- 12/18/23 - Finance Recurring Meeting
- 12/18/23 - Capital Facilities - Business Oregon
- 12/19/23 - Directors Meeting
- 12/19/23 - Federal Coordination Committee - Business Oregon

- 12/19/23 - Commission Meeting
- 12/20/23 - Lincoln County Estuarine Resilience Action Planning (ERAP) Committee
- 12/21/23 - Half Day PTO
- 12/22/23 - PTO
- 12/25/23 - Christmas Holiday
- 12/29/23 - Communications Meeting
- 01/01/24 - New Years Holiday
- 01/02/24 - Meeting with Jalene Case - HR Training Consultant
- 01/03/23 - MARAD - PIDP - NEPA Discussion
- 01/08/24 - Operations Recurring Meeting
- 01/08/24 - Finance Recurring Meeting
- 01/09/24 - Meeting with the Governor's Regional Solution Team
- 01/10/24 - Department Heads
- 01/11/24 - South Beach Crew Meeting
- 01/15/24 - MLK Jr. Holiday
- 01/16/24 - Directors Meeting
- 01/17/24 - Lincoln County Estuarine Resilience Action Planning (ERAP) Committee

Upcoming Schedule:

- 01/22-23/24 - PTO
- 01/24-26/24 - Association of Pacific Ports (APP) Conference
- 01/29/24 - Oyster Repository Meeting - COMES (Hatfield)
- 01/29/24 - Operations Recurring Meeting
- 01/29/24 - Finance Recurring Meeting
- 01/30/24 - Commission Meeting
- 01/30/24 - DLCD Grant Discussion - Business Oregon
- 01/31/24 - SDIS Risk Management Meeting
- 01/31/24 - YEBF Board Meeting
- 02/01/24 - Commercial Crew Quarterly Meeting
- 02/02/24 - OPPA Legislative Committee
- 02/05/24 - Operations Recurring Meeting
- 02/05/24 - Finance Recurring Meeting
- 02/07/24 - North Commercial Crew Quarterly Meeting
- 02/08-11/24 - Special Districts Annual Conference
- 02/12/24 - Operations Recurring Meeting
- 02/12/24 - Finance Recurring Meeting
- 02/13/24 - Dept. Heads Meeting
- 02/13/24 - Coastal City/Port Managers

- 02/15/24 - PIDP Grant Engineering Meeting
- 02/16/24 - OPPA Legislative Meeting
- 02/19/24 - President's Day Holiday
- 02/20/24 - Directors Monthly Meeting
- 02/21/24 - Lincoln County Estuarine Resilience Action Planning (ERAP) Committee
- 02/23/24 - Communications Meeting
- 02/26/24 - Operations Recurring Meeting
- 02/26/24 - Finance Recurring Meeting
- 02/27/24 - Maritime Minds - Business Oregon
- 02/27/24 - Commission Meeting

Public Meetings Law Training Requirement – Update

On January 1, 2024, HB 2805 went into effect adding a new mandatory public meetings training requirement for every member of a governing body of a public body with total expenditures of \$1 million or more per fiscal year. These governing body members must receive Public Meetings Law training at least once during their term of office.

The Oregon Government Ethics Commission (OGEC) planned to begin providing Public Meetings Law trainings this month. We recently shared in our weekly email update that they had added these webinars to their website with information about how to register. Unfortunately, the webinars have been removed from their site and are no longer available.

We recently learned that OGEC has delayed the review and approval of the Public Meetings Law trainings offered by outside agencies, including SDAO, until later this year. While you can continue to take our trainings on this topic, they will not fulfill the training requirement because they have not yet been approved by OGEC.

It's important to note that only trainings reviewed and approved by OGEC will fulfill the training requirement. However, the training requirement **does not need to be satisfied immediately**. It only needs to be completed once per term.

We will continue to keep you updated and will notify you as soon as we know about the availability of OGEC trainings and the approval of SDAO trainings.

If you would like to receive updates on OGEC's Public Meetings Law trainings, you can sign up for OGEC's Public Meetings Law trainings email list on OGEC's website at:

<https://www.oregon.gov/ogec/Public-Meetings-Law/Pages/Training-Review.aspx>

Criteria Used to evaluate and group Projects:									
	0. Project Underway, continuation or completed								
	1. Large adverse affect on operating revenues, and\ or has a large adverse affect high paying jobs in district								
	2. Moderate to small adverse affect on Operating revenues and/or impacts lower paying jobs in the district								
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CAPITAL IMPROVEMENT PLAN									
	<u>Capital Improvements</u>	<u>Cost Estimate</u>	<u>Original Timeline</u>	<u>Budget Year</u>	<u>Criteria</u>	<u>Rationale for group</u>	<u>Funding Source (Grant, Loan, OP Funds)</u>	<u>Current Status</u>	<u>Priority</u>
NIT	Planning project to identify a mix of uses/opportunities that will maximize use of the terminal and adjacent vacant port-owned properties, and increase net revenues to the Port. Project completion primarily by Port staff	Original: \$15,000 Current: \$30,000	2,019	Not Necessary	1	This may or may not help improve the marketability of the site.	OP FUNDS, Potential Grant	Before we move forward with this effort again, we are currently working with a couple forest industries company, as it was originally identified by the strategic plan to be one of the main sources of future business.	1
Mitigation Plan	Planning project to address mitigation needs of future capital projects and potential inventory of mitigation sites. Anticipated to be completed by Port staff in partnership with the Port of Toledo, Yaquina Bay users, NOAA, ODFW, and the USACE. Project completion primarily by Port staff	\$25,000	2019-2021	Not Necessary	0	We are unable to bank for mitigations on a federal level. Therefore, mitigation plans should be done on a needed basis based on projects, but the Port should budget some amounts to cover for consultants.	OP FUNDS, Potential Grant	We have completed some small mitigation projects, as part of other projects. We looked at opportunities and discussed it with some of the permitting agencies. Until we have a permitted project it is hard to know what the mitigation needs are. It is very difficult to bank for mitigation. There may be some opportunities with the State, but not on a federal level.	As Needed
RV Park Annex Plan	Planning and conceptual design project to redesign and reconfigure the RV Park Annex	\$300,000	2019-21	2023-24	1	Does not affect high earners, but park is showing its age, major revenue could be lost.	Potential Grant Funds	This project is currently underway. We have hired a consultant who has initially evaluated the location. They are now working on initial design and costs estimate.	Underway

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Port Dock 5 Interim Improvements	Interim improvements to replace pier and improve dock. Approach pier replacement; replace 6 pilings; replace rods, whalers, rub boards, bumpers and triangles (PD 5C); replace rods, bumpers, rub boards and 6 whalers (PD 5B); replace rods and rub boards (PD 5x); new power pedestals	\$3,500,000. There are about \$750K left of projects	2019-22	2021-24	1	There are still some projects left to complete, and they are crucial to the Port operations and should be finished as soon as practical.	OP FUNDS	Permitting repairs to PD5A, which will include rewiring of all PD5. Pedestals are on hand, awaiting permits to add the PD5A replacement to the project. The approach pier is completed. We are looking at installation of about 2 pilings, not 6.	Underway
Port dock 7 Interim Improvements	Interim improvements prior to reconfiguration /replacement: Miscellaneous float and pile improvements	\$348,000. There are \$300K left to be completed.	2019-22	2022-23	1	Some of the repairs are crucial to keep PD7 in operations until replacement.	OP FUNDS	applied for permits to drive 15 new pilings on Port Dock 7 E & F, install temporary new floats to bridge the gap until replacement of the entire Port Dock 7. Anticipate completing pile driving and dock replacement during FY 2023-24. Dock parts have already been ordered.	Underway

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Reconfiguration and Reconstruction of Marina	Complete reconstruction and reconfiguration of commercial marina, including Port Docks 3 and 7, Upland Improvements, Swede's Dock and Commercial Marina channel	Original Budget: \$14,75,000 New budget: \$25-30 million. Plus Channel \$5,000,000. We should have actual cost estimates from consultants soon.	2019-24	2024-2025	1	PD7 is at end of life, high wage earners will move elsewhere, major economic impact to Port and community	Grant (s)/Op Fund	We are currently under contract with DOWL Engineers, and underway on planning and design and permitting for the redesign and replacement of Port Dock 7. Replacement of the Hoist Dock is included in this project as an add-alternate. Sediment sampling is one of the most expensive costs in the planning process at \$1.1 million between PD7 and the commercial marina channel realignment. We intend to to complete the sampling as soon as possible in order to meet Connect Oregon application deadline at the end of February.	Underway
Fishing Pier Improvement	Identify replacement strategy and design new fishing pier	\$2,900,000	2,022	2024-2027	4	Although we recognize the fishing pier has great value for the community, it does not improve the overall operations or revenues of the Port, it does not create jobs or impact the overall economy of the community. This project will provide greater value by combining it with the replacement of PD7 where it will support mitigation opportunity and possible use of grants.	Grants	This project is expected to be completed along PD7 reconstruction. We are currently under contract with DOWL Engineers and underway on planning for this project. Have been taking community input since March, 2023 on design criteria, held meeting with the public to get input. Sediment Sampling on this side of the project tentative for the end of January, beginning of February. Since we intent to use some of the fishing pier replacement for the Port Dock 7 mitigation, we are trying to include parts of this plan on the Port Dock 7 Plan. We recently had a listening session open to the public. We are still opened for comments in our website.	4

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Rogue Seawall Repair	Repair Rogue seawall based on Engineers Report	\$1,400,000. We expect the new estimate to be around \$2 million	2019-21	2022-24	1	Major economic loss, Rogue brewery could move, causing large loss to community and revenue to the Port. Many come to community to visit Rogue.	\$1.14 Million Grant received	We received \$1.1 Million dollars from the State. We have a Request for Proposal open, which Is due on the 19th. Selection should be completed by commission meeting. We are also working on a variance for completion of the work outside of the in-water work window.	Underway
Electric Work, Security Cameras Replacements and Upgrades (Safety and Security)	South Beach Marina electric load centers; ; consolidate and upgrade total security camera network port-wide.	\$683K for load Centers plus \$100K for security camera network	2019-2024	2021-24	3	These projects mostly affect the operations of the Port and the functionality of its assets. Because of that it is hard to obtain grants other than security cameras and lighting.	OP-Funds/Some grants	Load centers are completed. We will continue to make improvements and upgrading our security efforts on an annual basis utilizing SDAO grants.	Completed

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Electric Work, Fuel Tanks and Security Cameras Replacements and Upgrades (Safety and Security)	South Beach Marina electric load centers; South Beach fuel tank replacement; relocate/replace hoist dock electrical lines; consolidate and upgrade total security camera network port-wide.	\$2,560,000	2019-2024	2021-24	3	These projects mostly affect the operations of the Port and the functionality of its assets. Because of that it is hard to obtain grants other than security cameras and lighting.	OP-Funds/Some grants	Load centers are completed. We plan on including the fuel tank replacement and the hoist dock electrical lines to our 2022-23 budget. We have made the effort to install new cameras to our facilities every year through a grant program from SDAO. Anticipate replacing gates on the South Beach Docks, and transitioning to a proximity card locking system to begin in summer, 2023 and complete over the course of three years. Project is spread out to monitor the effectiveness of the new locks, and make changes as we learn more. We will continue to make improvements and upgrading our security efforts.	3
NIT Improvements	Grading of Port's 9-acre lot plus fencing of 3 acres	Original: \$153,000; Current: \$385,000	2019-2023	2024-2025	0	Additional Storage areas are needed at NIT for both cargo and fishing businesses. The grading work has been included on the grant we received from MARAD (PIDP).	OP Funds	This project was included on MARAD's PIDP grant. We are in the process of moving forward, currently working with MARAD on the NEPA process.	Underway

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NIT Improvements	Asphalt lot west of shop, behind shop, and near the east entrance; asphalt nw corner of laydown area; mutually beneficial project, as required by development agreement with McLean Point developer. Removal of dredge material from Rondys property	Asphalt: \$234,000; mutually beneficial project: \$50,000. Plus removal of dredge Material \$200,000	2019-2023	2024-2025	0	We have completed some of the pavement behind and on the West side of the building, but we still have one area to be completed. We are still working with Rondys on the dredge material removal. We may be able to swap some sand for transportation of the material.	OP Funds	We completed the asphalt paving to the lot west of the shop. We still have additional paving to do. That may include working with Rondy's to upgrade the drain lines to their property. Fortunately, we will not need to mitigate the wetlands. We are still working with Rondy's on the mutually beneficial project. At this point the port has budgeted to remove the dredge sand from their property.	Underway
RV Annex	Final plans, new RV Annex; New RV Annex construction	\$2,620,000	2019-2022	2023-25	1	Does not affect high earners, but park is showing its age, major revenue could be lost.	OP Funds/Grants	We are working with a consultant on the plans. Once plans are completed we will better know how to proceed. The likelihood of receiving grant funds are minimal, so we will have to plan in utilizing general funds.	3
Port Admin Building	Build a new building for administrative staff and commission meetings	\$2,400,000	N/A	2021-23	0	Although this was not originally included on the Strategic Business Plan, the project has been discussed and even planned in a couple occasions, because the need to replace a temporary building that is now almost 10 years old.	Loan/Op Funds	Unfortunately there were delays due to supply issues, but fortunately materials have been received and building was just completed. Staff has moved into the building on 05/05/23.	Completed

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South Beach Marina Improvements	Repair to South Beach Marina Buildings		N/A	2021-22	0	These major maintenance items were never added to Strategic Business Plan	Op Funds	We have replaced siding and painted all restrooms and showers, Marina Store, Maintenance Shop, and are already under contract to paint the distillery and RV Park Office during summer, 2023. After painting is complete in summer, 2023, all buildings in the marina have been completed; the old building at the Rogue Brewery will be the next big siding/paint/roofing project.	Completed
South Beach Marina Storm Water	Emergency Storm Water Work	\$345,000	N/A	2020-2021	0	This was an emergency project that was completely unexpected.	Op Funds	We completed an emergency project to address the storm water issue at South Beach Marina. Unfortunately, new sinkholes have been forming due to other storm water issues, which may create additional costs.	Completed
343 SW Bay Blvd Removal	Emergency Building and Dock Removal	\$200,000	N/A	2021-23	0	The building was removed due to safety issues. We are hoping to remove the dock as a mitigation project.	Op Funds	Completed emergency removal of building atop the pier, and sold the property	Completed
North Commercial Oil Tank Removal	Emergency Commercial Oil Tank Removal and Upgrade	Tank: \$200000 Building \$86,000. We will most likely spend about \$45k with the tank only.	N/A	2021-23	0	Old Tank was removed due to leaking issue. We are researching on a replacement	Op Funds	We had an emergency removal of the Oil Tank/Bilge Collection at North Commercial. We foresee replacement of the tank; project may be combined with Port Dock 7 replacement depending on funding.	1
South Beach Marina GFI Breaker Installation	The GFI Breakers have all been purchased, moving towards installation	\$115,000	N/A	2021-22	0	The supply chain has caused some issues, but project is currently underway.	OP Funds	As part of replacing the load centers on South Beach Marina, the Port decided to also replace the breakers in the power pedestals with GFI breakers.	Underway

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NIT Conditional Assessment	Conditional Assessment	\$230,000	N/A	2022-24	2	The Pilings at NIT RoRo dock needs assessment and most likely repair and/or treatment to extend their life.	Op Funds	Assessment has been completed. Now the Port is searching for a source of funds to do the proper repairs.	Completed
NIT Repair of RORO dock Pilings	Repair of RORO dock Pilings	\$687,000	N/A	2023-24	1	Assessment has been completed and some Pilings at NIT RoRo dock needs repairs and/or treatment to extend their life. Permit has been received.	45% Op Funds and 55% grant funds	A request has been made to federal legislation for Congressially Directed Spending FY 24. the project was approved by the House Committee, but is currently stucked until the federal government figured out funding for the rest of the year.	1
South Beach Marina Outfall Sleaving	Repair/Maintenance of two outfalls at South Beach Marina	1 x \$230,000; 1 x \$500,000	N/A	2024-25	3	The outfalls at the marina needs to be addressed to avoid future issues (sinking), as it recently happen with another one.	Op Funds	Some work has been completed last year. Unfortunately, more sinkholes have showed up. We are assessing the issues and working on the outfalls before it becomes bigger a problem.	1

Criteria Used to evaluate and group Projects:									
	0. Project Underway, continuation or completed								
	1. Large adverse affect on operating revenues, and\ or has a large adverse affect high paying jobs in district								
	2. Moderate to small adverse affect on Operating revenues and/or impacts lower paying jobs in the district								
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South Beach Buildings (previous fruit processing facility)	Demolishing, rebuilding, new roofs, new siding	\$300,000	N/A	2022-23	2	South Beach buildings were in pretty bad shape. We renovated parts of it and leased two of the buildings. We still need to demolish the uninhabitable building and instead build a smaller building to house all the power to the property.	Op Funds	Two buildings are lease. We still need to demolish the uninhabitable building and instead build a smaller building to house all the power to the property.	2
CM and NIT Forklift Replacement	2 Forklifts has passed it's replacement cycle based on hours used.	\$128,000	N/A	2022-23	1	We deferred purchase of a new lift for 2 years; our forklifts in the Marina are heavily used and they must be reliable to keep the hoist dock working. We are well over the 6,000 limit for replacement on two forklifts	Op Funds/Grants	Purchased in FY 2022-23, received new forklift on 09MAY 2023. The Port received a grant from Business Oregon that allowed us to order an additional \$128K fork lift that will mainly reside at the Terminal.	Completed
CM Shop Expansion	Expand shop at Commercial Office	\$30,000	N/A	2022-23	3	Need office space for Harbormaster, no confidential conversations can be held with current configuration.	Op Funds	Commercial Marina shop is not configured to be a service location, and also lacks adequate space for personnel. Project has been deferred in favor of dock work in years past.	3
Dredge Swedes Dock	Dredge Swedes Dock	\$150,000	N/A	2023-25	3	It hasn't been dredged in over 33 years and it is starting to show.	Op Funds	May potentially combine this project with PD7 replacement, we may also benefit from Corps Section 107 project, which is yet to be determined.	4
CM HOIST Dock Fenders	Replace Hoist Dock Fenders	\$35,000. Latest estimate \$40k	N/A	2024-25	3		Op Funds	Fender pilings are increasingly in poor condition. May combine with PD7 replacement project.	3

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CM PD 3 Access Power and Water	Remove PD 3 Power and Water Access from Neighboring Property	\$250,000	N/A	2025-27	3	Current Power and Water is attached to the neighboring building. We don't know the condition of the pilings.	Op Funds	To be completed when Port Dock 5 is rewired.	4
SB HVAC system	Replace HVAC System at SB Shop	\$15,000	N/A	2024-25	3	HVAC systems are old and soon in need of repair	Op Funds		4
SB End ties A-E docks	Replace Rods and Whalers at end ties A-E in SB Docks	\$100,000	N/A	2022-25	3	The end ties are the largest single berths in South Beach. They "re used for the bigger vessels that use the marina, and are in need of rods and whalers to stay in operation	Op Funds	Completed B Dock. A, C, D, and E will be completed over the next two years.	Underway
CM Swedes Dock 12-14 Pilings	Replace pilings at Swedes Dock	\$215,000	N/A	2024-24	1	The Dock is at the end of its service life and in need of replacement	Op Funds	Emergency piling replacement was completed during winter 2021-22. Other piling replacement, removal of boathouse, and dock replacement will take place alongside progression of PD7 replacement.	Underway
SB Asphalt Overlay	Asphalt Overlay at SB	Original Estimate: \$100,000. Current: \$200K	N/A	2023-24	3	The asphalt in the area where Seafood & Wine is held along with other festivals has been patched again and again due to the impact of tent stakes and concrete curbing. It needs to be repaved.	Op Funds		3
Rogue Gutter and Siding Replacement	Replace Gutters and siding at one wall at Rogue Building	Gutters: \$100k, Siding:	N/A	2022-24	1	There are currently holes in the eaves on the building. These need to be repaired to prevent impacts to the walls.	Op Funds	Received limited funding from insurance for flashing repair; siding will also need replaced on west end of building.	1

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SB Expo Center	Plan	\$30,000	N/A	2022-23	2	Facility to enhance the recreational theme of South Beach and add attractions for tourists. Would bolster hotel business and tourism in the region.	Op Fund/Grants	This project has been put on hold due to other projects priority. We will continue to evaluate opportunities to revisit this project.	2
SB Forklift replacement	Purchase New Forklift for SB	\$40,000	N/A	2024-25	3	Current forklift is reaching the top end of operating hours		To be purchased 2024-25	2
Fillet Tables		\$130,000	N/A	2022-23	3	Tables are over crowded and we need to add capacity	Op Funds/Grants	We recently received a grant from Business oregon for about \$47K out of \$175K to be used for the fillet tables. One table is almost completed and the other should be completed by Spring.	1
NIT Crane replacement	Crane is at max capacity, in order to handle cargo or other heavy loads will have to be replace	Original Estimate: \$700,000 Final Purchase Price: \$581,345	N/A	2022-23	1	This is new potential revenue to Port, but could also affect high income earners should Crane fail	Loan/Op Funds	We just purchased a new crane with funds from a Business Oregon Loan. The old crane is going to be sold. We still need to formalize the loan with Business Oregon	Underway
North Commercial Cranes Replacement		\$160,000. Latest estimate \$180K	N/A	2024-26	3	We need to consider replacing North Commercial cranes within the next 2-3 years	Op Funds	Crane service could be achieved with a carry-deck crane, but would require an indoor storage and upgrade of Hoist Dock. Could be completed with rebuild of Hoist Dock.	4
Port vehicles	Replace aging vehicles with high mileage all throughout the Port	\$100,000	N/A	2022-24	3	Vehicle breakdowns could cause Operational issues	Op Funds	Two vehicles has been replaced. We have also put a request with Business Oregon who is working on a joint ODOT Carbon Reduction Program/New Equipment and have added a couple more vehicles.	3

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NIT Equipment plus Building	Purchase Terminal Equipment and Storage Building	\$4,305,125	N/A	2022-23	1	In order to establish future cargo operations, the Port should consider obtaining some equipment and a building to house such equipment. We should consider applying for future MARAD grants.	Op Funds/MARAD	We received an 80% grant from MARAD's PIDP, which includes two loaders, grading of the 9 acres with 3 acres fencing. We are currently in the middle of their NEPA process. We did not include the Storage Building. Eventually we would like to still build one.	2
NOAA Dredging	Dredge NOAA's Berth	\$1,099,000	N/A	2022-23	1	We have an obligation to dredge NOAA. We have skipped this year, but will be required to dredge in the following year.	Op Funds	Dredging was completed outside in-water work at about \$1.1 million.	Completed
NIT dredging	Dredge NIT's Berth	\$1,200,000	2022-23	2024-25	1	NIT will need to be dredged within the next 1-2 years.	Op Funds	We have postpone dredging of NIT due to lack of permit and funding. We currently have conditional permit on the federal side, but we are still waiting for state permits. We are hoping to get it dredge within the next couple of years.	1
South Beach Marina Dredging	Dredge South Beach Marina	\$1,500,000 - \$2,000,000	2022-24	2024-25	1	South Beach Marina will need to be dredged within the next 1-2 years, depending on funding. Permits have been received.	Op Funds/OSMB	Funds have been requested through WRDA. Rep. Val Hoyle is working on adding our project to their request.	1

Criteria Used to evaluate and group Projects:									
	0. Project Underway, continuation or completed								
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	3. Improves overall operations, resulting in a better port, with better services, may or may not impact jobs								
	4. No impact to operations, does not generate revenue								
South Beach Operations	Expand shop at SB	\$30,000	N/A	2023-24	3	Need office space for Harbormaster, no confidential conversations can be held with current configuration.	OP Funds	We are still evaluating the need versus priority	4
South Beach Marina Service Dock near the Rogue Seawall needs repairs	The current dock is not useable	\$500,000	N/A	2022-23	1	The South Beach Marina service dock needs some major repairs. We spoke to the Oregon State Marine Board, but they are unlikely to fund this project, unless the majority of the dock is to service transient boats, which it is not the case here. We were hoping to complete this work in parallel with the Rogue Seawall Repairs, but funds have not been available.	Op Funds	We have been looking for funding sources, but at one point we may need to use port funds if necessary.	1
CM Hoist Reconfiguration	Reconfigure Hoist Dock and Move CM Building with Loading Dock plus small mobile crane	\$4,000,000	N/A	2024-27	1	A reconfiguration of the hoist dock would eventually make more sense for overall operations	Op Funds/Grants	Best overall option for longevity and improved usage; pending funding.	4
Replace Equipments	Replace worn equipments throughout the Port	Tugboat Haul Out \$25,000; Trash Compactors CM: \$37,000, SB: \$37,000	NA	2023-24	3	These are aging or worn out equipment that need replacement	Op Funds	SB side-by-side was purchased during FY 2022-23. Dumpsters were replaced in FY 2022-23. Tugboat Haulout will be more expensive, and compactors are critical to be replaced no later than 2023-24.	4

Criteria Used to evaluate and group Projects:									
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SB New Building	Build or rebuild new building for Tenant if opportunity arises	\$ 1,000,000.00	N/A	2023-26		We don't have any buildings available in SB or at the Port for that matter. Should an opportunity to lease a building to customer, we should consider building a new one.	Loan/Op Funds	We don't currently have a prospect tenant, but we had some in the past. A new building will only be considered if we have an interested party.	4
NEW PROJECTS ADDED SINCE FY 2023-24									
NIT	IT Hardware	100,000	NA	2024-25		Upgrade WIFI to meet modern day standards. This includes underground work and fiber installation.	Op Funds	Budgeted	
SB	Traffic Lane Launch	\$225,000		2024-25		Marina users have complained about how busy one lane traffic heading into launch is. Adding another lane would help the congestion on busy days.	Op Funds	Budgeted	
CM	Hoist Dock Electrical Rewire	\$30,000		2023-24		Wiring for Hoist dock that falls below water during some high tides needs to be elevated.	Op Funds	Budgeted	
CM	Fence for CM and Storage Lot	\$160,000		2024-24		Commercial Marina had a lot of problems with security. A fence would screen access to certain storage areas.	Homeland Security Grant?	Budgeted	
CM	Replace Water Line	\$250,000		2024-25		the waterline broke this past year, this can be done at the same time we add the fiber optic cable, so the cost should be reduced.	Op Funds	Budgeted	
CM	Truck Replacement	\$65,000		2024-25		Current truck has low mileage, but many issues	Op Funds	Budgeted	

Criteria Used to evaluate and group Projects:								
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SB	Design work for Dock Replacement	\$100,000		2024-25		There is a lot of wear and tear and SB docks badly needs upgrading.	Op Funds/grants?	Budgeted
SB	Restrooms and Showers Design	\$100,000		2024-25		SB restrooms are in really bad need of major overall.	Op Funds/grants?	
SB	Restrooms and Showers Remodel	\$1,000,000		2025-26		SB restrooms are in really bad need of major overall.	Op Funds/grants?	



FINANCE DEPARTMENT MONTHLY REPORT

DATE: January 30, 2024
PERIOD: July 1 to December 31, 2023
TO: Paula Miranda, General Manager
ISSUED BY: Mark Brown, Director of Finance and Business Services

Financial Reports are included through December 31, 2023 for all funds.

Issues of Importance

Audit

We are in the middle of finishing up the audit for 2022-23, staff are putting together information as requested by the Auditors.

The Port will need to meet GASB 87 and 96 standards in the next audit period.

This affects leases (both lessor and lessee) and Cloud based software, The balance sheet will be affected.

Fiscal Manual

Most of the work on the fiscal manual is complete, staff now are starting to review the handbook, sections will be added or removed as appropriate to get the handbook to its final state.

Cash Flow

A 5-year cashflow has been developed, using previous years data. The cashflow includes all projects for the Port and estimated year of completion.

Based on the analysis the Port will need to defer some of its projects to future years.

2024-2025 Budget

Work has begun on the 2024-25 Budget

This year the Port is using a different approach – 0 based budget

Each Department Head will need to develop a budget, not based on previous years

This makes the supervisor really consider how much they need and gives them a better understanding of their budget

The deadline for the first submission is January 31st.

2024-2025 schedule of fees and prices is being reviewed and finalized.

Personnel Services is relatively complete.

Balance Sheet Equity Section

Equity section of the balance sheet shows critical fund information required by GASB (Governmental Accounting Standards Board) 54:

Restricted

Funds that the Donor or Grantor gave the Port with restrictions. The 1.14 million is grant money from the State of Oregon that can only be used for the Rogue Seawall.

Committed –

Funds that the “Governing Body” restricted, in our case the Port Commission. Port Staff cannot use these funds without authorization of the Port Commission.

Assigned

If someone below the Port Commission (Executive Director, Director of Finance) they are setting aside funds for a future project, those funds become assigned. The Port can use these funds without further authorization. The \$667,00 are Grant Match funds, we have specific details of each assignment in the Chart of Accounts.

Unassigned

Funds that do not fit into the other three categories, they can be used as needed. This includes cash and other equity the Port has.

RV Park Occupancy

This will be updated next month, let's just say it is low right now.

Profit and Loss -

The financial reports through December 31, 2023, are attached for your review and are included in the commission packet.

The month-to-month budget is based on a straight line forecast of revenues and expenditures. Revenue is recognized differently in the Commercial Marina from previous years. Revenue is spread across the term of the Moorage License agreement instead of immediately recognized. This means lower revenues during the transition period.

**General Operating Fund
Balance Sheet**

As of December 31, 2023 the Port General Fund has a cash balance of \$1,657,469, \$1,140,000 is restricted and can be used only for the Rogue Seawall (State of Oregon Grant), leaving an available cash balance of \$517,469, an additional 587,351 is expected from Business Oregon to reimburse the Port for NIT Crane.

**General Operating Funds (GOF) FY 2023-24– Budget Vs Actual:
All Departments**

Operating Revenue is favorable by	\$375,758
Operating Expenses are favorable by	\$651,835
Operating Income is favorable by	\$1,027,593
Non-Operating Revenue is favorable by	\$296,561
Non-Operating Expenses are unfavorable by	\$19,221
Non-Operating Income is favorable by	\$315,782
Net income is favorable by	\$1,343,374

Unallocated (000)

This department is for all Debt Service and Fund transfers that occur within the GOF and is required by the Department of Revenue.

Operating Income is unfavorable by	\$ 50,668
Non-Operating revenue is favorable by	\$133,155
Non-Operating Expense is favorable by	\$140,421
Net Income (loss) is favorable by	\$191,089

*The non-operating revenue is the amount paid out for the Port Dock 3/5 electrical upgrade project. This is a transfer in from the Facilities Maintenance Fund.

Administration (100)

Operating revenue is favorable by	\$ 125,654
Operating expenses are favorable by	\$ 306,536

Operating Income is favorable by	\$ 432,190
Non-Operating revenue is favorable by	\$ 122,739
Non-Operating Expenses are unfavorable by	\$ 6,025
Non-Operating Income is favorable by	\$ 128,764
Net income is favorable by	\$ 560,954

Commercial Marina (300)

Operating revenue is favorable by	\$ 155,014
Operating expenses are favorable by	\$ 78,812
Operating Income is favorable by	\$ 233,826
Non-Operating revenue is favorable	\$ 32,245
Non-Operating expense is favorable	\$ 51,026
Non-Operating income is favorable	\$ 83,271
Overall, Net income is favorable by	\$ 317,096

International Terminal

Operating revenue is unfavorable by	\$ 41,388
Operating expenses are favorable by	\$ 138,030
Operating Income is favorable by	\$ 96,642
Non-Operating revenue is favorable	\$ 560,000
Non-Operating Expenses are favorable by	\$ 6,730
Non-Operating Income is favorable	\$ 553,270
Net Income is unfavorable by	\$ 456,628

South Beach

Operating revenue is favorable by	\$ 131,800
Operating expenses are favorable by	\$ 182,316
Operating income is favorable by	\$ 314,116
Non-Operating revenue is favorable	\$ 8,422
Non-Operating expense is favorable	\$ 44,230
Non-Operating Income is favorable by	\$ 52,652
Overall, Net income is favorable by	\$ 366,768

NOAA Lease Revenue Fund

Balance Sheet

As of December 31, 2023, the NOAA Lease revenue Fund had a cash balance of \$3,146,958 with an available balance of \$1,385,237; the remaining \$1,761,721 is reserved for the annual maximum debt service payment on bonds, as required in the bond contract. The cash balance is down due to dredging activities.

Income Statement

Budget vs. Actuals

Operating Revenue is favorable by	\$ 5,352
Operating expenses are favorable by	\$ 432,214
Operating Income is favorable by	\$ 437,566
Non-Operating Revenue is favorable by	\$ 32,793
Non-Operating Expenses are favorable by	\$ 34,805

Non-Operating Income is favorable by	\$ 67,598
Net income is favorable by	\$ 505,163

NOAA Capital Maintenance Fund

Cash available	\$1,966,595
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The income statement is being corrected to allocate Personnel and Materials and Services to NOAA.

**Bonded Debt Fund:
Balance Sheet**

Cash available	\$272,387
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Construction Fund:

Cash available	\$13,191
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Facility Maintenance Fund:

Cash available	\$426,452
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DIRECTOR OF OPERATIONS REPORT

DATE: 1/19/2024
PERIOD: December 2023-January 2024
TO: Paula J. Miranda, General Manager
ISSUED BY: Aaron Bretz

OVERVIEW DIROPS

Summary:

The Commercial Marina has been running all-out to get gear offshore and to perform offloads. The Alaska boats (mostly) departed the Terminal, and the Terminal has been busy moving gear as well. South Beach has been hard at work on maintenance and infrastructure projects during this off-season. In the office, I've been two-blocked with grant compliance preparation, permitting on the PD7 sampling project and others, and contracting for the Rogue Brewery Seawall work.

Detail:

- **Army Corps CAP Section 107 Project (Commercial Marina Channel Dredging) and Port Dock 7 Planning**

Many more meetings were held this month with the Army Corps Portland Sediment evaluation team. Also, we've been pushing permits through for the work; the Corps has come back with a requirement for us to provide a geoarchaeologist for the borings near the fishing pier. This will likely cause the work to be more expensive and could potentially cause a delay on that portion of the sampling only. We began to run into some challenges with coastal consistency compliance because of the locations of the borings in the Commercial Marina, but we moved them a couple feet and have mitigated that impact. Additionally, we adjusted boring depths in the marina by about 0.2 feet to avoid the requirement for a geoarchaeologist to be aboard the barge for the marina borings. We are still trying to get the fishing pier borings done at this time because if we don't, we will have to mobilize again, which will certainly be more expensive.

It has become apparent as permitting continues that we're getting pushed past the end of January, so the in-water work window again becomes a problem. We have already started by initiating a variance request, and it appears that will go along smoothly. We've been very clear with all the agencies how important this project is, and why these timelines are critical due to funding, etc. They seem to understand and are supportive.

- **RORO Dock Piling Assessment**

Our permits have been issued, and I can bid the project at any time when the funding picture becomes more clear.

- **Dredging**

After many emails and phone calls as well as a meeting with the governor's Regional Solutions Team, we got DLCD to sign off on coastal consistency for the International Terminal dredging

project. We now have permits for the dredging there as well, and I can bid that work when funding becomes more clear.

I have sent information on the South Beach Marina dredging project to the state's dredging coordinator to get a quote from them. I've also begun to talk to various contractors about the configuration of the disposal pile and other dredging contractors as well. Depending on how the project is parsed up, it may or may not be more expensive to go with the state dredge.

- **RV Park Annex Redesign**

Goodwork is wrapping up the conceptual design; we have found that they can greatly benefit from a survey. We got some competitive quotes from local companies and I think we can get the survey done relatively inexpensively by using a local engineering firm for that work.

- **Rogue Seawall**

The project is open for bids, which are due on Monday, January 22nd. Our variance request has been partially processed; we got authorization from DSL already, we're awaiting other state and federal agencies to concur. ODFW seems not to have any objection to the variance, so I speculate that our chances are good to get the work approved for springtime. We have had a high level of interest from contractors.

- **MARAD PIDP Grant:**

I submitted a considerable amount of information on the McLean Point project to MARAD, including quotes for the loaders, grading plans, and environmental information on the property. After consultation with MARAD, we're trying for a categorical exclusion for the project regarding environmental impact. This will mean a greatly abbreviated process for us to progress through the project. We have visits upcoming to Allied Systems and Cat to look at loaders.

- **Code Enforcement:**

Our security contractor has issued some tickets recently that drew some objections. They are enforcing signage in rules properly in South Beach, but since things are slower there this time of year, some people get the impression that they can park in places and in ways that are not allowed. I have directed them to continue enforcing the Facilities Code; some of the issues they are enforcing are big problems for us year-round, and people establish practices in the winter that carry over to the summer.

- **Crane Status:**

We have a Port qualification standard for the new crane, and we are progressing employees through the training. Those who have to attend formal classes are being scheduled; the new crane is in the same "class" as the old one, so the formal training that operators previously took on booms and cranes is still good for those that are current. Our lawyer drafted some documents in preparation for the sale of the old crane. Although it has already been declared excess property, because of the size of the sale he recommended that when we do sell the old crane, we should get the sale approved by the Port Commission.

- **Fish Cleaning Tables**

We've received one of the tables already, and have begun the excavation work to prepare the table to be installed. I anticipate work to be done on that table installation this month.

- **Port Dock 7 Pile Driving:**

Pile driving has begun at Port Dock 7, and I anticipate that work to be completed by the end of next week. We also pulled one broken piling at Port Dock 5 that was causing damage during low tides.



Newport International Terminal- Don Moon, Supervisor

Billable Services Performed this Period (june)

- ☒ Forklift –227 hrs
- ☒ Hydraulic Crane -28.25 hrs
- ☒ Hoist Dock Tie Up –182 hrs
- ☒ Labor – 254.5 hrs
- ☒ Other Overtime Billed 45.5 hrs
- ☒ Moorage – 140 Days
- ☒ 120V power – 0 hrs
- ☒ 208V power – 140 Days

Commercial Marina / South Beach Marina Harbormaster- Kody Robinson
Billable Services Performed this Period:

- ☒ We had 437 launches @ \$3936 between 12/1/2023-1/1/2024

Recreational Marina: There is only 2 docks left to be fitted with the new LED lighting. They have been completed. The fuel dock still needs lighting but the entire lighting circuit needs to be rewired due to age. The first of the 2 fillet tables is completed. Waiting for a good window for installation of the one. It will be completed before the new season begins. Sewer lift station is operational but not where it should be. We will need to have the new

system installed hopefully before peak season. Trash compactor is showing its age as far as structural integrity. Still working on numbers to see if the Port can swing a heavy boat trailer. The annex RV park is going to need a serious electric repair in the coming weeks to stay operational for the season. Doug's electric will be checking it out on 1/3/2024.

Commercial Marina: We should have the new oil strainer system done within the next month. We are a bit delayed on this due to the double opener for crab. It's been very busy at the hoist dock but the crew have done well managing repairs and keeping up with loading and offloads. We are still in dire need of the new used oil tank. Compact is in as bad shape if not worse than south beach. The crew used the tractor with sweeper in the lot and out at the IT and it is definitely paying for itself. We are in need of dock wood for repairs for both PD7 and PD5. We have more pilings broke loose on PD5. Ordered emergency Oil spill items for dealing with the used oil room, which one of the items will be for blocking off the catch basin. I will try and get a quote for a top coat of asphalt for the hoist dock, it is getting significantly worse.

Staffing: We have all our full-time positions fill on both sides currently. We are still going to require seasonals for crab season to help with night work, and to help keep overtime down. I plan on putting more/new employees in the coming budget years. Our crew swapping has slowed down but will continue to rotate them out.

With the amount of seized vessels in our possession on both sides of the bay, its becoming a full time job pumping and checking them on a regular basis which takes away from more important tasks.

NOAA MOC-P Jim Durkee, Maintenance Supervisor **Special Projects:**

Vessels Using the Facility Since My Last Report – NOAA vessel Hi'ialikai. R/V Elakha.

Installed new batteries and charger on accordion door (fire safety) and put back in service.

Annual service and inspection on battery back-up systems for data rooms and pier lights with MC Dean.

Andrew continued digging out parking lot area drains into swales and rebuilding them with new rock.

3 and 4 year painting in office and warehouse.

We ran into a new issue while replacing florescent lamps with LEDs. The ones covered by emergency battery packs will require a different system. We found a back-up that works with direct voltage LEDs.

Semiannual inspection and test of hazmat container fire suppression and alarm system with Pye/Barker.

Annual inspection and testing of fire alarms, sprinklers, and hydrants with Performance Systems Integration.

Replaced Building Automation System window monitor batteries.

One of the overhead door cables broke so we had Overhead Door replace them all, there was a small spot of corrosion on them near the top of the door.

Had Metro Access install new lead safety edges and electric eyes on the main gate.

Proctor sales performed annual service and troubleshooting on the boiler.

Prepped the facility for freezing temperatures/ Winter water set ups.

Fire alarm went off Sunday, 1-14-24. Fire department was summoned. Alarm was a malfunction caused by freezing weather. DC'd the pull stations on the floating dock and informed NOAA personnel. Will contact PSI for eventual replacement.

A freeze valve failed on berth 4 potable water causing the backflow preventer to blow out. I have the water shut off on that berth for now. The freeze valve was supposed to open to prevent freezing...

Multiple power failures, the generator has been running.