

The Port of Benton Commission Meetings are open to the public.

The regular Commission meeting will be available via Zoom, a telephone conference call-in line, and in person. The link to access this broadcast via Zoom and the call-in number to participate via telephone will be made available on the Port of Benton's website at the link below, along with the meeting agenda and minutes from past meetings. Live broadcast information: [www.portofbenton.com/commission](http://www.portofbenton.com/commission)

For those unable to access the internet, please call 509-375-3060 by 8:00 a.m. on January 14, 2026, to receive call-in details.

All participants will be muted upon entry; when prompted, click 'raise hand' in Zoom or dial star + 9 (\*9) to raise your hand. The host will unmute you to speak in the order in which your hands are raised. Press star + 6 (\*6) when the host calls on you to unmute yourself.

**PORT OF BENTON  
REGULAR COMMISSION MEETING**

**Agenda**

**8:30 a.m., January 14, 2026**

**3250 Port of Benton Blvd., Richland, WA 99354**

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. CONSENT AGENDA**

1. Approval of Agenda
2. Approval of Minutes of December 10, 2025, Commission Meeting
3. Approval of Vouchers and Certifications, Including Payroll for the Month of December, Totaling \$947,801.04
4. Resolution 26-02, To Cancel Warrant Nos. 085562 - 085563, Which Were Printed in Error

**D. PUBLIC COMMENT**

## E. ITEMS OF BUSINESS

1. Economic Development Corporation (EDC): Approval of Minutes from January 15, 2025, EDC Meeting, Selection of Officers, Financial Overview
2. Resolution 26-03, A Resolution of the Port of Benton Authorizing the Port Executive Director to Sell and Convey Surplus Property with Less Than \$23,340 Value
3. Resolution 26-04, Adopting an Amended Port of Benton Personnel Policy and Procedures Handbook
4. Resolution 26-05, Lease Agreement with Hanford Mission Integration Solutions, Inc. – Richland Business Park
5. Resolution 26-06, Richland Airport Electrical Easement for City of Richland
6. Resolution 26-07, Approval of Amendment to Resolution 25-22, Six-Year Transportation Improvement Plan
  - i. Amendment to White Bluffs Rail Improvement Project – BUILD Grant Approval
  - ii. Amendment to White Bluffs Rail Intermodal Facility
7. Resolution 26-08, Approving Amendment No. One to the Electric Vehicle Charging Towers and Ground Lease Agreement with WOW, Women of Wisdom of Tri-Cities – Richland Business Park
8. Approval of Purchase of Rail Car Counter, \$68,000
9. HVAC Emergency Replacement, 2345 Stevens Drive, \$53,195.00 + Washington State Sales Tax – Richland Business Park
10. Membership & Committee Review

11. Review Annual Conflict of Interest Form

12. Motion to Contract for Human Resources Support Services, 60-Day Term, Not to Exceed \$50,000

F. INFORMATION REPORTS

1. Grants Update
2. Legislative Update
3. Capital Projects Update

G. COMMISSIONER REPORTS/COMMENTS

H. DIRECTOR REPORTS/COMMENTS

1. Finance Director
2. Port Attorney
3. Executive Director

I. FOR THE GOOD OF THE ORDER

J. RECESS TO EXECUTIVE SESSION as legally allowed pursuant to RCW 42.30.110(1)(f), to discuss real estate, personnel, evaluate qualifications of applicants for employment, potential claims, and complaints against a public official or employee.

The session is expected to take 60 minutes and action is expected in the public session following, as a result of the Executive Session.

K. ADJOURNMENT

The next regular Port of Benton Commission meeting will be held on **Wednesday, February 11, 2026, at 8:30 a.m.** at the Port of Benton Commission room at 3250 Port of Benton Blvd., Richland, Washington. Visit [portofbenton.com](http://portofbenton.com) for notices and information.

**POR T OF BENTON**  
**COMMISSION MEETING MINUTES**  
**December 10, 2025**

**A. CALL TO ORDER:** The regular monthly meeting was called to order at 8:30 a.m. at the Port of Benton Commission meeting room, 3250 Port of Benton Blvd., Richland, Washington.

**PRESENT:** Commissioner Scott D. Keller, Commissioner Roy D. Keck, Commissioner Lori Stevens (virtually)

**PORT STAFF PRESENT:** Diahann Howard, Alicia Myers, Quentin Wright, Summers Miya, Ron Branine, Audrey Burney, Cassie Losey, Jeff Lubeck

**ALSO PRESENT:** John O'Leary, Gravis Law; Clif Dyer, Sundance Aviation/Tym2Fly, Helen den Hoed, Jon Ray, Dennis Collins, Mark Underwood

**The following attendees attended via remote communications:** Bryan Bell, Sheri Collins, Jorge Celestino, Angela Saraceno-Lyman, Julia Mora, Joe Pisca, Jeff Losey, Wendy Culverwell – Tri-City Herald, Joshua Lott, Anderson Perry, Gareth Nisbett, Samantha Peterson – Century West Engineering, Stephen [last name missing], George [last name missing]

The Commission meeting was noticed as required by RCW 42.30.070.

**B. PLEDGE OF ALLEGIANCE:** Commissioner Roy Keck led those present to recite the Pledge of Allegiance.

**C. CONSENT AGENDA**

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving the agenda for the December 10, 2025, Commission meeting, approval of minutes from the November 12, 2025, approval of vouchers and certifications, including payroll, for the month of October totaling \$493,533.94, and resolution 25-51, to cancel warrant No. 083138, in the amount of \$3,340.16, issued to CWW-Columbia Rail, which has been deemed lost.**

**D. PUBLIC COMMENT**

Richland Airport tenant Jon Ray provided an update on the 2026 Aviation Career Day, which is tentatively scheduled for May 30, 2026. Ray stated that NASA has made an unofficial commitment to attend. Boeing is expected to attend. Ray thanked the port staff and commissioners for their continued support.

Richland Airport tenant Clif Dyer noted the recent division of the port and urged the commissioners to work toward repairing trust and relationships. Dyer called for an end to personal attacks, especially by Mr. Keck, and urged reconciliation going forward.

## **E. ITEMS OF BUSINESS**

### **1. Resolution 25-52, Adopting an Amended Port of Benton Personnel Policy and Procedures Handbook.**

Commissioner Scott Keller requested to table this item until January until the new commissioner is seated. Staff stated that there were no benefit changes, only compliance and clarification updates. Commissioners said they would table the adoption of this until January.

### **2. Architect, Engineering, and Professional Roster for 2026**

Executive Director Diahann Howard explained that projects and responses are provided for the commission to review. The projects are set to begin in early 2026 to expedite a contract process.

**A motion to approve the architect, engineering and professional roster for 2026 was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck and unanimously passed by the Commission.**

### **3. 2026 Contracts (\$120,000 IC Corp. LLC, \$175,000 Gravis Law)**

Executive Director Diahann Howard clarified that IC Corp., LLC is Ashley Garza, who has worked with the port for 20 years. Howard added that Gravis Law is the legal contract.

Commissioner Stevens recommended extending Gravis Law through January. Discussion ensued regarding the contracts.

**A motion to approve the 2026 contracts for IC Corp, \$120,000, and Gravis Law, \$175,000, was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission.**

### **4. Interlocal Agreement Between the Ports of Benton, Pasco, Walla Walla and the Northwest Seaport Alliance**

Executive Director Diahann Howard explained that this interlocal agreement is a collaboration with the Ports of Pasco, Walla Walla and the Northwest Seaport Alliance to coordinate regional logistics and planning as state releases planning dollars.

Howard added that no financial commitment beyond staff time is required at this time and all future financial matters will be addressed separately. Howard stated that this agreement helps present a united marketing front for state trade efforts.

**A motion to approve the interlocal agreement between the Ports of Benton, Pasco, Walla Walla and the Northwest Seaport Alliance was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck and unanimously passed by the Commission.**

### **5. Second Amendment with Columbia Rail Operating Agreement, Richland Business Park**

Executive Director Diahann Howard stated that this extension is requested, as the current contract terminates on March 31, 2026. Howard noted that more time is needed to plan an intermodal strategy, align trackage rights with the City of Richland and plan to issue a long-term RFP for operator will take place next year.

Howard praised Columbia Rail for performance, reliability in maintenance, and responsiveness to urgent issues.

**A motion to approve the second amendment of the Columbia Rail operating agreement was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens and unanimously passed by the Commission.**

#### 6. Proclamation 25-03, Honoring Commissioner Roy D. Keck

Executive Director Diahann Howard read Proclamation 25-03, Honoring Commissioner Roy D. Keck:

**WHEREAS** Mr. Roy D. Keck took on the role of Commissioner for District 1 starting in 2007; he was reelected in 2013 and 2019.

**WHEREAS**, with 35 years in the nuclear power industry, Commissioner Keck brought extensive expertise in energy, infrastructure and economic development to ongoing service within the community.

**WHEREAS** Commissioner Keck's achievements and leadership provided a strong foundation for advancing initiatives that further strengthened the region's economy and quality of life;

**WHEREAS** Commissioner Keck supported and enhanced Washington's system of ports and working rivers via the Pacific Northwest Waterways Association and Washington Public Ports Association. Commissioner Keck is a small business owner, TRIDEC board member, past chairman of the Richland Economic Development Committee and the Richland Utility Advisory Committee. Commissioner Keck's additional leadership roles include Past President of the Washington Public Ports Association and on its nomination committee, Past President of Richland Rotary and Past Commodore of the Richland Yacht Club, reflecting a long-standing commitment to collaboration and progress.

**WHEREAS**, Commissioner Keck had a positive impact at the federal level through the Energy Communities Alliance and regionally as a Manhattan Project National Historical Park and Benton-Franklin Council of Governments representative.

**WHEREAS**, Commissioner Keck has remained focused on reducing property taxes and aligning Port leases with current fair market rates, supporting Richland and Prosser Airport projects, rebuilding the Port's railroad assets and leveraging his decades of nuclear power industry experience to facilitate and advocate for economic development, including through the formation of the Northwest Advanced Clean Energy Park in support of new nuclear and related projects, which encompasses expanding local manufacturing.

**WHEREAS**, Commissioner Keck has demonstrated leadership in advancing the Port of Benton's Vision and Mission and worked diligently alongside the Port team and his fellow elected officials for the good of the public. Commissioner Keck will be remembered for his many accomplishments and unwavering dedication to regional economic development.

**NOW THEREFORE, BE IT PROCLAIMED** that the Port of Benton Commission and staff express their sincere and whole-hearted appreciation to Mr. Roy D. Keck for his commitment to the Port, the communities in the Port District and the surrounding region, and for his contributions while serving as a Port of Benton Commissioner.

Signed and dated by the Commission of the Port of Benton at its regular meeting held on this 10<sup>th</sup> day of December 2025.

#### 7. Performance Review of Executive Director

Executive Director Diahann Howard read a prepared memo, titled "**2025 Review Summary**":

The following are highlights of key 2025 Port of Benton initiatives:

- **Small Business Support & Tourism**

The Clore Center hosted 30 events for various organizations. Our team not only hosted the Triton event, but they also toured over 600 visitors.

Coordination with the Richland Library to support tours and American Cruise line in support of Prosser businesses along with sponsorship of events will continue in 2026. WSU TC Small Business Development, Small Business Development Council support via the Hispanic Chamber, FUSE collaboration and Richland Rotary Entrepreneurial Awards are also planned to continue.

- **Asset Improvements**

Efforts remained focused on getting our rail back to a state of good repair; work included SR 240 rail crossing and tie replacements. We received \$9.5M RAISE grant to support new rail, ties and ballast. The Port Barge Complex facilities project began with use of a \$2.7 million Port Electrification grant to improve the asset, a \$2.1M Richland Airport apron reconfiguration project, and \$3M was secured to support Prosser Airport Pavement and Lighting project in 2026. The Port's 2579 Stevens Drive facility rehabilitation project partners with a CERB loan of \$2.4M and \$1.7M of Benton County .09 funds along with port dollars; the assessment of the building is completed, and the next phases of this project will move forward in 2026. We completed renovations of 1845 Terminal Drive with use of CARB loan dollars. We have \$18.3M planned for capital improvements in 2026; 44% improvement focused and 56% focused on economic development.

- **Economic Development**

Our 2025 economic development efforts resulted in the following:

- Completed the industrial land exchange with Richland valued at \$18 million that realigns and positions both entities to more fully fulfill

our industrial economic development missions.

- American Rock return of 143 acres of industrial land for development.
- Start of 50 acres of Waterfront planning within the TBC
- Sale of 9<sup>th</sup> Street building in Benton City per resolution to return to private sector and sale of land within TBC.
- Convening with state, community partners and local businesses via VERTical to discuss upcoming policy and align support for manufacturing and energy sectors.
- New and adjusted leases resulting in 3% increase, less loss of American Rock aggregate therefore limiting loss of revenues to only 2%.
- Partnered with Port of Pasco and Tri-Cities Regional Chamber on AgInnovation initiative.
- Rail Open house and public tour of the port district.
- Collaboration with Ports of Pasco, Walla Walla and Northwest Seaport Alliance to expand logistics and intermodal to support our existing value add agricultural companies and support new industrial growth.
- Collaboration with Richland Airport tenant to support Aviation Career Day.
- Continued our strong partnerships with the state, cities of Benton City, Prosser and Richland and Benton County, PEDA, TRIDEC and our local chambers. We also supported community events and expanded partnerships with industry.

Our Port team remains focused on managing our public assets and making strategic investments to be a catalyst for regional economic growth and prosperity.

We brought in new hires in Finance and grew our team internally into new roles to expand their professional growth. We added a work order module to our systems to strengthen our customers' experience when making work order requests. Our team continues to increase revenues, improved facilities and property tax rates were reduced again to \$0.301 (from \$0.305) to bring us to a 22-year low, benefiting Port District taxpayers.

In 2026, we are planning for \$18 million in capital projects, 56% of which are focused on economic development, including rail, intermodal and Prosser Airport.

We look forward to turning the page to the Port's next chapter in collaboration with the commission and our communities to bring new jobs and investment to our region.

We will continue to hold ourselves to leading private business standards and best government contracting and port practices in alignment with our core values.

## **F. INFORMATION REPORTS**

### **1. Grants Update**

Airports – Quentin Wright stated that GeoTech has been performing core sampling. It was noted that Richland and Prosser airports were listed as among the top 10 in Washington for pavement quality.

### **2. Legislative Update**

Director of Governmental Affairs Cassie Losey outlined key 2026 legislative priorities:

- State trade strategy – focus on global trade, job creation and supply chain efficiency. This is a WPPA backed document the Port has been working on in tandem.
- Target Urban Area (TUA) – efforts to secure tax breaks for new construction for clean energy facilities where construction timelines are often an issue. It will not shift the tax burden to taxpayers per the City of Richland.
- Clean Energy Investments Bill – broaden the use of contracts to make it easier for public entities to invest in clean energy projects. This is in partnership with Energy Northwest
- Economic Development – Advocacy for continued CARB funding to airports, site certification readiness and port electrification grants
- Protection of .09 funds for economic development

Losey reviewed upcoming legislative events in Olympia that will take place in the first quarter of 2026.

### **3. Capital Projects Update**

Director of Facilities and Operations Ron Branine noted that the lighting project for 3250 and 2579 should be wrapped up by the end of the year.

Branine provided a brief update on the 2579 Stevens Drive facility and the project is progressing. Branine noted that a Clean Building Act exemption is needed to avoid significant fines and a conceptual design will be presented in January or February 2026.

## **H. COMMISSIONER REPORTS/COMMENTS**

Commissioner Scott Keller provided comments on a recent WAMA report, where the main subject of discussion was aviation fuel taxes, which were supposed to come back to airports, but have been diverted to general funds.

Commissioner Lori Stevens stated that she had the privilege of meeting some port tenants at the Prosser Airport and there is interest in hosting an aviation day at the Prosser Airport.

Commissioner Roy Keck stated that this is his last Commission meeting after serving as port Commissioner for 18 years. Commissioner Keck ready a prepared statement.\*

\*Attachment A

## **I. DIRECTOR REPORTS/COMMENTS**

### **1. Finance Director**

Director of Finance Jeff Lubeck provided a financial status report.

Lubeck reviewed the cash financial status, stating that the cash balance is at a 4-year high, all 2025 grants are fully received.

Lubeck reviewed November cash receipts and disbursements.

Lubeck reviewed the accounts receivable financial status report over 90 days.

Lubeck stated that the 2024 audit is completed, with clean findings and an expected boilerplate recommendation on fixed assets.

### **2. Port Attorney**

Contract Port attorney John O'Leary stated that he had no updates for the regular session, but has items for the executive session related to personnel that is expected to take 15 minutes.

### **3. Executive Director**

Executive director Diahann Howard provided an update on recent meetings and events she has participated in.

Howard stated that she has been appointed chair of the Community Aviation Revitalization Board through 2026.

Howard stated that she participated in the 2026 comp plan update, monitoring zoning changes, especially pertaining to waterfront and data centers.

Howard noted that multiple waterfront stakeholder meetings were held.

Howard stated that the port has attracted an international industrial prospect related to forging, with the potential to support the nuclear, aviation, and maritime sectors.

Howard announced that the port is working on 11 new and/or existing leases and there are 11 rental prospects.

Howard stated that TreeTop has submitted a letter of intent regarding a purchase in the Prosser Wine & Food Park and more to come in the January meeting.

Howard stated that the ag prospect has withdrawn their interest in the Clore Center.

Howard requested to move the February 2026 Commission meeting to accommodate travel.

## **J. FOR THE GOOD OF THE ORDER**

There were no comments.

## **K. EXECUTIVE SESSION**

The regular Commission meeting was recessed at 9:20 a.m., with an announcement that an Executive Session would commence at 9:20 a.m. for 20 minutes to discuss real estate and personnel

matters. It was noted that the regular meeting would be reconvened at 9:40 a.m. It was announced that an additional five minutes were needed in executive session.

**Commissioner Stevens made a motion to adjust compensation. Commissioner Roy Keck seconded the motion. Commissioner Keller abstained. Motion carried.**

**L. ADJOURNMENT**

With no action needed, the meeting was adjourned at 9:49 a.m. with an announcement that the next regular Port of Benton Commission meeting would be held at 8:30 a.m. on Wednesday, January 14, 2026, at the Port of Benton Commission meeting room, located at 3250 Port of Benton Blvd., Richland, Washington.

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Lori Stevens, Commission Secretary

Attachment A

Having served as your Port Commissioner for 18 years, I am now stepping down following the recent election. While the outcome was not what I had hoped for, I deeply appreciate the trust you have placed in me over nearly two decades.

We have collectively strengthened our Port and expanded opportunities for local small businesses, including Bombing Range Brewery and Highline Engineering. I am pleased with the progress achieved in revitalizing Crow Butte Park, developing a center for innovation and manufacturing in North Richland, securing Atlas Agro, and establishing valuable partnerships for future nuclear power related opportunities through these efforts.

I have observed a troubling decline in the treatment of Port of Benton staff by the commission, particularly over the past year. During public meetings, there have been instances of behavior that fall short of civility—not only from community members, but more concerningly from the President of the Commission. At times, this conduct has bordered on hostility.

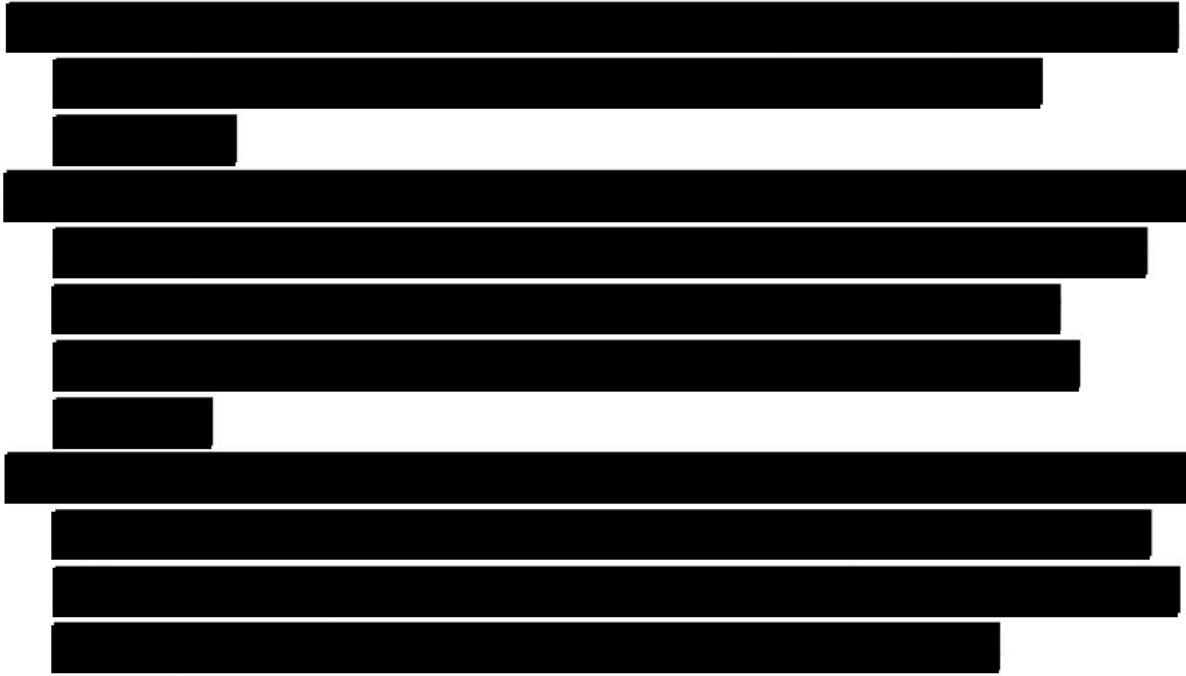
Since 2019, the staff has worked tirelessly to address and correct the missteps of the previous administration, as documented in my prior complaints and the record below. I have been consistently impressed by their diligence, integrity, and commitment to serving tenants with fairness and respect.

I feel compelled to publicly express my concern that the staff must be safeguarded against any retaliatory actions that could arise from the ongoing investigation or future findings. Their dedication deserves protection, and their efforts merit recognition.

Prior to my departure, I would like to reiterate my concerns regarding certain actions carried out by the previous leadership, which may raise questions of appropriateness or legality. It is essential that the Port and its tenants adhere to the requirements of RCW Chapter 9a.61.

Although the investigation into my First Taxpayer's Complaint in September is ongoing, I expect transparency and accountability until the City of Richland, Benton County, and Port of Benton taxpayers are fully compensated.

Redacted per Port rules.



Public service is never about one person—it is about the people we serve. I have been honored to work alongside dedicated colleagues, Port staff, and community members locally and nationally. We are better together.

Though my role as Commissioner has ended, my commitment to this community has not. I will continue to advocate for integrity, accountability, and progress at the Port of Benton. Thank you for allowing me the honor of serving you—it has been the privilege of my life.

**Port of Benton, Benton County, Washington**  
**Voucher Certification and Approval**  
**for the Month of December 2025**

**Dec-25**  
**Cash Disbursements**  
**Batch Totals**

<b>General Expenses</b>	<b>\$ 746,801.87</b>
Accounts Payable Warrants #:	\$ 746,801.87

Electronic Payments:	\$ 721.00
	<b>Electronic Payments - OI</b>
	721.00

Total General Expenses	<b>\$ 747,522.87</b>
	<b>\$ 721.00</b>

**Payroll**

Direct Deposit:	<b>IRS Payroll Tax Deposit</b>
ACH	\$ 138,170.79
\$ 24,586.02	
\$ 2,412.75	
\$ 23,159.82	

Electronic Payments:	<b>\$ 50,158.59</b>
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IRS Payroll Tax Deposit	\$ 50,158.59
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Other Payroll Related Payments	\$ 11,948.79
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Total Payroll	<b>\$ 200,278.17</b>
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	<b>797,681.46</b>
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<b>Total General Expenses and Payroll</b>	<b>\$ 947,801.04</b>
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<b>Payroll Direct Deposit No.</b>	<b>\$ 62,506.07</b>
	\$ 3,858.84
	\$ 54,498.35
	\$ 8,935.44
	\$ 8,372.09

	<b>\$ 138,170.79</b>
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Attest:      Director of Finance/Port Auditor

<b>Other Payroll Related Pa</b>	<b>\$ 1,747.80</b>
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	\$ 4,410.78
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	\$ 100.00
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	\$ 1,608.58
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	\$ 3,981.63
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Port of Benton, Benton County, Washington  
 Voucher Certification and Approval  
 for the Month of December 2025

**General Expenses**

Accounts Payable Warrants #: 85464 - 85577 \$ 746,801.87

Electronic Payments: \$ 721.00

Total General Expenses

\$ 747,522.87

Dec-25  
**Cash Disbursements**  
**Batch Totals**

\$ 746,801.87 Dec-25  
**\$ 746,801.87**

**Electronic Payments - Other Payment**  
 721.00 12/26/2025 DEPARTMENT OF REVENUE - Excise

**Payroll**

Direct Deposit:  
 ACH \$ 138,170.79

Electronic Payments:  
 IRS Payroll Tax Deposit \$ 50,158.59

Other Payroll Related Payments \$ 11,948.79

**IRS Payroll Tax Deposit**  
 \$ 24,586.02 12/05/25 INTERNAL REVENUE SERVICE  
 \$ 2,412.75 12/05/25 INTERNAL REVENUE SERVICE  
 \$ 23,159.82 12/19/25 INTERNAL REVENUE SERVICE

**\$ 50,158.59**

Total Payroll

\$ 200,278.17

**797,681.46 Warrants, ACH, FedTax**

**Total General Expenses and Payroll**

**\$ 947,801.04**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the Port of Benton and that I am authorized to authenticate and certify to said claim.

Attest: \_\_\_\_\_

Director of Finance/Port Auditor

We, the undersigned Commissioners of the Port of Benton, Benton County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment, this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
 President

President

\_\_\_\_\_  
 Vice President

Vice President

\_\_\_\_\_  
 Secretary

Secretary

**Payroll Direct Deposit Net Pay**

\$ 62,506.07 12/05/25 PORT OF BENTON EMPLOYEES  
 \$ 3,858.84 12/05/25 PORT OF BENTON COMMISSIONERS  
 \$ 54,498.35 12/05/25 PORT OF BENTON EMPLOYEES  
 \$ 8,935.44 12/19/25 PORT OF BENTON EMPLOYEES  
 \$ 8,372.09 12/19/25 B. Lopez PTO Payout

**\$ 138,170.79**

**Other Payroll Related Payments**

\$ 1,747.80 12/05/25 NATIONWIDE  
 \$ 4,410.78 12/05/25 DRS  
 \$ 100.00 12/05/25 WASHINGTON SUPPORT REGISTRY  
 \$ 1,608.58 12/19/25 NATIONWIDE  
 \$ 3,981.63 12/19/25 DRS  
 \$ 100.00 12/19/25 WASHINGTON SUPPORT REGISTRY

\$ -  
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**\$ 11,948.79**

Bank	Date	Payee	Document no.	Amount	Cleared	ACH
	12/5/2025	VEN00012--AFLAC	85464	1,240.09	In transit	
	12/5/2025	VEN00768--AKS ENGINEERING & FORESTRY LLC	85465	12,034.00	In transit	
	12/5/2025	VEN00036--B AND B TRAILERS	85466	1,807.68	In transit	
	12/5/2025	VEN00044--BENTON PUD	85467	2,849.05	In transit	
	12/5/2025	VEN00075--CASCADE NATURAL GAS CORP	85468	927.21	In transit	
	12/5/2025	VEN00083--CENTURYLINK	85469	308.28	In transit	
	12/5/2025	VEN00290--CI-PW, LLC (Paradise Bottled Water)	85470	51.03	In transit	
	12/5/2025	VEN00071--CITY OF PROSSER	85471	7,775.41	In transit	
	12/5/2025	VEN00089--CITY OF RICHLAND	85472	24,618.67	In transit	
	12/5/2025	VEN00781--CKJT ARCHITECTS PLLC	85473	75,553.00	In transit	
	12/5/2025	VEN00700--CLIFTON LARSON ALLEN LLP	85474	6,747.01	In transit	
	12/5/2025	VEN00800--COLUMBIA BALLOONPORT LLC	85475	3,261.00	In transit	
	12/5/2025	VEN00077--COLUMBIA BASIN IT	85476	3,334.58	In transit	
	12/5/2025	VEN00782--COLUMBIA SWEEPING SERVICE INC	85477	50,530.18	In transit	
	12/5/2025	VEN00105--CONNELL OIL, INC	85478	2,083.69	In transit	
	12/5/2025	VEN00107--COOK'S ACE HARDWARE	85479	13.03	In transit	
	12/5/2025	VEN00639--CWW LLC (COLUMBIA RAIL)	85480	3,304.80	In transit	
	12/5/2025	VEN00801--DFP, LLC	85481	11,665.41	In transit	
	12/5/2025	VEN00143--DSD BUSINESS SYSTEMS	85482	244.58	In transit	
	12/5/2025	VEN00009--GEO WAY ACE HARDWARE	85483	1,078.51	In transit	
	12/5/2025	VEN00540--GLACIER SUPPLY GROUP, LLC	85484	4,082.31	In transit	
	12/5/2025	VEN00601--GRAVIS LAW PLLC	85485	19,678.50	In transit	
	12/5/2025	VEN00202--HERC RENTALS INC.	85486	641.33	In transit	
	12/5/2025	VEN00775--IMPERVIOUS COATING LLC	85487	6,770.97	In transit	
	12/5/2025	VEN00609--IRON HORSE VAC, LLC	85488	2,150.46	In transit	
	12/5/2025	VEN00223--JOHNSTONE SUPPLY	85489	593.81	In transit	
	12/5/2025	VEN00229--KELLEY'S TELE-COMMUNICATION, INC.	85490	160.00	In transit	
	12/5/2025	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUPPLY	85491	45.24	In transit	
	12/5/2025	VEN00291--KENNEWICK RANCH AND HOME	85492	650.00	In transit	
	12/5/2025	VEN00672--KPFF, INC.	85493	13,566.70	In transit	
	12/5/2025	VEN00644--LEAF	85494	248.93	In transit	
	12/5/2025	VEN00237--LES SCHWAB TIRE CENTER QUEENSGATE DR	85495	2,164.50	In transit	
	12/5/2025	VEN00245--LUKE'S CARPET	85496	770.62	In transit	
	12/5/2025	VEN00490--MARY POTTER	85497	761.60	In transit	
	12/5/2025	VEN00380--MCCLATCHY COMPANY	85498	665.76	In transit	
	12/5/2025	VEN00251--METALFAB INC	85499	1,555.50	In transit	
	12/5/2025	VEN00261--MP CONSTRUCTION, INC.	85500	7,669.87	In transit	
	12/5/2025	VEN00297--PERSONAL TOUCH CLEANING, INC.	85501	33,218.48	In transit	
	12/5/2025	VEN00305--POCKETINET COMMUNICATIONS, INC.	85502	242.00	In transit	
	12/5/2025	VEN00306--PROMINENCE PUBLIC RELATIONS	85503	2,870.00	In transit	
	12/5/2025	VEN00315--PURCHASE POWER	85504	140.17	In transit	
	12/5/2025	VEN00783--PYE-BARKER FIRE & SAFETY dba MOON SECURITY	85505	7,013.24	In transit	
	12/5/2025	VEN00685--ROLL AND CAP PRODUCTIONS	85506	3,784.75	In transit	
	12/5/2025	VEN00771--STACY AND WITBECK INC	85507	29,349.00	In transit	
	12/5/2025	VEN00799--TACTICAL CLEANING ACQUISITION LLC	85508	13,540.80	In transit	
	12/5/2025	VEN00346--THE SHERWIN-WILLIAMS CO.	85509	46.63	In transit	
	12/5/2025	VEN00298--TRI-CITY COMPUTER CONSULTING LLC	85510	3,804.50	In transit	
	12/5/2025	VEN00398--TRI-CITY SIGN & BARRICADE	85511	689.07	In transit	
	12/5/2025	VEN00402--UNDERGROUND CREATIVE, LLC	85512	2,050.00	In transit	
	12/5/2025	VEN00412--VALLEY PUBLISHING COMPANY	85513	518.98	In transit	
	12/5/2025	VEN00746--VERIZON CONNECT FLEET USA LLC	85514	621.98	In transit	
	12/5/2025	VEN00532--VIC'S AUTO PARTS & SUPPLY	85515	317.49	In transit	
	12/5/2025	VEN00449--ZIPLY FIBER	85516	459.37	In transit	
	12/5/2025	VEN00449--ZIPLY FIBER	85517	131.64	In transit	
	12/5/2025	VEN00449--ZIPLY FIBER	85518	149.23	In transit	
	12/5/2025	VEN00449--ZIPLY FIBER	85519	110.03	In transit	
	12/5/2025	10038--Hammond, Cassaundra	85520	1,376.10	In transit	
	12/5/2025	10033--Mora, Julia	85521	320.00	In transit	
	12/5/2025	10007--Keck, Roy	85522	1,317.98	In transit	
	12/19/2025	VEN00006--ABADAN, INC	85523	237.36	In transit	
	12/19/2025	VEN00733--ASSOCIATED APPRAISERS OF WALLA WALLA LLC	85524	7,500.00	In transit	
	12/19/2025	VEN00038--BANNER BANK - Credit Card	85525	28,692.39	In transit	
	12/19/2025	VEN00053--BENTON RURAL ELEC ASSOCIATION	85526	763.71	In transit	

12/19/2025	VEN00007--BLUEROOM	85527	22.35	In transit
12/19/2025	VEN00468--CASCADE FIRE PROTECTION CO.	85528	13,172.66	In transit
12/19/2025	VEN00469--CENTURY WEST ENGINEERING CORP	85529	15,109.50	In transit
12/19/2025	VEN00290--CI-PW, LLC (Paradise Bottled Water)	85530	80.36	In transit
12/19/2025	VEN00071--CITY OF PROSSER	85531	6,480.16	In transit
12/19/2025	VEN00089--CITY OF RICHLAND	85532	40.61	In transit
12/19/2025	VEN00077--COLUMBIA BASIN IT	85533	2,596.81	In transit
12/19/2025	VEN00639--CWW LLC (COLUMBIA RAIL)	85534	48,500.00	In transit
12/19/2025	VEN00136--DIGITAL IMAGE TRI-CITIES, INC.	85535	70.66	In transit
12/19/2025	VEN00166--FERGUSON ENTERPRISES, INC.	85536	226.63	In transit
12/19/2025	VEN00419--GRAINGER	85537	125.54	In transit
12/19/2025	VEN00459--HOLLAND COMPANY	85538	24,400.00	In transit
12/19/2025	VEN00588--IC CONSULTING CORPORATION	85539	9,990.00	In transit
12/19/2025	VEN00492--INLAND ASPHALT COMPANY	85540	9,633.00	In transit
12/19/2025	VEN00223--JOHNSTONE SUPPLY	85541	122.34	In transit
12/19/2025	VEN00229--KELLEY'S TELE-COMMUNICATION, INC.	85542	160.00	In transit
12/19/2025	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUPPLY	85543	11,534.04	In transit
12/19/2025	VEN00592--PRO FIRE LLC	85544	956.10	In transit
12/19/2025	VEN00317--RAILWORKS TRACK SYSTEMS	85545	30,994.81	In transit
12/19/2025	VEN00326--RGW ENTERPRISES P.C. INC	85546	12,535.00	In transit
12/19/2025	VEN00352--SMARSH, INC.	85547	45.87	In transit
12/19/2025	VEN00359--STEEBER'S LOCK SERVICE, LLC	85548	327.03	In transit
12/19/2025	VEN00365--STRATTON SURVEYING & MAPPING	85549	640.00	In transit
12/19/2025	VEN00385--THE HOME DEPOT CRC/GECF	85550	3,633.93	In transit
12/19/2025	VEN00346--THE SHERWIN-WILLIAMS CO.	85551	68.37	In transit
12/19/2025	VEN00399--TRIDEC, INC.	85552	2,500.00	In transit
12/19/2025	VEN00402--UNDERGROUND CREATIVE, LLC	85553	2,050.00	In transit
12/19/2025	VEN00414--VERIZON	85554	2,728.86	In transit
12/19/2025	VEN00746--VERIZON CONNECT FLEET USA LLC	85555	621.98	In transit
12/19/2025	VEN00570--VITAL RECORDS CONTROL	85556	473.95	In transit
12/19/2025	VEN00358--WASHINGTON STATE AUDITOR'S OFFICE	85557	9,027.59	In transit
12/19/2025	10032--Bell, Bryan	85558	344.10	In transit
12/19/2025	10006--Howard, Diahann	85559	1,408.20	In transit
12/19/2025	10033--Mora, Julia	85560	220.00	In transit
12/19/2025	10020--Miya, Summers	85561	1,003.07	In transit
12/22/2025	VEN00038--BANNER BANK - Credit Card	85562	2,957.19	In transit
12/22/2025	VEN00402--UNDERGROUND CREATIVE, LLC	85563	1,501.42	In transit
12/22/2025	VEN00038--BANNER BANK - Credit Card	85564	2,957.19	In transit
12/22/2025	VEN00402--UNDERGROUND CREATIVE, LLC	85565	1,501.42	In transit
12/30/2025	VEN00637--360 AUTOMOTIVE & REPAIR	85566	1,893.81	In transit
12/30/2025	VEN00036--B AND B TRAILERS	85567	1,956.60	In transit
12/30/2025	VEN00038--BANNER BANK - Credit Card	85568	12,204.21	In transit
12/30/2025	VEN00075--CASCADE NATURAL GAS CORP	85569	19,195.62	In transit
12/30/2025	VEN00601--GRAVIS LAW PLLC	85570	27,464.50	In transit
12/30/2025	VEN00200--HDR ENGINEERING, INC	85571	2,383.17	In transit
12/30/2025	VEN00249--MAUL FOSTER ALONGI, INC	85572	30,653.85	In transit
12/30/2025	VEN00301--PITNEY BOWES, INC	85573	195.66	In transit
12/30/2025	VEN00718--PND ENGINEERS INC	85574	22,316.50	In transit
12/30/2025	VEN00315--PURCHASE POWER	85575	195.67	In transit
12/30/2025	VEN00636--SENSKE LAWN & TREE CARE LLC	85576	1,097.87	In transit
12/30/2025	VEN00352--SMARSH, INC.	85577	74.07	In transit
12/29/2025	VEN00239--WASHINGTON STATE DEPT OF REVENUE	11/25 B&O		721.00
12/5/2025	VEN00215--INTERNAL REVENUE SERVICE	1205252CM		2,412.75
12/5/2025	VEN00215--INTERNAL REVENUE SERVICE	12052525FT		24,586.02
12/5/2025	VEN00122--DEPT OF RETIREMENT SYSTEMS	120525DCP		4,410.78
12/5/2025	VEN00268--NATIONWIDE RETIREMENT SOLUTION	120525NW		1,747.80
12/5/2025	VEN00425--WASHINGTON STATE SUPPORT REGISTRY	120525DHS		100.00
12/19/2025	VEN00215--INTERNAL REVENUE SERVICE	12192525FT		23,159.82
12/19/2025	VEN00122--DEPT OF RETIREMENT SYSTEMS	121925DCP		3,981.63
12/19/2025	VEN00425--WASHINGTON STATE SUPPORT REGISTRY	121925DHS		100.00
12/19/2025	VEN00122--DEPT OF RETIREMENT SYSTEMS	121925NW		1,608.58
12/22/2025	VEN00038--BANNER BANK - Credit Card	Voided - 085562	-2,957.19	
12/22/2025	VEN00402--UNDERGROUND CREATIVE, LLC	Voided - 085563	-1,501.42	

Total for BCT MAIN

746,801.87 62,828.38

**RESOLUTION 26-02**  
**A RESOLUTION OF THE PORT OF BENTON, WASHINGTON**  
**TO CANCEL WARRANTS**

**WHEREAS**, General Expense Fund Warrant Nos. 085562 and 085563, warrant numbers issued in error due to printer issues, and

**WHEREAS**, said warrants are hereby considered to be canceled, and the Port Commission wishes to remove these warrants from the active accounting records.

**NOW THEREFORE**, the Port Commission hereby resolves to cancel Warrant Nos. 085562 and 085563.

**DATED AND SIGNED** at Richland, Washington, January 14th, 2026.

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Bill O'Neil, President

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Scott D. Keller, Vice President

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Lori Stevens, Secretary

**AGENDA**  
**PORT OF BENTON**  
**ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING**  
**January 14, 2026**  
**8:40 a.m.**  
**3250 Port of Benton Boulevard**  
**Richland, Washington**

- A. Call to Order
- B. Approval of January 15, 2025, Port of Benton Economic Development Corporation Board Meeting Minutes
- C. Selection of Officers for 2026
- D. Adjournment

**PORT OF BENTON  
ECONOMIC DEVELOPMENT CORPORATION  
MEETING MINUTES  
January 15, 2025**

**A. CALL TO ORDER:** The meeting was called to order at 8:34 a.m. at the Port of Benton Commission Meeting Room, 3250 Port of Benton Blvd., Richland, WA.

**PRESENT:** Commissioner Scott D. Keller, Commissioner Lori Stevens, Commissioner Roy D. Keck

**PORT STAFF PRESENT:** Diahann Howard, Jeff Lubeck, Quentin Wright, Summers Miya, Ron Branine, Brandin Lopez, Wally Williams, Audrey Burney, Julia Mora, Cassie Hammond

**ALSO PRESENT:** John O'Leary, Gravis Law; Jon Ray, Richland; Ashley Garza

**The following attendees attended via remote communications:** Jorge Celestino; Sheri Collins; Bryan Condon, Century West Engineering; Angela Saraceno-Lyman; Wendy Culverwell, Tri-City Herald; Rick Evans, Office of Senator Maria Cantwell; Nick Pullara; Shane Picker; Jeff (no last name given)

The Commission meeting was noticed as required by RCW 42.30.070.

**B. APPROVAL OF MINUTES:**

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving the January 10, 2024, Economic Development Corporation (EDC) minutes.**

**C. SELECTION OF OFFICERS:**

As required by the Port of Benton EDC bylaws, an annual board meeting will be held on this date. **A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving the EDC officers for 2025: President Scott D. Keller, Vice President Lori Stevens, and Secretary Roy D. Keck**

It was reported that there has been zero financial activity in the past year, with a \$6,095 balance.

**D. ADJOURNMENT:** The EDC meeting was adjourned at 8:35 a.m.

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\_\_\_\_\_, Secretary  
Port of Benton  
Economic Development Corporation

**RESOLUTION 26-03**

**A RESOLUTION OF THE PORT OF BENTON  
AUTHORIZING THE PORT EXECUTIVE DIRECTOR  
TO SELL AND CONVEY SURPLUS PROPERTY WITH LESS  
THAN \$23,340 VALUE**

**WHEREAS**, the Port of Benton Commission met this 14<sup>th</sup> day of January 2026, a quorum of the Commissioners being present; and

**WHEREAS**, from time to time it is necessary to surplus items no longer needed for Port District purposes; and

**WHEREAS**, RCW 53.08.090 provides that the Port Commissioners may authorize the Port Executive Director to sell and convey property of less than \$23,340 in value; and

**WHEREAS**, that the Port Commission previously approved Port Resolution No. 20-36, "A Policy of the Port of Benton for the Sale and Disposal of Surplus Personal Property," which remains in effect and shall be followed; and

**NOW, THEREFORE, BE IT RESOLVED** by the Port of Benton Commissioners to authorize the Port Executive Director to surplus Port property no longer needed for Port purposes which has a value of \$23,340 or less; and

**BE IT FURTHER RESOLVED** that this resolution shall be in force for one calendar year and shall expire on January 14<sup>th</sup>, 2027.

**DATED AND SIGNED** at Richland, Washington this 14<sup>th</sup> day of January 2026.

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Bill O'Neil, President

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Scott D. Keller, Vice President

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Lori Stevens, Secretary

**RESOLUTION NO. 26-04**

**A RESOLUTION OF THE PORT OF BENTON**

**ADOPTING AN AMENDED PORT OF BENTON PERSONNEL POLICY AND**

**PROCEDURES HANDBOOK**

**WHEREAS**, the Port of Benton (Port) adopted a Personnel Policy and Procedures handbook for the guidance and direction of its employees; and

**WHEREAS**, the Port wishes to comply with all federal, state and local laws and regulations governing the administration of employees and their time; and

**WHEREAS**, the Port must, from time to time, update its policies both to comply with state and federal laws; and

**WHEREAS**, this resolution supersedes all previous resolutions and motions on this subject matter; and

**NOW, THEREFORE, BE IT RESOLVED BY THE PORT OF BENTON COMMISSIONERS** does hereby accept and adopt the Port of Benton Personnel Policy and Procedures, revised and effective January 1, 2026.

**ADOPTED** by the Port of Benton Commissioners on this 14<sup>th</sup> day of January 2026.

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Bill O'Neil, President

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Scott D. Keller, Vice President

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Lori Stevens, Secretary



## PERSONNEL POLICY & PROCEDURES

Revised Effective January 1, 2026

DRAFT

<b>Policy Name</b>	<b>Personnel Policy &amp; Procedures</b>
Effective Date	01/01/2026
Resolution No.	25-52
Administered By	Human Resources

<b>Description</b>	<b>Approval Date</b>	<b>Summary of Changes</b>
<b>Prior Version</b>		
<b>Minor Updates</b>	09/14/2022	<p>Added Juneteenth as a holiday and allowed employees to use the floater holiday at their discretion</p>
	12/10/2025	<p>Substantial updates throughout to incorporate current federal and state requirements and provide additional clarity and consistency. Major changes are:</p> <ul style="list-style-type: none"> <li>• Addition of new classes of protected employees</li> <li>• Update work week and time to current practice</li> <li>• Clarified Leave of Absence process</li> <li>• Complete revision of the Family Medical Leave Act section to reflect current federal requirements</li> <li>• Added language regarding Washington Paid Family &amp; Medical Leave policy which was not in the prior policy</li> <li>• Complete revision of the Pregnancy Disability Leave &amp; Accommodation section to reflect current federal requirements.</li> <li>• Complete revision of the Domestic Violence Leave &amp; Accommodation section to reflect current state and federal requirements</li> <li>• Added Military Family Leave to reflect current state and federal requirements</li> <li>• Provide additional guidance on the administration of paid Port holidays</li> <li>• Complete revision of the Non-Discrimination, Sexual Harassment, and Substance Abuse section to reflect current state and federal requirements</li> <li>• Clarified definitions regarding classifications, pay periods and overtime calculations to be consistent with state and federal requirements</li> <li>• Added Open Door section to policy</li> <li>• Clarified training/tuition reimbursement requirements</li> <li>• Added guidance and requirements associated with Safety</li> <li>• Added section on Workplace Searches to be consistent with state and federal regulations</li> <li>• Added section on Workplace Violence to be consistent with state and federal regulations</li> </ul>

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## **RULE I - STATEMENT OF GENERAL POLICY**

No policy or provision in this handbook is intended to create a contract binding the employee or the employer to an agreement of employment for a specific period. A worker's employment can be terminated by either the employee or the employer at any time, for any reason, with or without notice. No representative or agent of the employer other than the executive director can authorize or sign an employment agreement contrary to the above terms or otherwise make any binding offer of employment for a specific term.

The policies and procedures in this handbook are designed to serve as guidelines for management action. They are not intended to create any contract or binding agreement between the employer and any employee. All policies and procedures outlined in this handbook are subject to change or modification at the employer's discretion at any time that circumstances warrant.

This handbook is provided for informational purposes only. No provision or portion of the handbook constitutes any implied or expressed contract, guarantee, or assurance of employment or any right to an employment-related benefit or procedure. Employers reserve the right to change, modify, eliminate, or deviate from any policy or procedure in this handbook at any time and to hire, transfer, promote, discipline, terminate, and otherwise manage its employees as it deems appropriate. If you have questions concerning these guidelines, please consult with your supervisor, the executive director or the assistant executive director.

The Port of Benton is an equal opportunity employer. It is the policy of The Port of Benton not to discriminate against any person based on age, sex, gender identity, race, creed, color, religion, national origin, citizenship or immigration status, marital status, sexual orientation, the presence of a physical, sensory or mental disability, genetic information, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability, or status as a victim of domestic violence, sexual assault, or stalking. The Port of Benton will comply with all applicable state and federal laws, rules and regulations governing the employment relationship. No employee or other person acting for The Port of Benton shall have the authority to waive compliance with any such law or rule, or to obligate The Port of Benton with respect to an act in violation thereof.

The Port of Benton will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

**RULE I - DEFINITIONS:** The following terms, whenever used in these Rules, shall be construed as follows:

1. Appoint: The act of the Commission or the Executive Director in assigning an applicant (for employment) to a position.
2. Employee: A person receiving a wage from the Port of Benton for services performed under its supervision. The Commissioners, the Executive Director and leased or loaned employees obtained on a contract basis from others, whether or not such persons are "employees" under any statute, rule or regulation, are not included in this definition and this procedure does not apply to them, except as expressly provided herein.
3. Grievance: A request by a regular full-time or part-time employee for resolution of a work-related complaint or dispute. The term does not include complaints or disputes arising from the discharge of an employee for any reason.
4. Position: A job description which has a title and specified wage or salary range.
5. Regular full-time employee: An employee who works in a position on a regularly scheduled shift of forty (40) hours per workweek.
6. Regular part-time employee: An employee who works in a position on a regularly scheduled shift of not less than fifteen (15) nor more than thirty-seven and one-half (37-1/2) hours per workweek.
7. Temporary employee: Any seasonal, limited term (notwithstanding "project" or funding term limitations) or emergency employee.
8. Vacancy: An authorized position which is not occupied and for which funds are available.
9. Workweek: A period of 168 consecutive hours beginning at 12:00 a.m. on Sunday and ending at 11:59 p.m. the following Saturday.
10. Workday: A period of consecutive hours which the employee is regularly scheduled to work during a period beginning at 12:00 a.m. on any day and ending at 11:59 p.m.

**RULE II—ATTENDANCE, LEAVE, AND HOLIDAYS**

1. Attendance: An employee must be in attendance during regularly scheduled work hours, unless they are absent on approved leave. All employees are required to submit to the Auditor or their deputy a signed time sheet reflecting the actual hours worked. It is presumed by the Port that the time sheets submitted by the employee are accurate. The Port will maintain records showing the hours actually worked by each employee in each workweek. Such records will be retained for a period of not less than three years.

2. Hours of work: Regular full-time employees shall work 40 hours per week. The standard workday shall be from 7:00 a.m. to 4:30 p.m. Monday through Thursday and 8:00 a.m. to Noon on Friday for the administrative staff and from 6:00 a.m. to 3:15 p.m. Monday through Thursday and 6:00 a.m. to 11:00 a.m. on Friday for the maintenance and facilities staff. The Port may arrange with the employee a flexible schedule for their standard workday so long as the needs of the Port are met. If an employee knows that they will be late for work or absent, it is the employee's responsibility to contact their supervisor as soon as possible to enable the necessary arrangements to be made to continue the employee's functions. Regular employees who are designated by the Executive Director as exempt employees may, with the permission of the Executive Director, vary and adapt their hours of work as required by the nature of their duties. Non-exempt employees must take a 30-minute unpaid meal break after working four consecutive hours. Meal breaks longer than 30 minutes must be approved in advance by your supervisor/manager.
3. Absence: Absence from scheduled work without authorized leave or notice to the appropriate supervisor is not permitted. **See notice requirements in section 6 below (PTO).** An employee who thus is absent after three consecutive working days shall be deemed to have resigned from the Port service, unless excused by the Executive Director. If an employee must leave their place of duty during the regularly scheduled workday, they must notify their immediate supervisor or their designee prior to leaving. Any such absence may be charged to available leave.
4. Rest Breaks: Rest breaks must be arranged so as not to interfere with Port business. Employees are entitled to one 10-minute rest break at least once during each consecutive four (4) hours of work. Rest breaks in excess of 10 minutes are authorized only when Port business is conducted coincident with the break.
5. Leave of Absence (without pay): The Port of Benton recognizes that there may be occasions of an emergency or personal nature which require you to be absent from work that may not be covered under federal, state, or local law. In such cases, you may request a leave of absence without pay in advance from the Executive Director who will provide written authorization.

Only regular employees are eligible to request a personal leave, and you must initiate your request in writing. In determining if a leave of absence will be granted and for how long, the following items will be taken into consideration: the staffing needs of The Port, length of service, and amount of time off already taken. A leave of absence is not granted for the purpose of working elsewhere or for other insufficient reasons. During an unpaid leave of absence, holiday pay is not granted.

The length of your leave may disqualify you from benefit eligibility such as medical or dental insurance. Should the length of your leave disqualify you from insurance benefits, you will be offered to continue coverage through COBRA. Your date of hire will not be adjusted because of your leave.

When a leave of absence ends, reasonable efforts will be made to return the employee to the former position, if available, or to a similar available position for which the employee is qualified. The Port of Benton cannot guarantee reinstatement in all cases, unless otherwise

provided by law. If an employee fails to report to work promptly at the expiration of the approved leave period, The Port of Benton will interpret the employee's failure to return to work as a voluntary resignation.

6. **Paid Time Off Bank:** The purpose of Paid Time Off (PTO) is to comply with paid sick leave laws and provide employees with flexible paid time off from work that can be used for such needs as vacation, personal or family (child, parent, spouse, registered domestic partner, grandparent, and sibling) illness, doctor appointments, school, volunteerism, and other activities of the employee's choice. The Port's goal is to reduce unscheduled absences and the need for supervisory oversight.

The PTO days an employee will accrue, **effective January 1, 2018**, replace all existing vacation, sick time, and personal business days that had been allotted under prior policies. Time that is not covered by the PTO policy, and for which separate guidelines and policies exist, include company paid holidays, bereavement time off, required jury duty, FMLA, and military service leave.

The vacation time an employee accrued in the past will carry over, in excess of the PTO policy, at the time this PTO policy is made effective.

PTO will be paid at the employee's regular rate of pay, including shift differentials.

a. **Guidelines for PTO Use**

Each regular, full-time employee will accrue PTO based on their length of service as defined below. PTO is prorated based on the number of hours worked on an employee's regular schedule. PTO taken will be subtracted from the employee's accrued time bank in 15-minute increments consistent with the smallest increment of our payroll system. Temporary employees, contract employees, and interns are not eligible to accrue PTO, except where required by law.

PTO is accrued per pay period and employees are able to review PTO amounts detailing the leave used, accrued, and available on their pay stubs and via online payroll system.

Eligibility to accrue PTO is contingent on the employee either working or utilizing accrued PTO for each pay period. PTO is not earned in pay periods during which unpaid leave, short- or long-term disability leave or workers' compensation leave are taken.

To take PTO requires verbal notice to the employee's supervisor two days beforehand, unless the PTO is used for legitimate, unexpected illness or emergencies. The employee shall also place their planned absence on the staff calendar. In all instances, PTO must be approved by the employee's supervisor in advance. The Port appreciates as much notice as possible when an employee expects to miss work for a scheduled absence. PTO in excess of seven (7) days requires approval of the Executive Director (Use the Paid Time Off form to request PTO in excess of seven days).

Any discrimination or retaliation against an employee for the lawful exercise of paid sick leave rights is not allowed. Port of Benton will not discriminate or retaliate against an employee for the lawful exercise of their sick leave rights.

b. Paid Time Off (PTO) Exceptions

- Employees who miss more than five consecutive unscheduled days may be required to present to the Executive Director a doctor's release that permits them to return to work. If such verification requirement results in an unreasonable burden or expense, please contact Human Resources.
- PTO taken in excess of the PTO accrued can result in disciplinary action up to and including employment termination. This time off will be unpaid.
- Per state law, employees may utilize their allowances of leave when the employee's work or the employee's child's school or place of care has been closed by order of a public official for any health-related reason.
- An employee may also use leave for absences that qualify for leave under the state's Domestic Violence Leave Act, RCW 49.76. As a condition of taking leave for any purpose described in RCW [49.76.030](#), an employee shall give an employer advance notice of the employee's intention to take leave. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, or stalking, the employee or their designee must give notice to the employer no later than the end of the first day that the employee takes such leave.
- The Executive Director may grant exceptions to this policy.

Specific Eligibility for Paid Time Off: PTO is earned on the following schedule based on a 40 hour work week. PTO is prorated based on the number of hours worked on an employee's regular schedule.

The PTO Accrual Schedule is as follows:

Completed Years of Service	PTO Days Per Year (8hr/day)
01	24
02, 03, 04	28
05, 06, 07	32
08, 09, 10	34
11, 12, 13	36
14, 15, 16	38
17, 18, 19, 20	40
21, 22, 23, 24, 25	42
26+	44

Each employee may carry 960 hours of accrued PTO over into a new calendar year.

Employees are responsible for monitoring and taking their PTO over the course of a year  
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so that they do not lose time accrued when the current calendar year ends (PTO is subject to supervisory approval).

Upon separation from Port service, a maximum of 240 hours at the employee's current salary rate, along with a maximum of 480 hours at 50% of the employee's current salary rate, as well as a maximum of 240 hours at 25% of the employee's current salary rate, will be paid to the employee. Employees with fewer than 240 hours of accrued PTO at time of separation will only be able to cash out their total accrued PTO, i.e., employees are not guaranteed 240 hours of PTO upon separation.

Employees shall have the option to cash out their accrued PTO and receive monetary compensation up to a maximum of eighty (80) PTO hours in a calendar year. Written requests must be given to the Executive Director before December 15<sup>th</sup> of the current year. No more than four PTO cash out requests shall be permitted per year. In accordance with RCW 41.50.150, vacation cash out may not be reportable for retirement purposes. Buy-back requests shall be made in increments of (20), (40), (60), and (80) hour blocks. No buy-back will be allowed if the remaining accrued PTO of the employee would be less than (80) hours after the buy-back is complete.

7. Illnesses, Medical Certification, and Workers Compensation: Illnesses were previously covered by "sick leave" but are now rolled into the PTO Bank policy. For illnesses that last longer than seven (7) days, the Executive Director may require certification from the attending physician to substantiate that a personal or family illness or injury prevents the employee from working. Family is defined as a child, parent, spouse, registered domestic partner, grandparent, and sibling. For absences related to domestic violence, sexual assault or stalking, "family member" also includes an individual with whom the employee has a dating relationship.

Upon application by an employee, additional time off without pay up to 90 calendar days may be granted by the Executive Director for the remaining period of disability after earned PTO has been exhausted. In the event such leave exceeds 90 calendar days, an extension must be approved by the Board of Commissioners. The Executive Director may require that the employee submit a certificate of disability from the attending physician.

Employees injured in the course of their work duties may file an application for worker's compensation in accordance with state law for a period of absence from work due to a compensable work-related injury or disease. An employee so reimbursed may elect to receive time loss compensation from the Department of Labor and Industries rather than utilize any available PTO. Should the employee elect to receive both time loss compensation and PTO, PTO may be used only to the following extent:

The total number of hours which would have been charged to PTO, minus number of hours of regular salary for which payment was made by workmen's compensation fund.

Example: An employee is absent for one eight-hour day and normally earns \$10 per hour (\$80 per day). Employee receives \$60 time loss

compensation (equal to six hours sick leave at \$10/hour); employee may then use two hours of PTO (at \$10/hour) for a total of \$80.

Should any employee apply for time loss compensation, and the claim is then or later denied, PTO hours may be used for the absence. Until eligibility for worker's compensation is determined by the Department of Labor and Industries the Port may pay full PTO, provided that upon receipt by the employee of worker's compensation, the employee shall return to the Port the portion of PTO pay which was reimbursed by the Department of Labor and Industries.

If the employee elects to receive short-term disability through the Port's medical insurance carrier, they are not eligible for time loss compensation for any period during which the employee receives short-term disability. In such a situation, short-term disability benefits will be treated in the same manner as time loss compensation.

Paid holidays occurring during an authorized PTO shall not be counted as a day of PTO.

#### **8. Family Medical Leave Policy (FMLA)**

**FMLA Policy:** The Port is covered by the Federal Family and Medical Leave Act and has adopted this policy to administer the FMLA for Port eligible employees.

**Employee Eligibility:** To be eligible for FMLA leave, employees must have worked for the Port for 12 months and have worked at least 1,250 hours in the 12 months prior to taking FMLA leave.

**Reasons for and Amount of FMLA Leave:** Eligible employees can take up to 12 weeks of FMLA leave in a 12-month period because:

- Of the birth and to care for their newborn child;
- Of the placement with them of a child for adoption or foster care;
- They want to care for their spouse, child, or parent who has a serious health condition;
- Their own serious health condition prevents them from performing their job duties; or
- Their spouse, child, or parent is called up for or is on active duty in the Armed Forces and employees' circumstance justify their need to leave. Note: The Department of Labor will issue regulations defining qualifying "exigent" circumstances that support this reason for FMLA leave. Until the regulations are issued, employers have discretion to permit this type of leave.

Employees can take FMLA leave for their biological children, adopted children, foster children, stepchildren, legal wards, or children from whom employees have day-to-day

and financial responsibility. Children must be under age 18, or over 18 and incapable of self-care because of a physical or mental disability.

The Port designates the calendar year, January 1 to December 31, as the 12-month period in which employees can take FMLA leave.

Servicemember Family Leave: Eligible employees can take up to 26 weeks of FMLA leave in a single 12-month period because their spouse, child, parent, or next of kin (nearest blood relative) is seriously ill or injured as a result of serving on active duty in the Armed Forces.

Married Co-Workers: If two spouses both work for the Port, they are limited to a combined total of 12 weeks of FMLA leave because of the birth, adoption, or foster care placement of a child, or to care for a parent with a serious health condition. If the spouses have taken less than the full 12 weeks of FMLA leave during the 12-month period, they are each entitled to take the difference between 12 weeks and the amount of FMLA leave they took individually due to their own serious health condition, or to care for a child or spouse with a serious health condition. If two spouses both work for the Port, they are limited to a total of 26 weeks for servicemember family leave and all other FMLA-qualifying reasons in a single 12-month period. This does not apply in the same way for Washington Paid Family Medical Leave (WPFML); see WPFML for more details.

Requesting FMLA Leave: Employees requesting FMLA leave must give 30 days' advance notice to their supervisors. If the need for leave is unforeseeable, such as in the case of medical emergencies, employees must inform their supervisors as soon as they are aware of the need to leave.

If the leave is for a planned medical treatment (for employee themselves or a family member), employee must make a reasonable effort to schedule the treatment to minimize disruption of Port of Benton's business.

Upon notification, employees should provide their supervisor with the reason for requesting Family and Medical Leave and the start and end dates of the leave. Employees do not have to share a medical diagnosis but must provide enough information to the company so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing the company that the employee is or will be unable to perform their job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the company if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employer Responsibilities: Once Port of Benton becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the company must notify the employee if they are eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the company must provide a reason for ineligibility.

Employees will receive a Request for Family and Medical Leave Form to complete and

submit to their supervisors. If FMLA leave is taken because of employees' or their family members' serious health condition or for servicemember family leave, employees will receive a Certification of Health Care Provider Form to complete and submit before the leave begins or within 15 days if advance notice is not provided. If the company determines that the certification is incomplete, it will provide a written notice indicating what additional information is required. A "fitness to return to work" certification may also be required.

The Port of Benton reserves the right to require recertification and second / third medical opinions. The Port may, at its own expense, require the employee to obtain a second medical certification from a health care provider. The Port may choose the health care provider. If the opinions of the employee's and the Port's designated health care providers differ, the Port may require the employee to obtain certification from a third health care provider, again at the Port's expense. This third opinion shall be final and binding. The third health care provider must be approved jointly by the Port and the employee.

Employees who request FMLA leave because their spouse, parent, or child is called up for or is on active duty in the Armed Forces will receive an Active-Duty Certification Form to complete and submit.

After employees submit all of the required forms, they will be notified in writing whether their request for FMLA leave is approved. During leave, employees must keep their supervisors informed of the estimated duration of leave and their intended date to return from leave.

The Port of Benton will not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Scheduling FMLA Leave: FMLA leave can be taken all at once or, under certain circumstances, on an intermittent or reduced leave schedule. Intermittent leave is leave taken in separate blocks of time for a single FMLA-qualifying reason. An FMLA reduced leave schedule is a work schedule that reduces employees' usual number of working hours per workday or workweek. Employees will be informed whether they can take intermittent leave or a reduced leave schedule when they apply for FMLA leave.

Pay and Benefits During FMLA Leave: FMLA leave is unpaid. Employees may use their PTO or other paid leave benefits (such as Washington Paid Family Medical Leave).

FMLA leave taken after employees' accrued vacation, sick, and personal time is exhausted is unpaid. Holidays that occur during FMLA leave will not be paid. Employees will not accrue PTO during FMLA leave.

The Port maintains group health plan benefits for employees on FMLA leave. Employees are required to pay their premium co-payment while they are on FMLA leave and are notified how to make the payments for their share of their group health plan premiums during leave.

Concurrent use of short-term disability and workers' compensation with FMLA leave: Employees on short-term disability or workers' compensation are required to take FMLA leave concurrently. For example, employees who are absent from work for four months due to a workers' compensation injury will have the first 12 weeks of that absence applied to FMLA leave.

Return from Leave: Employees returning from FMLA leave will be reinstated to their former positions or to positions with equivalent pay, benefits, and other employment terms and conditions. Certain "key" employees, who are among the highest paid employees of the Port, might not be reinstated to any position; "key" employees will be notified of their status when they apply for FMLA leave.

Employees returning from FMLA leave retain all benefits they accrued prior to the start of leave. Taking FMLA leave does not count as a break in service for pension or retirement plan purposes.

Maintenance and Disclosure of Records Containing Personal Medical Information: Records containing personal medical information about Port employees, including copies of email, shall not be placed in the regular personnel files of employees or former employees. Records containing personal medical information such as applications for leave for family or personal medical reasons, requests for reasonable accommodation of disabilities, fitness for duty certifications, worker's compensation records, insurance claims and litigation records must be maintained in a record system separate from personnel employment records. Access to such files is restricted to Port employees requiring use of the records in the performance of job duties. Records containing medical information shall not be disclosed without the express written consent of the employee or former employee. Records containing personal medical information may be used by the appropriate Port personnel to process requests for reasonable accommodation of disabilities, determine necessary actions for the health or safety of employees, investigate claims of disability-related discrimination, for group insurance purposes and as required for worker's compensation or litigation purposes.

Employees and former employees have the right to examine files containing medical information about them to the extent provided in RCW 49.12.250. Each file containing personal medical information shall contain a log sheet upon which each person examining the file shall note the date name of the person examining the file, and the date and reason for the examination. Disputes regarding the use or disclosure of records

containing medical information shall be subject to the grievance procedure set forth in these Policies. The Executive Director shall designate an employee as the Privacy Officer. The Privacy Officer shall be responsible for maintaining the files containing personal medical information and for administering this policy.

9. Donation of PTO: The Port has authorized a donated leave program to assist employees that have exhausted all PTO caused by a catastrophic illness or injury. In order for an employee to be eligible for donated time, the following conditions must be met and the proper procedure outlined herein be followed:

Donated leave may be acquired once an employee exhausts all paid PTO by suffering from a catastrophic illness or injury or by providing care to an immediate family member who has suffered from a catastrophic illness or injury.

A "catastrophic illness or injury" means a life-threatening illness or injury of an employee or a member of an employee's immediate family which totally incapacitates the employee from work, which is verified by a licensed physician, and forces the employee to exhaust all paid leave earned by that employee, resulting in a loss of compensation from the Port for that employee.

Conditions that are short-term in nature including, but not limited to, common illnesses such as influenza, measles, common injuries, broken bones, strained ligaments, uncomplicated pregnancy, and the like are not catastrophic. Chronic illnesses or injuries such as cancer, major surgery, unresponsive syndromes and the like which result in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.

The meaning of "employee" for purposes of this donated leave policy is a person employed by the Port for a minimum of 12 consecutive months prior to requesting donated leave and who has worked a minimum of 1250 hours during the 12 months immediately preceding the date of the request for donated leave and satisfy the requirements set forth in this policy. Donated leave may not be used in lieu of disability retirement.

"Immediate family" is defined for purposes of this policy as a spouse, registered domestic partner, parent, stepparent, child or stepchild.

Any employee may donate a portion of their accrued PTO in the Port's donated PTO pool. The maximum amount of PTO that an employee can donate to the PTO leave pool may not exceed a number of hours that would leave the donor with fewer than 80 hours of accrued PTO. A leave donor may not revoke the leave donation.

Before an employee may receive donated PTO, they submit a request form for donated leave and provide the Auditor with sufficient documentation to recommend approval to the Executive Director. Such documentation, at a minimum, must include a physician statement that states the beginning date of the catastrophic illness or injury, a

prognosis for recovery, and the anticipated date that the employee will be able to return to work, or if the illness or injury requires the use of intermittent leave, the physician's statement must include an adequate description of the intermittent time off needed by the employee.

A leave recipient shall receive no more than 180 days of donated leave and shall not receive any such days on a retroactive basis. While using donated leave, the leave recipient shall accrue PTO and be entitled to retain such leave upon their return to work. Any unused donated leave shall be returned to the PTO pool.

All donations shall remain confidential, and employees shall refrain from discussing PTO donations or the requests for or use of donated leave.

10. Washington Paid Family and Medical Leave (PFML): PFML is a mandatory statewide insurance program, administered by the Washington State Employment Security Department, that provides almost every Washington employee with paid time off to give or receive necessary care. To be eligible for the State benefit, employees must have worked 820 hours in the qualifying period (defined as the first four of the last five calendar quarters) for any employer(s) in Washington State. The program is funded by premiums paid by both employees and employers. The employee portion will be deducted from your paycheck.

If you qualify, this program will allow you to take up to 12 weeks, as needed, if you:

- welcome a child into your family (through birth, adoption, or foster placement),
- experience a serious illness or injury,
- need to care for a seriously ill or injured family member,
- need time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment.

If you experience the death of a child for whom you would have been qualified to take medical leave for their birth or family leave for bonding after birth or placement, you may be eligible to take seven days of bereavement leave following the date of the child's death.

If you face multiple events in a year, you may be eligible to receive up to 16 weeks, and up to 18 weeks if you also experience a pregnancy-related serious health condition.

If the need for leave is foreseeable, you must provide the Port at least 30 days' notice.

If approved by the State, you may be entitled to partial wage replacement while on leave. The benefit is a percentage of your weekly wage, as determined by the State. You will file your claim with the Employment Security Department and, if approved, you will be paid by the Employment Security Department. Retaliation for requesting or taking Paid Family and Medical Leave is prohibited.

Employees may use paid time off to supplement wages while using PFML.

Employees who return from leave under this law may be entitled to job protection if they

have worked for The Port of Benton for at least 12 months and have worked 1,250 hours in the 12 months before taking leave.

If you are eligible for the federal Family and Medical Leave Act (FMLA) and your FMLA and PFML leave run concurrently or overlap, you will be entitled to maintain your health insurance while you are on leave. You must continue to pay your portion of the premium cost while on leave.

11. Pregnancy Disability Leave & Accommodation: The Port of Benton will provide temporary or reasonable accommodations to qualified pregnant job applicants and employees to accommodate the individual's known limitations related to pregnancy, childbirth, or related medical conditions, unless doing so would create an undue hardship.

A pregnant employee may continue active employment until the attending physician advises the employee they should be off work. A leave of absence is granted to the employee for the actual period of time the employee is sick or temporarily disabled because of pregnancy or childbirth related conditions. Paid time off such as sick or vacation leave may be used prior to the time being designated as unpaid leave.

If there is concern regarding the pregnant employee's ability to safely and/or productively function at their job, a second opinion may be obtained by a qualified physician. An accurate job description, describing all of the employee's job duties, should be presented to the reviewing physician.

Following the date of delivery, the employee must keep the employer informed of their condition and expected date of return. At least a two-week advance notice is required before the employee's return to work. An employee, who due to childbirth complications is unable to return to work on the prearranged return date, must present a signed statement from the attending physician. The physician must indicate the nature of the complication and the expected date of return to work. If the employee returns to work immediately upon the release from the physician, the employee will be returned to the same job or a similar job of comparable pay, unless business necessity prevents such reinstatement.

The Port of Benton will provide nursing employees with reasonable break time from work and a private space to express breast milk during the workday. Employees may use paid rest break time and additional unpaid break time if needed.

12. Domestic Violence Leave & Accommodation: If you are a victim of actual or threatened domestic violence, sexual assault or stalking, The Port of Benton will provide you with reasonable safety accommodations. You may be asked for written verification that you are a victim of domestic violence, sexual assault, or stalking. Safety accommodations may include, for example, a modified schedule, changed work phone or work email address, or other adjustments to the worksite.

If you or your family member are a victim of domestic violence, sexual assault, or stalking, The Port of Benton may offer a reasonable period of leave (as determined by the employer), intermittent leave, or a reduced schedule for the following reasons:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of yourself or your family member;
- To seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or attend to the health care treatment for yourself or your family member;
- To obtain, or assist your family member in obtaining, services from a domestic violence shelter, rape crisis center or other social or victim services program;
- To obtain, or assist your family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which you or your family member were a victim;
- To participate in safety planning, temporary or permanent relocation, or take other actions to increase your safety or the safety of you or your family member from future domestic violence, sexual assault, or stalking.

To be eligible for this benefit, you must give The Port of Benton advance notice of your intention to take leave. If advance notice cannot be given, you must give The Port of Benton notice no later than the first day of leave. You must also provide timely verification of the need for leave in the form of one or more of the following:

- Police reports indicating you or your family member are a victim of domestic violence, sexual assault, or stalking.
- A court order or other court documentation substantiating the need for you or your family member to appear in, or prepare for, court in connection with an incident of domestic violence, sexual assault, or stalking.
- Documentation from a domestic violence advocate, attorney, clergy member, or medical or other professional that you or your family member are a victim of domestic violence, sexual assault, or stalking.
- Your written statement that you or your family member are a victim of domestic violence, sexual assault, or stalking and that any leave was taken for the reasons set forth in this policy.

Leave is without pay unless you choose to use accrued sick or other paid time off, as applicable, for which you may already be eligible. If the leave is taken to assist a family member, The Port of Benton may also request documentation to determine family relationship. The Port of Benton will continue your health insurance benefits at the level and conditions that would have been provided had you remained continuously employed. Upon completion of your leave, you will be restored to the same job or an equivalent position with equivalent pay, benefits, and conditions of employment.

Information you provide to determine eligibility or continuation for this leave may only be disclosed by The Port of Benton if you request or consent to its disclosure, it is responsive to a court or administrative order, or as otherwise required by federal or state law.

The Port of Benton will not discriminate or retaliate against any employee or applicant who is a victim of domestic violence, sexual assault, or stalking.

13. Jury Duty Leave: It is the civic obligation of each Port employee to serve on a jury if they are called. While on jury duty or while appearing in response to a subpoena, an employee will receive full pay from the Port, but the Port shall deduct there from an amount equal to jury or witness fees actually received by the employee.
14. Military Leave: Workers who have short-term (no longer than 31 days) military reserve training obligations are paid the difference between their military pay and the regular pay rate for their positions. Otherwise, an employee's status and benefits are not affected by short-term military leave.

Employees on military leave for longer periods (normally, up to five years) continue to accrue benefit and seniority rights and are entitled to their former or comparable positions on return from leave. Employees on military leave can elect to purchase of to 24 months continue coverage for themselves, registered domestic partner, or their family members in employer's health plan.

15. Military Family Leave: During a period of military conflict, The Port of Benton provides eligible employees with up to 15 days of unpaid leave to be with their military spouse or state-registered domestic partner who is notified of an impending call or order to active duty or who has been authorized for leave from deployment.

To be eligible for this benefit, you must be employed an average of 20 or more hours per week. You must notify your direct supervisor of your intention to take the leave under this policy within five business days following receipt of the official military notice.

You may choose to apply applicable accrued paid leave benefits while taking military family leave. Health insurance benefits may continue at the level and conditions as provided under applicable laws. Upon completing your leave, you may return to your original position or an equivalent job, i.e., equivalent pay, benefits, and conditions of employment.

16. Bereavement Leave: Port employees will be granted up to seven (7) working days with pay for a death in the immediate family, defined as a spouse or registered domestic partner, child, parent, sibling, grandparent, grandchild, spouse's parent, or step relationship.

17. Holidays: Legal holidays to be observed by the Port are:

First day of January (New Year's Day)  
Third Monday of January (Martin Luther King Day)  
Third Monday of February (President's Day)  
Last Monday of May (Memorial Day)  
Nineteenth of June (Juneteenth Day)  
Fourth day of July (Independence Day)  
First Monday in September (Labor Day)  
Eleventh day of November (Veteran's Day)  
Fourth Thursday in November (Thanksgiving Day)  
The day immediately following Thanksgiving Day  
Twenty-fifth day of December (Christmas Day)

Holidays that fall on a Saturday will be observed on the preceding Friday. Holidays that fall on a Sunday will be observed on the following Monday.

Should a holiday be observed on a Friday, which is normally not a full day, the Executive Director shall identify another day that the remaining holiday hours will be allocated to.

All employees are eligible for the above paid holidays upon hire. Part-time employees are eligible to receive holiday pay on a pro-rated basis according to their regularly scheduled hours. Full-time employees that are on partial leave (i.e., PFML) will receive the full holiday. Full-time employees on complete unpaid leave will not receive any holiday pay while on leave status. The Executive Director may grant exceptions to this policy when dealing with unique leave situations.

Employees shall also be entitled to one paid holiday ("floater") per calendar year in addition to those specified in this section. The floater holiday will be available in full Jan 1st of each year, it will not be "accrued" or any "prorated accrual" over the course of the year. Any new hires hired during the year will be given the Floater Holiday. The floater holiday will be equal to 8 hours per employee per year. The floater holiday is not considered PTO and will not be paid out upon termination. The floater holiday will not rollover or carryover at end of the calendar year, it will be use or lose per calendar year. The floater holiday will be available to all employees (full-time, part-time, seasonal, limited term, etc.)

### **RULE III - NONDISCRIMINATION, SEXUAL HARASSMENT, AND SUBSTANCE ABUSE**

1. **Nondiscrimination Policy:** The Port is committed to providing a workplace free of all forms of harassment for all persons regardless of age, sex or gender identification, race, creed, color, religion, national origin, citizenship or immigration status, marital status, sexual orientation, genetic information, status as a registered domestic partner, honorably discharged veteran or military status, the presence of a physical, sensory or mental disability, status as a victim of domestic violence, sexual assault, or stalking, the use of a trained dog guide or service animal by a person with a disability, or any other status or characteristic protected by local, state, or federal law.

The Port of Benton prohibits harassment by and toward employees, managers, and non-employees such as customers, vendors, or contractors. Some examples of conduct that might be considered harassment include ethnic slurs, racist jokes, pornographic e-mail, unwelcome touching, display of offensive pictures, or any other verbal or physical conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The Port considers harassment in all forms to be a serious offense.

Harassment does not require intent to offend. Thus, inappropriate conduct or language meant as a joke, a prank, or even a compliment can lead to or contribute to harassment. Sexual or other harassing conduct, even if not unlawful, will not be tolerated. For example, a stray comment that degrades an employee's gender may not be unlawful harassment, but it is an example of prohibited conduct under this policy.

immediately report the incident to their supervisor, the executive director, or the assistant executive director. Complaints are investigated immediately and handled as confidentially as possible. The Port ensures that employees following this complaint procedure are protected against retaliation.

Any supervisor or manager who witnesses an act or indicator of harassment or who receives a complaint of harassment and fails to take appropriate action, which includes reporting the act or complaint to Human Resources, may be subject to corrective action.

Any reported violations of EEO law or this policy are investigated. Any employee found to have engaged in discriminatory conduct or harassment are subject to immediate disciplinary action, ranging from sensitivity training to possible termination of employment.

2. **Sexual Harassment Policy:** Sexual harassment is a specific type of discriminatory harassment and includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where tolerance of such actions is made a condition of employment, interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

It is illegal and against the Port's policy for any worker of any sex to harass another worker or create a hostile working environment by committing or encouraging:

- physical assaults on another employee, including rape, sexual battery, molestation, or attempts to commit these assaults;
- intentional physical conduct that is sexual in nature, including touching, pinching, patting, or brushing up against another employee's body;
- unwanted sexual advances, propositions, or sexual comments, including sexual gestures, jokes, or comments made in the presence of any employee who has indicated that such conduct is unwelcome; and
- posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are sexual in nature or pornographic.

The creation of an intimidating, hostile, or offensive working environment includes such actions as persistent sexual comments or the display of obscene or sexually oriented photographs or drawings. This policy prohibits unacceptable harassment or conduct in the workplace and at employer-sponsored business and social events. Additionally, harassment via social media, email, and text messages are within the scope of prohibited conduct; for example, a harassing post on an employee's private Facebook page violates this policy if it is about a coworker or customer.

The Port will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation. The Port does not condone any sexual harassment of its employees. All employees will be subject to severe discipline, up to and including discharge, for any action of sexual harassment they commit. Employees subject to sexual harassment should immediately report the harassment to their

supervisor, the executive director, or the assistant executive director.

Supervisors, managers, and directors who receive a sexual harassment complaint should carefully investigate the matter. Both the complaint and the investigative steps and findings should be thoroughly documented. To the extent possible, confidentiality of all parties involved in a sexual harassment complaint will be maintained and information will be released only to those who need to know.

Employees dissatisfied with the resolution of the investigation of a sexual harassment complaint should utilize the grievance procedure set forth at Rule VI. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.

3. Substance Abuse Policy: See Attachment A. The Port is committed to maintaining a safe, healthy, and efficient working environment. The use, sale, possession, purchase, manufacture, or transfer of drugs alcohol in the workplace poses unacceptable risks to safe and efficient operations. This policy prohibits the use of drugs that are illegal under federal, state, or local law and is designed to ensure employee safety, reduce absenteeism and tardiness, improve productivity, and protect the company's status and reputation. The policy applies to all employees (including contracted employees) and job applicants.

Although some states have legalized cannabis for medicinal or recreational purposes, The Port of Benton is not required to allow the medicinal or recreational use of cannabis in the workplace. Cannabis use or being under the influence is strictly prohibited on The Port of Benton property and while conducting employer business.

Employees are expected and required to report to work on time and in appropriate mental and physical condition. The unlawful use, sale, possession, manufacture, distribution, being under the influence of, or dispensation of drugs on company premises or while conducting company business off premises is strictly prohibited.

Possession or use of alcohol on company premises, except in connection with company authorized events, is prohibited. Employees whose absenteeism or tardiness results from off-duty use of alcohol or drugs will be instructed to seek rehabilitation or face termination.

The Port of Benton reserves the right to require employees to submit to drug testing to detect the presence of alcohol, illegal drugs, pursuant to state or federal law, or other controlled substances if it has reason to believe that an employee may be under the influence of such substances or is currently using such substances. Refusal to consent to such a test may result in disciplinary action up to and including dismissal.

The undisclosed use of legal drugs by employees while on the job is prohibited; however, employees can use prescribed medications while performing their jobs if the Port determines that such use does not pose a safety risk. Employees whose physicians have prescribed medications that might adversely affect their ability to perform their work must provide a written statement from their doctors.

Employees needing help in dealing with substance abuse problems are encouraged to use our employee assistance program. Conscientious efforts to seek and use such help will not jeopardize employees' jobs and will not be a part of any personnel record. Records of absences to seek treatment or insurance claims for covered treatment will be maintained, however, although the reasons for the absences or claims will be kept confidential and disclosed only on a need-to-know basis. Violation of this policy will result in disciplinary action, up to and including termination, as well as possible criminal consequences.

## **RULE IV - CLASSIFICATION AND SALARY**

1. Classification: The Executive Director shall classify each employment position as exempt or non-exempt, for the purpose of assuring compliance with the overtime pay requirements of applicable law. Federal and state wage and hour laws designate employees as either exempt or non-exempt.

Exempt: These are employees who are exempt from the overtime pay requirements of applicable state and federal laws. Exempt employees are paid on a salary basis and occupy positions that are primarily executive, administrative, professional, computer-related, or outside sales.

Non-exempt: An employee who is not exempt from the overtime provisions of federal and state laws. Non-exempt employees are entitled to receive overtime for all hours worked beyond 40 in a workweek and may be entitled to certain meal and rest periods in accordance with state law.

2. Salary: See Port of Benton policy Salaries and Benefits for Employees.
3. Pay Period: Employees of the Port shall be paid on a bi-weekly basis. Pay periods begin on a Sunday and will end 14 days later on a Saturday. Employees will be paid on the next Friday. If a pay day falls on a holiday, the payroll will be paid the day before the holiday.
4. Overtime: It is the policy of the Port to reduce to a minimum the necessity for authorized overtime work. Non-exempt employees shall be paid one and one-half times their hourly base rate of pay for each hour in excess of forty (40) actually worked in a workweek. PTO, holidays, or any other company paid time is not counted as time worked for computing overtime. The workweek is Sunday through Saturday. No overtime will be allowed for any employee except in an emergency, without the prior written approval of their supervisor.
5. On-Call: See Port of Benton On-Call policy.

## **RULE V - PERSONNEL ACTIONS**

1. Appointment: Appointments and promotions to vacant positions will be made by the Executive Director, unless otherwise provided by resolution of the Commission. All appointments and promotions shall be made on the basis of merit.

2. Promotion: The Executive Director will fill vacant positions by promotion if qualified persons are available. A promoted employee may be returned to the previous position if the employee's performance following a promotion is unsatisfactory.
3. Resignation: An employee wishing to leave the Port service in good standing, shall at least two weeks before leaving, file a written statement as to the reasons for leaving and the effective date.
4. Demotion; Suspension, Discharge - Personnel Files: An employee may be demoted, suspended or discharged, with or without cause or notice. The Executive Director will notify an employee in writing of (a) a demotion two weeks prior to its effective date, if possible, (b) a suspension, the reasons therefore, and the duration thereof, if known, and (c) a discharge, the reasons therefore, and its effective date. An employee who is suspended for non-disciplinary reasons (i.e. furloughed) will be given two weeks' notice, if possible. A suspension may be paid or unpaid. An employee who is demoted or discharged for poor performance or misconduct will be allowed to prepare and place in their personnel file a written rebuttal statement, not to exceed one page in length. A rebuttal statement will be retained in the personnel file as a permanent record,

An employee may examine their personnel, payroll or benefit files, including any separate files containing medical information, upon request at any time during regular business hours. A former employee may examine their personnel files once during regular business hours in each of the two calendar years following separation from employment.

## **RULE VI- OPEN DOOR**

Constructive thinking and helpful suggestions from you help us progress and succeed as an employer. The Port of Benton invites employees to share their suggestions, recommendations, or constructive criticisms about the employer and its operations with their direct supervisor, a member of management, or a member of the Human Resources department.

You are encouraged to openly and frankly discuss any concern, problem, or disagreement you may have with your direct supervisor, a member of management, or a member of the Human Resources department.

## **RULE VII- SEMINARS, CLASSES, & TUITION REIMBURSEMENT**

### **1. Seminars and Classes**

Port employees may be reimbursed for continuing education or seminars directly related to the employee's duties or ability to maintain a license upon which their work duties pertain, if (a) enrollment in the class has been approved in writing by the Executive Director, and (b) the class is successfully completed. Such training is to include continuing legal education (CLE) courses and continuing professional education (CPE) courses.

Port employees and Port Commissioners shall make every effort to attend any event or class that they have signed up and paid for. Should a cancellation occur within a time period that reimbursement may not be obtained from the class/venue, the employee/Commissioner shall reimburse the Port for the costs paid, unless a legitimate reason is provided to, and approved by, the Executive Director.

## 2. Tuition Reimbursement

The Port recognizes the value of well-educated and well-trained employees and supports the tuition reimbursement program with available funds. Employees are encouraged to further their personal and professional development goals through appropriate formal education programs.

## 3. General Requirements

Tuition reimbursement is available for live or online courses offered by institutions accredited by the following accrediting organizations: Middle States Commission on Higher Education, New England Association of Schools and Colleges' Commission on Institutions of Higher Education, North Central Association of Colleges and Schools' Higher Learning Commission, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools' Commission on Colleges, and Western Association of Schools and Colleges' Senior College and University Commission. Accreditation information is available directly from the school.

Tuition Reimbursement is available only to full-time employees who are in good standing and have successfully completed 1 year of service with the Port. Employees whose official work schedule is part-time will receive reimbursement relative to their work schedule (e.g. half-time employees received 50 percent of allowable reimbursement).

Employees who intend to apply for tuition reimbursement must obtain approval from the Executive Director and the Director of Finance prior to registering for the class(es). Employees who do not obtain approval prior to taking the class will not be eligible for reimbursement.

If the employee leaves Port services before completing the entire reimbursement process, the Port will not provide reimbursement. Employees who leave the Port within 6 months of receiving reimbursement will be required to repay any reimbursements received in the 6 months prior to termination.

To qualify for reimbursement for a college course, the employee must receive a grade of "C" or (2.0) or better. Classes may only be taken on a pass/fail basis if the class is only offered on a pass/fail basis. For pass/fail classes, the class must be passed for reimbursement. Official grade reports must be submitted with the request for tuition reimbursement. Should an employee "fail" a pass/fail class or fail to obtain a "C" or "2.0" in a course, that employee must reimburse the Port any monies already paid by the Port in full, within thirty (30) days of receiving their grade.

Participation must not interfere with scheduled work or negatively affect work performance.

There must be a relationship between the course(s) and the employee's projected career path

within the Port, or attainment of a degree that benefits the employee and the Port.

The reimbursement rate will be 100 percent of the tuition cost and mandatory fees. Maximum tuition reimbursement for an employee will not exceed the full-time Washington resident undergraduate tuition rate for the Washington State University Tri-Cities Branch Campus in a calendar year. Costs of textbooks will also be reimbursed. However, textbooks are to remain Port property and are to be provided to the Port upon completion of a course. Other costs (e.g. supplies, travel, parking, extracurricular clubs, etc.) are not reimbursable.

In some situations, reimbursement may be approved for courses that do not meet the above descriptions. These situations may include courses like a preparation class for a certification examination or a job-related course provided by a non-academic institution. Reimbursement for special courses shall be at a rate determined by the Executive Director on a case-by-case basis.

Employees who receive financial assistance for their education from another source must disclose the source and amount when seeking reimbursement. If employees are receiving 100% funding for their education from another source, the Port will not provide reimbursement. Under certain circumstances, it is possible that the tuition reimbursement program can be coordinated with other funding sources (e.g. GI Bill benefit, grant, scholarship). In all instances, total financial assistance and tuition reimbursement will not exceed the educational expenditures incurred.

**Reimbursement process:**

- A. Employee shall turn in Reimbursement form
- B. Employee will pay for the course prior to reimbursement.
- C. Upon course completion, employees will provide the Finance Director:
  1. A copy of the unofficial course transcript
  2. A copy of the receipt for tuition payment that shows the course title, number of credit hours, tuition costs, and fees,
  3. Documentation from the college's website or course catalog showing the cost per credit for the timeframe of the course, and
  4. A copy of the class syllabus noting the required textbook must be submitted with the textbook receipt
- D. Documentation for payment must be submitted within 90 days following the course end date.

**Advance Tuition Reimbursement:** Requests may be submitted up to forty-five (45) days in advance of the start date of the course in the event the employee requests advance reimbursement due to financial hardship. Requests approved in advance are subject to the policy in effect at the time the class starts, not at the time of approval.

**Advance reimbursement process:**

- A. Employee shall turn in Reimbursement form
- B. Employee will submit for reimbursement up to forty-five (45) days prior to the course start date. This shall include:
  1. A copy of the receipt for tuition payment that shows the course title, number of credit hours, tuition costs, and fees,

2. Documentation from the college's website or course catalog showing the cost per credit for the timeframe of the course, and
3. A copy of the class syllabus noting the required textbook must be submitted with the textbook receipt

C. Within thirty days (30) of course completion, employees will provide the Finance Director:

1. A copy of the unofficial course transcript

Tax implications: Depending on the IRS tax codes in effect, employee reimbursement may be subject to income and FICA tax withholding. For guidance on the laws related to tuition reimbursement, employees should contact their accountant or tax advisor.

## **RULE VIII- DISCLOSURE STATEMENTS, CONFLICTS OF INTEREST AND DISCLOSURE OF INFORMATION**

A disclosure statement regarding outside employment, business interests or ownership will be required of each new employee at time of hire, and annually thereafter. The disclosure statement must disclose the existence of any financial interest of the employee, and their spouse, or registered domestic partner which may be affected by an activity of the Port.

A conflict of interest occurs when (a) an employee, spouse or registered domestic partner has a private financial interest which may be affected by an activity of the Port, or (b) the employee, spouse or registered domestic partner has a legal duty to a third party which conflicts with a duty owed to the Port because of employment. Ownership of stock in a listed and publicly traded company that does business with the Port need not be reported. Any activity which could be a conflict of interest between the employee and the Port will require a plan to eliminate any conflict of interest and approval by the Board of Commissioners.

Commissioners or employees of the Port shall not accept gratuities, gifts or free services from any person or organization that conducts business with the Port. This provision does not prohibit the exchange of inexpensive gifts, food or beverages of the value of \$25.00 or less that are by custom exchanged at holiday seasons or at social functions organized for the enjoyment of Commissioners or employees.

Commissioners and employees shall maintain the confidentiality of information obtained during the conduct of Port business, unless disclosure is required by law or compelled by subpoena. Care should be exercised where the disclosure of information about Port business could result in a significant compromise of the Port's position in the negotiation of leases, land sales or acquisitions, the encouragement and support of new businesses, or the Port position in litigation or regulatory matters.

## **RULE IX - USE OF PORT ASSETS AND TIME**

Any use of Port assets or time by an employee for private personal benefit is prohibited. Employees will be disciplined or discharged for:

- a. use of Port vehicles for private purposes, unless expressly authorized by the Board of Commissioners; provided, however, that incidental use of a vehicle owned by the Port for incidental personal purposes such as meals, errands and personal needs which coincide with an employee's performance of official

Port duties is approved.

- b. use of Port computers for private correspondence, business activities or personal entertainment; provided, however, that incidental use of email for reasonable and necessary communication is permitted if the communications are properly stored in the permanent Port email cache;
- c. theft or unauthorized use of property, materials, tools, equipment, telephones or fax machines or facilities owned by the Port; provided, however, that reasonable use of telephones owned by the Port for reasonable local communication for personal or immediate family matters; and
- d. conducting personal business for profit while being paid for work by the Port, or unreasonable use of work time for personal or family matters.

## **RULE X - DRUG FREE WORKPLACE PROGRAM**

### **I. Statement of Policy:**

- A. Introduction and Background: The Port of Benton's responsibilities for protection of the health and safety of the public and of its employees require that actions be taken to assure that employees at Port of Benton facilities in positions with the potential for causing serious harm to the health and safety of employees or the public meet the highest standards of reliability. Among the actions deemed necessary is that the Port of Benton develop and maintain drug free workplace programs. This document provides criteria to be followed by the Port of Benton in developing and implementing a drug free workplace program.
- B. Purpose: This document establishes Port of Benton policies and criteria for developing and implementing programs that facilitate the maintenance of a drug free workplace, including detection of the use of illegal drugs by current or prospective employees.
- C. Scope: All current and prospective employees who will be in safety-sensitive roles at the Port of Benton are required to participate fully in the Drug Free Workplace Program, including urine drug analysis as specified in subsequent sections of this document.
- D. Policy: The Port of Benton policy regarding protection of employee and public health and safety requires that the Port of Benton assure that its employees who occupy positions with the potential to cause damage, are free of the effects of the use of illegal drugs. In order to accomplish this, it shall be the Port of Benton's policy to:
  - a. Prohibit the use, possession, manufacture, distribution, being under the influence of, or sale of illegal drugs at any Port of Benton facility.
  - b. Instruct supervisors and employees concerning substance abuse problems and the availability of assistance.

- c. Conduct urine drug analysis of employees and applicants on the basis of reasonable suspicion or in connection with an occurrence.
- d. Provide employees with the opportunity for rehabilitation under certain circumstances.
- e. Take disciplinary action as appropriate, up to and including termination.

E. Definitions:

- a. "Confirmed Positive Test" means a finding based on an initial test with a positive result followed by a confirmatory test on the same sample using a more sensitive, drug-specific test with a positive result.
- b. "Employee Assistance Program" means a system of counseling and referral services for the prevention, treatment and rehabilitation of employees who have substance abuse and other medical behavioral problems.
- c. "Illegal Drugs" means controlled substances as defined by Section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under Chapter 13 of that Title. The term "illegal drugs" does not apply to the use of a controlled substance pursuant to a valid prescription or other uses authorized by law. Although some states have legalized cannabis for medicinal or recreational purposes, The Port of Benton is not required to allow the medicinal or recreational use of cannabis in the workplace. Cannabis use or being under the influence is strictly prohibited on Port of Benton property and while conducting employer business.
- d. "Reasonable Suspicion" means an articulable belief that an employee uses illegal drugs drawn from particularized facts and reasonable inferences from those facts.
- e. "Occurrence" means any untoward accident, incident, or event which results in personal injury, property damage or monetary loss, or a significantly increased probability of injury, loss, or damage. An automobile accident with a government vehicle, an error in administration, or misappropriation of company funds are examples of occurrences.

## II. Procedures

- A. Employee Assistance Program: In appropriate circumstances, the Port of Benton shall refer employees to qualified professionals for treatment of drug or alcohol related problems.
- B. Federal contract or grant: As a condition of employment on any Federal contract or grant, the employee must abide by the terms of this policy statement and is required to notify the Port, within five calendar days, if they are convicted of a criminal drug violation. Failure to notify the Port is grounds for automatic termination.
- C. Testing as a Result of an Occurrence: When there is an occurrence involving Port of Benton employees, the Executive Director may direct that all involved employees be tested for illegal drug use within 48 hours.
- D. Testing for Reasonable Suspicion: Any employee whose behavior creates the basis

for reasonable suspicion on the part of a responsible person will be tested for illegal drug use. Testing for reasonable suspicion shall be recommended by the responsible person observing the suspicious activity but shall be ordered by the Executive Director. Such suspicion must be based on one or more of the following:

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

E. Drugs for Which Testing is Performed: Testing will routinely be performed to identify the following drugs, classes of drugs, or metabolites thereof, and at the assay cut off levels indicated:

A POSITIVE DRUG RESULT MEANS THAT THE AMOUNT DETECTED MEETS OR EXCEEDS THE ASSAY CUT-OFF

Assay Cut-Off Levels:

Urine Ethanol	25 mg/dl
Amphetamines	1000 ng/ml
Barbiturates	300 ng/ml
Benzodiazepines	300 ng/ml
Cannabinoid	150 ng/ml
Cocaine Metabolite	150 ng/ml
Methadone	300 ng/ml
Methaqualone	300 ng/ml
Opiates	1000 ng/ml
Phencyclidine	25 ng/ml
Propoxyphene	300 ng/ml
MDMA	500 ng/ml
Methamphetamine	1000 ng/ml

Testing may also be performed for other drugs or classes of drugs if deemed necessary and so directed by the Executive Director of the Port of Benton. Drugs tested for and cut-off levels may be changed as necessary to maintain compliance with state or federal law, directives or recommendations.

F. Specimen Collection, Handling and Laboratory Analysis: All specimens shall be collected by a physician or a drug testing laboratory at a time and place to be specified by the Port of Benton. Procedures for providing urine specimens must allow

individual privacy, unless there is reason to believe that a particular individual may alter or substitute the specimen to be provided. The Laboratory Contractor shall utilize a chain of custody procedure for maintaining control and accountability from point of collection to final disposition of specimens and shall use cut-off levels as specified in Section E in screening specimens to determine whether they are negative or positive for a specific drug.

G. Medical Review of Test Results: When a positive test result has been obtained, and confirmed by another test made on the same sample using a more sensitive, drug-specific test, the confirmed positive test result will be reviewed by a physician designated by the Executive Director of the Port of Benton considering the medical history of the employee or applicant and other relevant biomedical information. If the physician determines that there is a legitimate medical explanation for the confirmed positive test result consistent with legal drug use, the physician will certify that the test results do not meet the conditions for a determination of illegal drug use. If no such certification can be made, the physician will make a determination of illegal drug use.

H. Action Pursuant to Determination of Illegal Drug Use:

- a. When an applicant has been tested and determined to be an illegal drug user, processing for employment will be terminated and the applicant will be so notified.
- b. When an employee has been tested and determined to be an illegal drug user, the employee shall be immediately removed from all duties. If this is the first determination of illegal drug use by that employee, the employee will be offered a reasonable opportunity for rehabilitation. Failure to take advantage of the opportunity for rehabilitation or a second determination of illegal drug use will be the basis for disciplinary action up to and including termination of employment.

I. Records:

- a. Port of Benton shall maintain maximum confidentiality of records related to substance abuse, to the extent possible consistent with state law. All drug testing records shall be maintained separately and independently of medical records and shall not be considered to constitute a portion of the employee medical record.
- b. All records, including initial test records and chromatographic tracings, shall be retained by the contract urine drug testing laboratory in such a manner as to allow retrieval of all information pertaining to the individual urine specimens for a minimum period of two years after completion of testing of any given specimen. Frozen duplicate samples of all urines testing positive for drug use shall be maintained for a minimum period of two years.

J. Refusal to Provide a Specimen or Participate in the Program: Refusal to provide a specimen or participate in the program will be considered equivalent to a positive test. Appropriate action will be taken as if a positive test had been found. A second refusal will result in disciplinary action up to and including termination of employment.

## **RULE XI - REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION**

It is the policy of the Port of Benton (1) to encourage reporting by its employees of improper governmental action taken by the Port of Benton's officers or employees and (2) to protect the Port of Benton's employees who have reported improper governmental actions in accordance with the Port of Benton's policies and procedure(s).

DEFINITIONS: As used in this policy, the following terms shall have the meanings indicated:

1. "Improper governmental action" means any action by a Port of Benton officer or employee:
  - a. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
  - b. That (i) is in violation of any federal, state, or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety or (iv) is a gross waste of public funds.

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

2. "Retaliatory action" means any adverse change in the terms and conditions of a Port of Benton employee's employment.
3. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

### PROCEDURES FOR REPORTING:

Port of Benton employees who become aware of improper governmental actions should raise the issue first with the Executive Director. If requested by the Executive Director, the employee shall submit a written report to the Executive Director, or to some person designated by the Executive Director, stating in detail the basis of the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves the Executive Director, the employee may raise the issue directly with the President of the Commission of the Port of Benton or such other person as may be designated by the President to receive reports of improper governmental action.

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

The Executive Director or the President of the Commission of the Port of Benton or the President's designee shall take prompt action to assist the Port of Benton in properly investigating the report of improper governmental action. Port of Benton officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

Port of Benton employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the Port of Benton employee reasonably believes that an adequate investigation was not undertaken by the Port of Benton to determine whether an improper governmental action occurred, or that insufficient action has been taken by the Port of Benton to address the improper governmental action or that for other reasons the improper governmental action is likely to recur. Port of Benton employees who fail to make a good-faith attempt to follow the Port of Benton's procedures in reporting improper governmental action shall not receive the protection provided by the Port of Benton in these procedures.

#### PROTECTION AGAINST RETALIATORY ACTIONS:

Port of Benton officials and employees are prohibited from taking retaliatory action against a Port of Benton employee because they have in reported an improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise the Port of Benton Executive Director, the President of the Commission of the Port of Benton, or the President's designee. Port of Benton officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If the Executive Director, the Port of Benton President, or the President's designee does not satisfactorily resolve a Port of Benton employee's complaint that they have been retaliated against in violation of this policy, the Port of Benton employee may obtain protection under this policy and pursuant to state law by providing a written notice to the Port of Benton commission that specifies the alleged retaliatory action and specifies the relief requested.

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

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

the Port of Benton's response to the charge of a retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the Port of Benton for response.

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

Office of Administrative Hearings  
PO Box 42488  
Olympia, WA 98504-2488  
(360) 407-2700  
(360) 664-8721 (Fax)

The Port of Benton will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

#### RESPONSIBILITIES:

The Executive Director is responsible for implementing the Port of Benton's policies and procedures (1) for reporting improper governmental action and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures (1) are permanently posted where all employees will have reasonable access to them, (2) are made available to any employee upon request and (3) are provided to all newly hired employees.

Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

#### LIST OF AGENCIES:

Following is a list of agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the manager.

#### BENTON COUNTY:

Benton County Prosecutor (Criminal and Civil  
Divisions)  
7122 W Okanogan Pl # A  
Kennewick, WA 99336  
(509) 786-5621

Benton-Franklin Health District  
7122 W Okanogan Pl Kennewick, WA 99336  
(509) 460-4200

Benton Clean Air Agency  
526 S Clodfelter Rd Kennewick, WA 99336  
(509) 783-1304

Benton County Sheriffs Department  
7122 W Okanogan Pl # B  
(509) 786-5615

STATE OF WASHINGTON:

Attorney General's Office  
1125 Washington Street SE PO Box 40100  
Olympia, WA 98504-0100  
(360) 753-6200

UNITED STATES OF AMERICA:

General Services Administration  
915 Second Avenue  
Seattle, WA

Office of Inspector General  
Audits Investigations (206)931-7650  
Law Enforcement (206) 553-0290

Department of Health & Human Services Food  
& Drug Administration  
22201 23rd Drive S.E. Bothell, WA  
Trade Complaints (206)483-4949

Office of the Regional Secretary  
General Counsel's Office, Inspector General  
Audits (206) 553-0452  
Investigations (206) 553-0229

Department of Housing and Urban  
Development Office of Counsel  
1321 Second Avenue Seattle, WA  
(206)553-4976

Office of Inspector General  
Audits (206) 553-0270  
Investigations (206) 553-0272

Interstate Commerce Commission  
915 Second Avenue, Room 1894  
Seattle, WA 98174  
(206)553-5421

Department of Interior  
U.S. Fish & Wildlife Services Division of Law  
Enforcement  
121 107th N.E.  
Bellevue, WA  
(206)553-5543

Department of Justice  
Drug Enforcement Administration  
220 West Mercer, Suite 300 Seattle, WA  
(206)553-5443

Department of Labor  
Occupational Safety & Health (OSHA)  
1111 Third Avenue, Suite 715  
Seattle, WA 98101-3212  
(206)553-5930

Office of Inspector General Audits  
1111 Third Avenue, Suite 780  
Seattle, WA 98101-3212  
(206) 553-4880

Office of Inspector General Investigations  
1111 Third Avenue, Suite 785  
Seattle, WA 98101-3212

Office of Women's Bureau  
1111 Third Avenue, Suite 885  
Seattle, WA 98101-3212

Mine Safety & Health Administration  
117 107th N. E.  
Bellevue, WA  
(206)553-7037

National Transportation Safety Board  
19518 Pacific Highway South Seattle, WA  
(206) 764-3782  
Nuclear Regulatory Commission  
510-975-0200

Securities and Exchange Commission  
915 Second Avenue  
Seattle, WA 98174  
(206) 553-7990

Department of Transportation Office of  
Inspector General  
915 Second Avenue  
Seattle, WA 98178  
(206) 553-5720

Department of Treasury  
Bureau of Alcohol, Tobacco & Firearms Law  
Enforcement Division

915 Second Avenue, Room 806  
Seattle, WA 98174

Department of Veterans Affairs Office of  
Inspector General  
915 Second Avenue  
Seattle, WA 98174  
Fraud/Waste/Abuse Hot Line 800-488-8244

## **RULE XII - INTERNET AND EMAIL POLICY AND PROCEDURES**

The Port of Benton provides both internal and external communications networks in order to provide an efficient means of communication with fellow employees, persons outside the Port, and remote computer systems. Networks also provide a means of retrieving and communicating other business-related information. Internal and external networks provide many business benefits. However, there are also legal, security, productivity and privacy issues related to how networks are properly used. Employees are required to become familiar with and adhere to the following guidelines and information regarding use of Port network resources.

1. Privacy: All data and voice processing equipment, software, Internet accounts, and data residing within or on those devices are the property of the Port of Benton.

Communication over networks should not be considered private. Employees of the Port have no expectation of privacy in Port correspondence, in records created for use in Port activities, or in email sent or received over the Port's email systems. Network administration and maintenance may require review and inspection of directories, files or messages. Messages may sometimes be diverted accidentally to a destination other than the one intended. Privacy of these communications is not guaranteed. The Port reserves the right to access, monitor, and review any information transmitted on computer systems and in stored records for any reason. Deleting e-mail may not necessarily destroy the record within the system.

Generally, computer files, voice mail, and e-mail are considered "documents" under the Washington State Public Disclosure Act (RCW 42.17). As such, it should be assumed that this information may be subject to release to any member of the general public upon request to the Port of Benton.

Email directly or indirectly related to activities or business of the Port, which is unprivileged, and which is sent or received by a Commissioner or employee, shall be saved and stored electronically in an electronic file.

The use of the email system for communications unrelated to Port business is discouraged.

2. Port-Owned Electronic Devices: Employees have no right to privacy with respect to the use of Port-Owned Electronic Devices. This includes any and all voicemails, social media messaging, emails, text messages, call history and/or any other information stored on a cell phone, regardless of whether stored in the device or in remote sites and/or with remote services. The Port has the right to inspect any and all Port-Owned Electronic Devices used by employees for such information at any time and without notice.

In addition, employees have the following responsibilities regarding Port-Owned Electronic Devices:

- a. Protect the Port-owned electronic device from theft, loss or damage.
- b. Immediately report loss or theft of a Port-owned electronic device to your supervisor.
- c. As cell phone calls and other electronic devices are not secure, use discretion while making calls of a sensitive or confidential nature.
- d. Immediately return the electronic device to your supervisor if it is determined that the electronic device is no longer necessary for your job or upon leaving employment with the Port.

3. Personal Cell Phones and Text Message Policy: Employees should be aware that work-related texts and voice messages on cell phones may be public records subject to the Public Records Act. These text and voice messages are subject to the Public Records Act so long as one party to the conversation is a Port employee, regardless of who the other party is, i.e. friend, family, business associate. Employees have a duty to maintain such records in accordance with the Washington Local Government Record Retention Schedules.

Records created related to Port business—including text messages, voicemail messages, and other electronic communications—are Port records. These records therefore (1) should be managed according to the applicable retention schedule, and (2) may be subject to disclosure under the Public Records Act. The following is intended to help manage the business-related messages you send or receive on smart phones, tablets, or similar devices (iPhone, iPad, Blackberry, Android, etc.)

- a. With supervisor authorization, employees may use text messaging only for routine or transitory messages that don't need to be retained by the Port. Examples include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication.
- b. Text messages may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text message, including social security numbers, credit card numbers, and passwords.

- c. If the electronic record is transitory in nature with no administrative, legal, fiscal, or archival value, then the record can be deleted at the discretion of the user. Examples include secondary copies of memos, general office notices, general information, working copies, transmittal memos, meeting announcements, invitations to retirement parties, drafts.
- d. If a text message is not transitory in nature and needs to be retained, employees must transfer the messages to the Port's network and/or devices.

4. Network Usage Guidelines:

a. Network Access:

A. Employee access to internal and external networks, including the Internet, is granted as a Port business resource. "Loaning" of user IDs and passwords or failure to logoff during non-work hours are considered breaches of security. Employees must use networks in accordance with Port guidelines, and local, state, and federal laws, Employees who misuse this privilege will have their access revoked and are subject to disciplinary measures.

B. Access to networks through any means other than Port authorized methods is prohibited. This is necessary to ensure proper network usage, maintain operating efficiency and ensure network security.

C. Management approval is required for all employees to access authorized internal computing resources: Access to external computing resources must be coordinated with the Director of Finance/Auditor to determine if existing resources will support the request connection.

b. Network Use. Electronic data processing and telecommunications (such as Microsoft Exchange, Voice Mail, and Internet access) are provided for the conduct of Port business, Employees who use these resources are responsible for doing so in an ethical, legal and professional manner. Further, they may not be used to support activities for personal gain, solicitation, or to support any illegal purposes. They may not be used to send or post messages that are in support of any religious, political, or non-business related outside organization or activity. Messages must not contain harassing, obscene, profane, or otherwise offensive language. Storage of personal files on Port networks is prohibited. E-mail and bulletin board services may be used to support Port-sponsored education, professional organizations, or community activities, if this usage is approved by the Executive Director. Non-employee access to internal and external network systems, software and telecommunications shall be specifically limited to the conduct of official Port business.

c. Downloading and Network Connections: The Port of Benton internal computer and voice networks are vulnerable (to unauthorized intrusion, viruses, etc.) at the point of interface with any external network connections, Computer systems residing on or connected to the internal network will use external connections only through Port

approved and managed network interfaces. Any connection not meeting these requirements will be subject to disconnection until it is reviewed by the Information Systems Administrator/Director of Finance/Auditor and approved for use.

- d. Virus Screening: Software may not be downloaded from external sources (e.g. bulletin board services, the Internet, etc,) and/or used without screening through a virus control utility.
- e. External Disks: Binary (non-text, e.g. graphics) files, executable (program) files (including those attached to email), and removable computer media (e.g., diskettes, CD- ROM discs, DVD-ROM discs, and flash/usb drives) can contain computer viruses or other malicious code. No executable information (e.g. binary files, macros, etc.) obtained from external sources may be executed prior to virus checking with an appropriate utility.
- f. Copyrights: Copyright laws must be adhered to. Copyrights and contractual agreements may prohibit the duplication of material without authorization. Do not include published material in email or file transfers without proper authorization. All licenses and copyrights associated with electronic material must be adhered to. Required copyright notices must be included in any use of such material.
- g. Network Housekeeping: Electronic files must be reviewed periodically and purged if no longer needed. The Information Systems Administrator has established thresholds for monitoring network traffic and the volume of files and messages that an individual can accumulate. The Director of Finance/Auditor has established a schedule to complete a backup of all network files. Backup files are retained off-site.
- h. Preservation And Storage of Electronic Mail: "Electronic mail," hereinafter referred to as "email," means communications to or from Commissioners and employees which are directly or indirectly related to the business, operation, meetings or official activities of the Port. Email transmissions are "documents" which may be discoverable in litigation or may be subject to the retention and disclosure requirements of RCW 42.17. Every email document sent or received by Commissioners or an employee of the Port, and which is or may be subject to the disclosure requirements of RCW 42.17, shall be stored electronically in a permanent cache and retained for a minimum period of three years. (Email which is related to an activity for which a longer record retention period is required, such as leases and contracts and some personnel records, shall be reduced to written form and stored in the appropriate paper files. If an email document is filed in written form, it may be deleted from the electronic storage file).

Email which contains significant information about a project or activity of the Port, such as bids, proposals, unprivileged legal documents, notices of claims, appraisals of property to be leased, sold or purchased, and similar matters, for which maintenance of a permanent record is of importance, should be copied and placed in the appropriate paper files. Duplication of records is not required; records reduced to written form and appropriately filed may be deleted from the email files. Email sent to or received by a Commissioner, including communications between Commissioners, regarding official Port business or any activity of the Port, must be stored in the email cache or reduced

to written for and filed in the appropriate paper files.

Email which is determined to be exempt from public disclosure under RCW 42.17 shall not be stored in the email files. Such documents include, but are not limited to, mail containing significant personal or medical information about Commissioners or employees of the Port, financial or business information received from vendors, bidders or persons conducting business with the Port, matters involving litigation, appraisals and similar information related to the sale or acquisition of property, applications for employment, grievances and disciplinary matters.

All employees will be given a copy of this policy and be required to sign a statement that they have read and understand it. Every email message sent by Commissioners or employees of the Port using Port email equipment shall contain the following statement: "This e-mail may contain privileged or confidential information disclosable only to the addressee. If you have received this e-mail in error, do not copy or distribute it to other persons not authorized to receive it. Please call the sender at 509- 375-3060 to make arrangements for the document to be retrieved or destroyed."

- i. Privileged Electronic Correspondence: It is important to be very careful to preserve the attorney-client privilege in email correspondence. The general rule is that the privilege applies to communications between an attorney and client, and once a third party is included in that communication, the privilege may be waived. Port policy and best practices dictate that whenever an email is received from Port counsel, the recipient shall not forward the email on or reply and add on additional employees or third parties to the communication, without the express consent of Port counsel or the Executive Director.
5. Social Media Policy: See Port of Benton's Social Media Policy and Social Media Terms of Use policy.
6. Violations: Suspected violations of these policies shall be reported to the Executive Director. Violations of this policy may result in disciplinary action up to and including termination.

### **RULE XIII - TRAVEL EXPENSE REIMBURSEMENT**

Commissioners and employees who are required to travel to engage in activities directly related to the business of the Port shall be reimbursed for the reasonable and necessary expenses incurred. Reasonable and necessary expenses shall include:

1. Lowest available round-trip airfare from the Pasco airport to the destination and return, and all reasonable and necessary connecting transportation costs, such as bus, taxi, Uber/Lyft or equivalent, and car-rental expenses.
2. Mileage, if a private automobile is used, at the rate allowed by the United States Internal Revenue Service for mileage reimbursement. Employees receiving a vehicle allowance shall not receive mileage or use Port vehicles for travel, unless travel is required of two or

more Port employees, in which case the use of Port vehicles is allowed for travel.

3. Lodging, meals (other than alcohol) and reasonable tips, local public transportation, parking, laundry expense (for absences in excess of one week), reasonable telephone expense for Port business and family communication, and necessary incidental expenses.
4. Cost of internet and communication services directly related to Port activities incurred during the travel period.
5. Commissioners and employees using credit or debit cards of the Port shall submit a complete written voucher of expenses incurred, together with receipts, for each item of expense. Valid receipts shall be submitted within fourteen (14) days of the last day of the month in which the travel occurred. If valid receipts are not submitted within fourteen days following the end of the travel month, the Commissioner or employee shall reimburse the Port for the expense. Reimbursement claims for items paid in cash shall be supported by a written receipt and explanation of the claim.

Reimbursement will be allowed only for expenses related to Port purposes. Employees are not to use Port credit or debit cards for personal or non-reimbursable expenses. The Director of Financer/Auditor shall withhold any amounts due from the Commissioner or employee from the next paycheck due, as provided in RCW 42.24.115.

## **RULE XIV - PATENTS**

At the time an employee is hired, they shall be required to disclose in writing any project then being pursued by the employee which may result in the issuance of a patent to the employee. Such disclosures shall be maintained in a separate and secure file by the Port, and access to such documents is limited to Director of Finance/Auditor. The Port shall own any invention patented by an employee during their employment, unless the employee has previously notified the Port in writing of their work on a potential invention and establishes that no equipment, supplies, facilities or trade secret information belonging to the Port were used in its development, and that the invention does not relate to (a) the business of the Port, (b) an actual or demonstrably anticipated research or development project of the Port, or (c) the work of the employee for the Port.

## **RULE XV - SAFETY & ACCIDENTS**

Employees are required to report all work-related accidents, near-misses, injuries, and illnesses to their supervisor as soon as reasonably possible, no matter how minor the event may appear. This reporting requirement is necessary for the following reasons:

1. All injuries and illnesses should be treated. Failure to get proper care may worsen a medical condition.
2. The Port of Benton must comply with federal and state injury recordkeeping requirements.
3. Management must be made aware of unsafe situations to prevent future accidents.

These should be reported and documented using the most current applicable forms.

These reporting procedures do not prohibit employees from later reporting an injury or illness if the seriousness of the condition only becomes apparent at a later date.

After seeing a physician, employees are required to report directly back to their supervisor. If the shift has ended, or if the physician sends the employee home, the employee must contact their supervisor before their next shift. The Port of Benton will not retaliate against employees for reporting a workplace injury or illness.

Protective, non-prescription safety glasses will be provided in the shop areas and for all work of Port employees who are engaged in activities during which facial or eye injury is a reasonably foreseeable risk. Safety glasses are provided without cost to the employee. Use of safety glasses or full-face masks is required when mandated by rules of the Washington Department of Labor and Industries, or when work presents a risk of eye injury.

## **RULE XVI- SMOKING IN PORT FACILITIES**

Smoking and the use of tobacco or e-cigarettes is prohibited in all facilities of the Port, including shops, rest rooms, offices, hallways, common areas, entrance vestibules and sidewalks. Employees wishing to smoke during rest breaks or lunch hours must do so off premises under control of the Port.

## **RULE XVII— CELL PHONE/INTERNET REIMBURSEMENT**

Port employees and Commissioners can choose to own their own cell phone or continue to have the Port of Benton own them. If a port employee or Commissioner chooses to own their own phone, they may receive an allowance of \$100 a month to cover combined business-related cell phone and data plan expenses for personally owned cell phones. All employees and Commissioners participating in the cell phone allowance program will receive \$100 annually towards the purchasing of a cell phone and related equipment.

If an employee or Commissioner can provide sufficient evidence that the business use of their cell phone is in excess of \$50 or \$100 on a three-month average, they should address the issue with the Port Auditor for a change in the allowance. Otherwise, no further reimbursement for cell phone costs is available. In the event of excess data usage, at the discretion of the Executive Director, an employee may lose their data plan reimbursement privileges.

Responsibilities: Employees and Commissioners will be responsible for entering into a contract for cellular service with the provider of their choice. Employees are encouraged to have their cell phone provider apply the Government discount to their primary phone line. The Port will not be responsible, in any way, for employee's personal cellular phone and/or associated services, regardless of the type of use, including inappropriate charges, a lost/stolen phone or delinquent payments.

Each employee or Commissioner will immediately report the number of the cellular phone to the Port Auditor. The employee or Commissioner will carry the phone during business hours and when it is reasonably determined that there is a business need, or when normal

communication links are not available.

The Port retains the right to periodically review the employee's or Commissioner's need for a cellular phone allowance and may cancel the allowance due to lack of business usage, changes in employee work-related responsibilities, or absences exceeding one month, such as employee leave, Short Term Disability or extended leave under the Family and Medical Leave Act if applicable.

Port employees and Commissioners may receive a monthly stipend to cover internet service provider charges for work-related business conducted at home.

Responsibilities: Employees and Commissioners will be responsible for entering into a contract for internet service with the provider of their choice. The Port will not be responsible, in any way, for employees' internet services, regardless of the type of use, including inappropriate charges or delinquent payments.

## **RULE XVIII– WORKPLACE SEARCHES**

The Port of Benton reserves the right to use any lawful method of investigation it deems necessary to determine whether any person has engaged in conduct that interferes with or adversely affects business. A search does not imply an accusation of theft or that an employee has broken an employer rule.

Employees entering and leaving the facility are subject to questions and searches at the employer's discretion. Lockers, vehicles, and personal possessions on the Port of Benton premises will also be subject to search unless prohibited by law. Employees who refuse to cooperate in an inspection conducted pursuant to this policy, as well as employees who, after the inspection and investigation are found to be in possession of stolen property or illegal drugs or otherwise in violation of policy, will be subject to corrective action up to and including discharge.

## **RULE XIX - WORKPLACE VIOLENCE**

The Port of Benton has a “zero tolerance” policy for any actions that threaten its employees, customers, or vendors. This includes verbal and physical harassment, verbal confrontations, and any actions that cause others to feel unsafe in the workplace. As part of this policy, employees are prohibited from bringing weapons to work or on employer premises, including the parking lot. Further, The Port of Benton reserves the right to inspect, with or without notice, all employees' personal belongings, including backpacks, packages, automobiles when allowed by law, and other items that come onto the work premises. The Port of Benton further reserves the right to inspect all employer property with or without notice. Employees with complaints regarding these issues should submit them in accordance with this policy.

You are encouraged to raise workplace concerns with your immediate supervisor. If your supervisor is unavailable, if the complaint remains unresolved after talking with your supervisor, or if the nature of the complaint is such that you do not feel you can discuss the complaint with your supervisor, you may make a complaint to Human Resources.

Upon receiving a complaint, The Port of Benton will promptly investigate the matter to determine relevant facts and circumstances. You may make an anonymous complaint; however, this may limit The Port of Benton's ability to investigate it.

If you have obtained, or are protected by, an Order for Victim Protection that includes The Port of Benton, as your workplace and safety is a concern, you are encouraged to provide a copy of the order to Human Resources. Orders for Victim Protection include the following types of court orders: protection order, no contact order, restraining order, and anti-harassment order. The Port of Benton will keep all such information confidential in accordance with applicable law.

DRAFT

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

Please read each of the following provisions and sign and date the acknowledgment, which will be filed in your employee file.

- I have received a copy of the Employee Handbook. I recognize and accept the responsibility to familiarize myself with the information contained therein. If I have any questions regarding these policies, I will contact the Human Resources Department for clarification.
- I understand that it is my responsibility to follow these policies both as they presently exist and as they may change in the future.
- I understand that this Employee Handbook is not a binding employment contract, but a set of employer policies and guidelines.
- No representative of the employer has the authority to enter into any agreement for employment for any specified period of time or to make other commitments or promises or assure any benefit or terms and conditions of employment unless such promises are made in writing and signed by the President. Any oral representations are not binding.
- I understand both the employer and I have the right to terminate our employment relationship at any time with or without reason or with or without notice unless specifically modified by written agreement or governed by a differing provision in an applicable Civil Service Rules.
- I acknowledge that this handbook supersedes all previous manuals and/or policies. I understand that the employer may make changes to the Employee Handbook, as it deems necessary. I understand that this handbook does not negate any provisions in the applicable Civil Service Rules and that in the event of a conflict between the documents Civil Service Rules will apply.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received: \_\_\_\_\_



## **RESOLUTION 26-05**

### **A RESOLUTION OF THE PORT OF BENTON APPROVING A LEASE AGREEMENT WITH HANFORD MISSION INTEGRATION SOLUTIONS, LLC**

**WHEREAS**, the Port of Benton (Port) is authorized to enter into certain leases upon such terms as the Port Commission deems proper; and

**WHEREAS**, the Port owns real property located at 2345-2355-2377 Stevens Drive within the Richland Business Park (RBP), Benton County, Washington; and

**WHEREAS**, Hanford Mission Integration Solutions, LLC ("Lessee") has leased the Premises from the Port since 1998, with the most recent lease amendment signed by the Parties in August 2024;

**WHEREAS**, Lessee desires to continue leasing space at the above locations, and the Port desires to continue leasing such space to Lessee; and

**WHEREAS**, the Lessee has entered into a contract with the United States Department of Energy (DOE) to perform certain work, and this Lease is in furtherance of such work and has DOE approval; and

**WHEREAS**, the new Lease provides for approximately 101,610 square feet of warehouse space, 53,585 square feet of office space, and 200,376 square feet of ground area, together with associated common areas and parking; and

**WHEREAS**, the Lease establishes an initial term of five (5) years commencing January 1, 2026, and ending December 31, 2030, with three (3) successive five-year option renewal terms; and

**WHEREAS**, Port staff and the Port attorney have reviewed the proposed Lease Agreement and find they are in proper form and are in the Port's best interest; and

**WHEREAS**, after consideration of the attached lease agreement, the Port Commission has determined that these documents are proper.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Commissioners of the Port of Benton approve the Lease Agreement with Hanford Mission Integration Solutions, LLC for a five-year lease, with three (3) five-year option renewal terms, and authorize the Port's Executive Director to execute all documents necessary to complete this transaction on behalf of the Port.

**ADOPTED** by the Port of Benton Commissioners on this 14th day of January 2026.

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Bill O'Neil, President

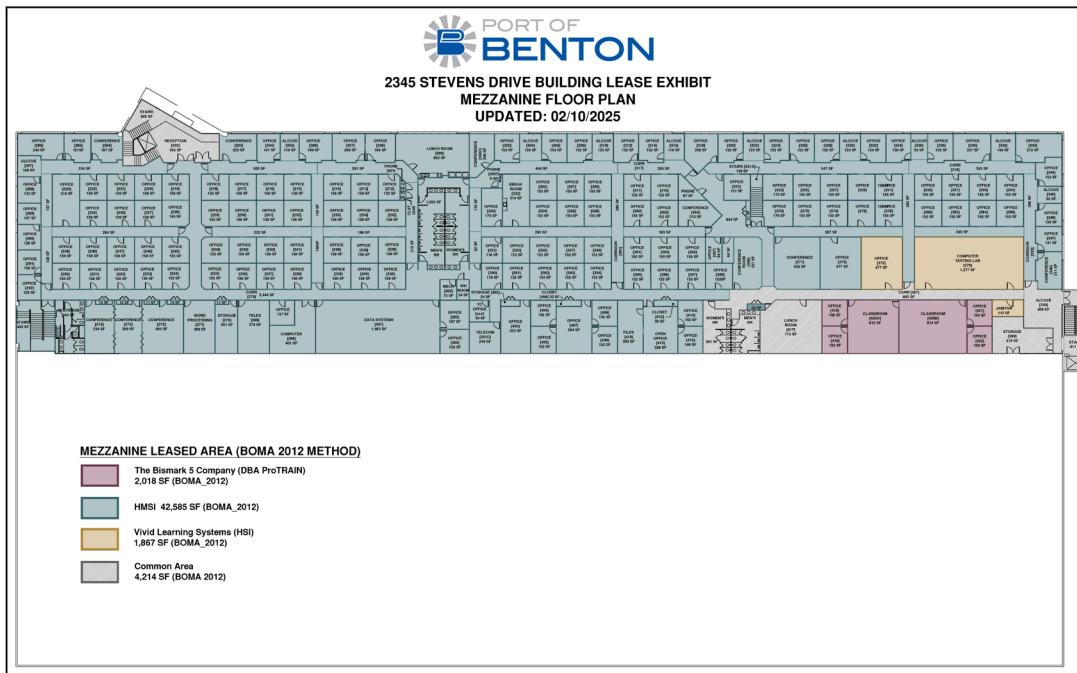
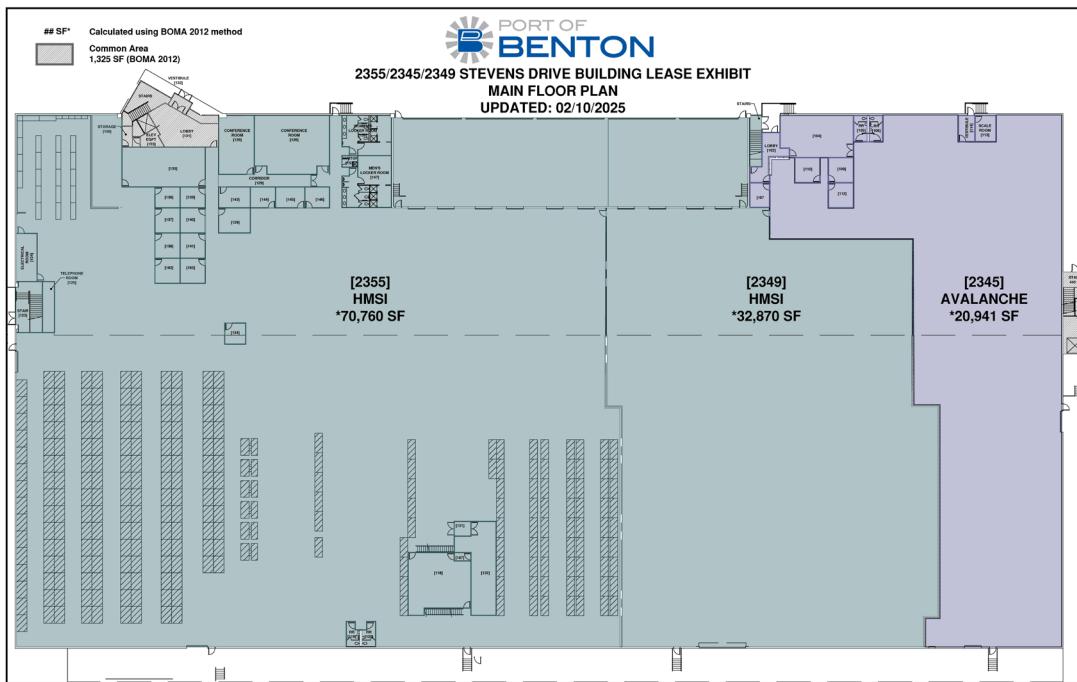
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Scott D. Keller, Vice President

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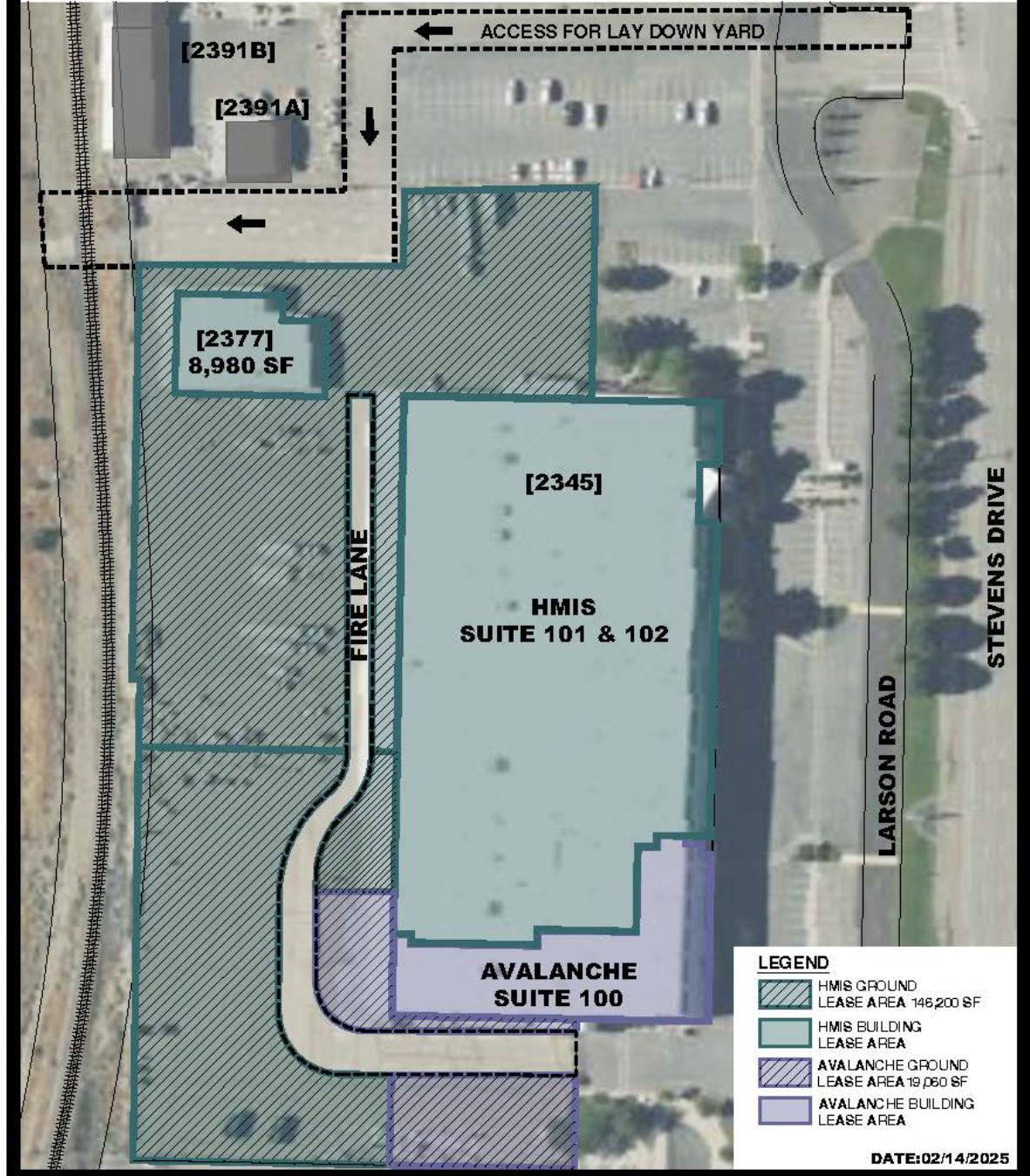
Lori Stevens, Secretary

**EXHIBIT A**  
**Resolution 26-05**  
**Leased Premises**

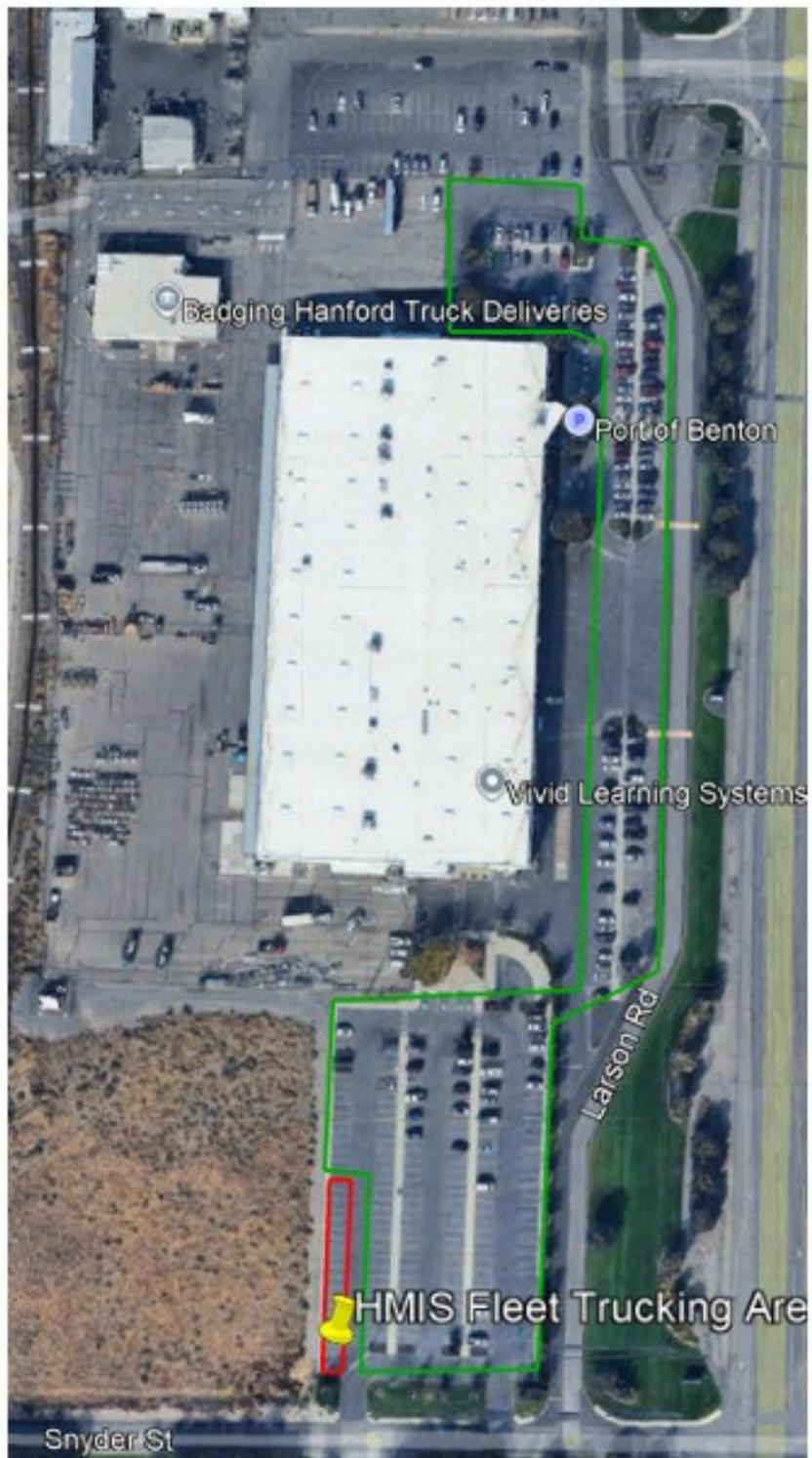




2345 STEVENS DRIVE  
RICHLAND BUSINESS CAMPUS  
GROUND LEASE EXHIBIT



**Exhibit B**  
**Parking Area**



Non-exclusive  
Parking is in the  
**green** area

HMIS Fleet Truck  
Parking is in the  
**red** area.

**RESOLUTION 26-06**

**A RESOLUTION OF THE PORT OF BENTON APPROVING  
A UTILITY EASEMENT FOR THE CITY OF RICHLAND AT  
THE RICHLAND AIRPORT**

**WHEREAS**, the City of Richland has requested a utility easement at the Richland Airport after installation of an electrical line and transformer; and

**WHEREAS**, Richland Airport is not a public right-of-way and requires an easement for private utility installations; and

**WHEREAS**, the Port of Benton approves the installation of the utility and agrees to pay Benton County recording fees;

**THIS RESOLUTION OF THE PORT OF BENTON ADOPTED** by the Commission at its regular meeting held this 14<sup>th</sup> day of January 2026.

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Bill O'Neil, President

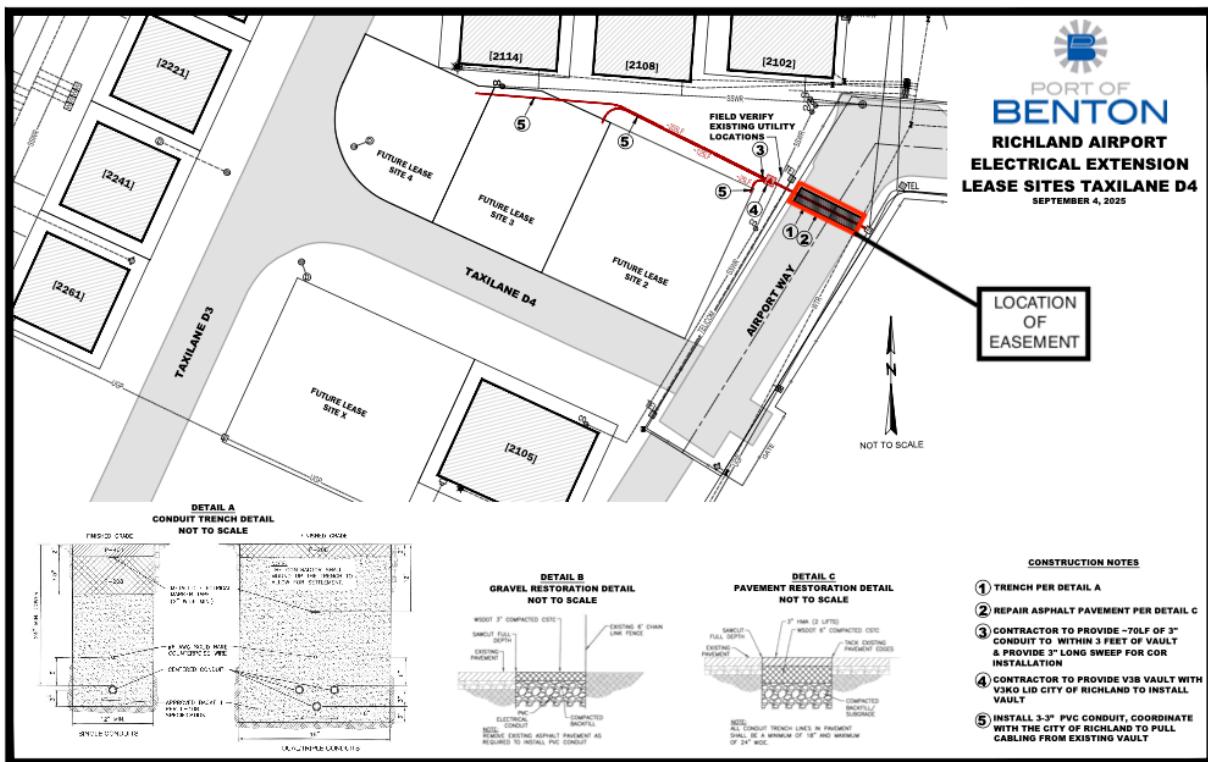
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Scott D. Keller, Vice President

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Lori Stevens, Secretary

## EXHIBIT A



## **RESOLUTION 26-07**

### **A RESOLUTION OF THE PORT OF BENTON, WASHINGTON, TO AMEND THE APPROVED SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM RESOLUTION 25-22 FOR THE PORT OF BENTON FOR THE YEARS 2026-2031 INCLUSIVE**

**WHEREAS**, pursuant to the requirement of RCW 35.77.010, the Port of Benton, Benton County, Washington, prepared a six-year transportation improvement program for the ensuing calendar years of 2026-2031 inclusive, and

**NOW THEREFORE**, the Commissioners of the Port of Benton, Benton County, Washington, do resolve that amendments to the six-year transportation improvement program, set forth as Exhibit A, and attached hereto, and by this reference incorporated herein, is hereby adopted as the Six-Year Transportation Improvement Program for the six years of 2026-2031, inclusive.

**DATED** and signed at Richland, Washington, this 14<sup>th</sup> day of January 2026.

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Bill O'Neil, President

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Scott D. Keller, Vice President

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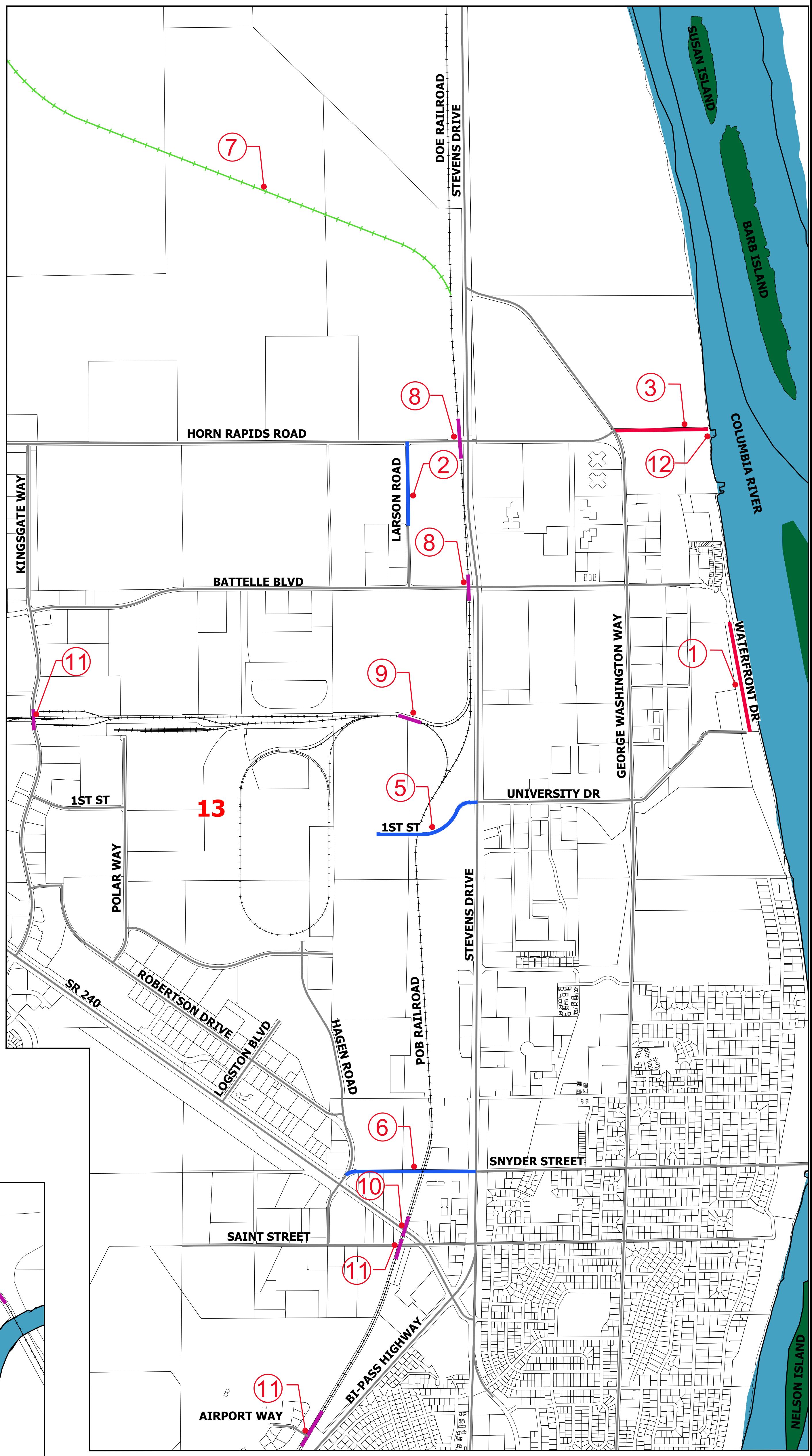
Lori Stevens, Secretary



## AMENDED SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM 2026-2031

### PROJECT LISTING

- ① IMPROVEMENTS TO WATERFRONT DRIVE NORTH OF UNIVERSITY DRIVE
- ② LARSON ROAD - BATTELLE BOULEVARD TO HORN RAPIDS ROAD
- ③ HORN RAPIDS ROAD EXTENSION (FROM EAST END OF HORN RAPIDS TO BARGE FACILITY) AND IMPROVEMENTS TO BARGE FACILITY
- ④ SOUTH RICHLAND RAIL TRANSLOAD FACILITY (ADJACENT TO SR 240 - INLAND ASPHALT)
- ⑤ 1ST STREET WEST - STEVENS DRIVE WEST 1,500 FEET TO RAILROAD TRACKS
- ⑥ SNYDER STREET - STEVENS DRIVE TO ROBERTSON ROAD, INCLUDING RAIL CROSSING
- ⑦ EXTEND RAILROAD INTO THE 1,341 ACRE INDUSTRIAL PARK
- ⑧ RAIL CROSSING MAINTENANCE IMPROVEMENTS - REPLACE CROSSINGS AT JADWIN AVE, STEPTOE STREET, BATTELLE BOULEVARD & HORN RAPIDS ROAD
- ⑨ WHITE BLUFFS RAIL - RAIL AND TIE REPLACEMENT - REPLACE TRACK IN WYE AND IN 3 MILES OF Elevated CURVES AND ON APPROXIMATELY 5 MILES OF TANGENT TRACK
- ⑩ WHITE BLUFF RAIL - SR 240 RAILROAD SIGNAL REPLACEMENT PROJECT, REPLACE CONCRETE CROSSING, TIES, RAIL AND RAILROAD SIGNAL
- ⑪ WHITE BLUFFS RAIL - RAIL CROSSING REPLACEMENTS, AIRPORT WAY, SAINT STREET AND KINGSGATE WAY
- ⑫ BARGE FACILITY IMPROVEMENTS
- ⑬ NORTHWEST INTERMODAL FACILITY



### LEGEND

- NEW CONSTRUCTION
- RECONSTRUCTION PROJECT
- MISCELLANEOUS CONSTRUCTION
- RAIL IMPROVEMENT CONSTRUCTION

## **RESOLUTION 25-08**

### **A RESOLUTION OF THE PORT OF BENTON APPROVING AMENDMENT #1 TO THE ELECTRIC VEHICLE CHARGING TOWERS AND GROUND LEASE AGREEMENT WITH WOW WOMEN OF WISDOM OF TRI-CITIES**

**WHEREAS**, the Port of Benton (Port) is authorized to enter into certain leases upon such terms as the Port Commission deem proper; and

**WHEREAS**, the Port previously entered into a Ground Lease Agreement dated September 10, 2025, with WOW Women of Wisdom Tri-Cities ("Lessee") for property located at 2345 Stevens Drive, Richland, WA, for use as an electric vehicle carshare and charging facility; and

**WHEREAS**, the original Lease provided for an initial six (6) year term commencing October 1, 2025, with one (1) four-year renewal option, and included approximately 720 square feet of leased premises; and

**WHEREAS**, the parties now desire to amend the Lease to expand the leased premises to 1,080 square feet (24' x 45') as depicted in the updated site plan, and to adjust rent accordingly; and

**WHEREAS**, Amendment No. 1, effective February 1, 2026, provides for annual base rent of Nine Thousand Six Hundred Dollars (\$9,600.00) for the expanded premises, subject to annual increases of three percent (3%) beginning October 1, 2026, and affirms all other terms and conditions of the original Lease; and

**WHEREAS**, Port staff and legal counsel have reviewed Amendment No. 1 and find it in proper form and in the best interest of the Port;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Port of Benton hereby approves Amendment No. 1 to the Electric Vehicle Charging Towers and Ground Lease Agreement with WOW Women of Wisdom Tri-Cities as presented and authorizes the Port's Executive Director to execute all documents necessary to complete the transaction.

**ADOPTED by the Port of Benton Board of Commissioners**, on this 14<sup>th</sup> day of January 2026.

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Bill O'Neill, President

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Scott D. Keller, Vice President

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Lori Stevens, Secretary

Port of Benton							
2026 Budget							
Dues & Memberships Addendum							
Organization	Port Representative	Department	Meeting Frequency	2026 Yearly Dues	2025 Yearly Dues	2024	2023
American Association of Port Authorities (AAPA)	BO/SK/LS/DH/JL/AM	General & Administrative	Periodic	\$13,500	\$15,124	\$13,850	\$2,000
American Association of Airport Executives (AAAE)	QW/SK	Airports	Periodic	\$1,650	\$1,650	\$1,650	\$1,650
American Short Line and Regional Rail Association		Rail	Periodic	\$0	\$2,025	\$2,025	\$0
Benton City Chamber of Commerce	LS	General & Administrative	Yearly	\$350	\$350	\$330	\$330
Benton-Franklin Council of Govt's (BFCOG)		General & Administrative	Periodic	\$10,500	\$10,500	\$10,500	\$10,500
Energy Communities Alliance (ECA)	DH		Monthly	\$1,500	\$950	\$950	\$950
Benton-Franklin-Walla Walla Couties Good Roads & Transportation Association	BO/SK/LS		Monthly	\$250	\$250	\$250	\$250
Hispanic Chamber of Commerce	DH/SM/BO/SK		Annual	\$600	\$600	\$600	\$600
Leadership Tri-Cities	DH		Annual	\$1,000	\$1,000	\$1,000	\$333
Pacific Northwest Waterways Association (PNWA)	BO/SK/LS/DH		Annual	\$11,500	\$11,500	\$11,500	\$8,020
Prosser Chamber of Commerce	LS/RB/BB		Weekly	\$314	\$315	\$315	\$315
Tri-City Regional Chamber of Commerce	SK/BO		Monthly	\$375	\$375	\$375	\$372
Tri-Cities Regional Business and Visitors Center (TRI PORTS - Visit Tri-Cities Small Conference)			Annual	\$3,750	\$3,750	\$3,750	\$3,750
TRI PORTS - Tri-Cities Port			Quarterly				
Visit Tri-Cities	SK/DH		Monthly	\$5,000	\$5,000	\$5,000	\$5,000
Inland Ports and Navigation Group	SK/BO/LS/DH		Annual	\$10,000	\$10,000	\$9,000	
Washington Airport Managers Association (WAMA)	SK/QW	Airports	Annual	\$1,300	\$1,300	\$1,300	\$700
Washington Public Ports Association (WPPA)	BO/JL		Periodic	\$11,000	\$11,000	\$11,000	\$10,174
Benton County Investment Board	DH		Periodic				
Governmental Conference OEDP (COG)	SK/DH		Annual				
Hanford Communities (COR)	BO/DH		Periodic	\$5,000	\$5,000	\$5,000	\$5,000
Richland City Council Public Hearings	CH/DH		Occasional				
DOE Community Information Meeting	BO/CH/DH		Periodic				
DOE Land Use Planning	DH/AG		Occasional				
Environmental Management Advisory Board	DH		Monthly				
Hanford Nuclear Related Public Hearings	BO		Occasional				

American Institute of Certified Public Accountants (AICPA)	JL/AM	General & Administrative	Annual	\$550	\$550	\$550	\$975
Washington Society of Certified Public Accountants (WSCPA)	JL/AM	General & Administrative	Annual	\$330	\$330	\$330	\$315
Washington Finance Officers Association (WFOA)	JL/AM/ASL	General & Administrative	Annual	\$150	\$150	\$150	\$150
Government Finance Officers Association (GFOA)	JL/AM/ASL	General & Administrative	Annual	\$320	\$320	\$320	\$620
Institute of Management Accountants (IMA)	JL/AM	General & Administrative	Annual	\$260	\$260	\$260	
Washington State Bar Association (WSBA)		General & Administrative	Periodic	\$0	\$500	\$500	\$488
Archbright			Annual	\$3,000	\$3,000		
International Facility Management Association (IFMA)	RB/JP/AB	Operations	Annual	\$0	\$2,000	\$2,000	\$1,000
Building Owners and Managers Association (BOMA)	AB	Operations	Annual	\$0	\$2,500	\$2,500	\$2,000
Commercial Real Estate	AB	Operations	Annual	\$60	\$60	\$60	\$2,500
Public Relations Society of America (Mid-Columbia Chapter)	SM	Marketing	Bi-Weekly	\$435	\$435	\$435	\$870
Municipal Research and Services Center (MRSC)	JL/AM		Annual	\$150	\$150	\$150	
Washington Winegrowers Association	SM/AB		Annual	\$225	\$225	\$225	\$925
Association of Washington Business	DH/JL/AM/CH		Periodic	\$750	\$750	\$750	\$750
TRIDEC	BO/DH		Monthly	\$30,000	\$25,000	\$25,000	
Washington Economic Development Association (WEDA)	AB/CH/DH		Periodic	\$400	\$400	\$400	\$400
Washington Policy Center (WPC)	BO/CH/DH		Periodic				
EWU President's Advisory Council	DH		Periodic				
Fly Washington Passport Program	QW		Periodic	\$1,500	\$0		
International Economic Development Council (IEDC)	DH		Annual	\$500	\$500	\$500	\$455
Richland Rotary	DH		Monthly	\$1,000	\$1,000	\$1,000	\$900
Richland Chamber of Commerce	SK	General & Administrative	Monthly	\$750	\$750	\$750	
Prosser EDA - Economic Development Services	DH/AB/SM		Monthly	\$30,000	\$30,000	\$30,000	\$0
Pacific NW Assoc Rail Shippers - Rail	DH		Bi-Annual	\$0	\$0	\$0	
Other TBD			Annual	\$2,500	\$0		
<b>TOTAL</b>				<b>\$150,469</b>	<b>\$149,569</b>	<b>\$155,025</b>	<b>\$72,949</b>
		<b>Department</b>			<b>Totals</b>		
	100	Airports		\$4,450			
	110	Prosser		\$0			
	120	Richland		\$0			

	200	Crow Butte		\$0			
	300	Operations		\$60			
	310	Rail		\$0			
	400	Facilities		\$0			
	500	G & A		\$115,299			
	510	Marketing		\$30,660			
		<b>Totals by Department</b>		<b>\$150,469</b>			

## **PORT OF BENTON**

### **CONFLICT OF INTEREST STATEMENT**

To comply with Washington State and Port of Benton requirements all staff and commission are required to file this form upon hiring and annually thereafter.

Procedures: Employee completes the form at time of hire and/or annually upon receipt from the office of the administrator and submits it to the Executive Director or Auditor for review and signature. The original forms will be included in the employee's personnel file. If, between filings of conflict of interest forms, events occur in the areas covered by these questions that might result in a potential conflict, employees must take the responsibility to complete a new form and submit it to the Executive Director or Auditor for review. Should you need any assistance or clarification, please contact the Auditor.

1. Are you now, or were you in the year just ended, engaged in any outside employment or business activity?

(New hires should answer this question for the three year period just ended.)

Yes \_\_\_\_\_

No \_\_\_\_\_

2. Do you have any political, social, personal convictions, or legal actions which may present a conflict of interest with respect to the Port of Benton?

Yes \_\_\_\_\_

No \_\_\_\_\_

If you have answered **YES** to either one of these questions, please explain the nature of the activity (type of activity, if there has been any involvement with any governmental entity, number of hours worked, etc.):

3. Does your spouse, domestic partner or dependent children now, or did they, during the last year, work for any federal, state or local government agency?

(New hires should answer this question for the three year period just ended.)

Yes \_\_\_\_\_

No \_\_\_\_\_

If **Yes**, please give agency name, job title, nature of job, employment dates:

4. Please list the legal description of all property in the State of Washington that you and your spouse purchased from a federal, state or local government agency during the calendar year just ended.

(New hires should answer this question for the three year period just ended.)

5. Please list the name (not the value) of any business enterprises (not reported in #1) that you or your spouse, domestic partner or dependent children have a financial interest valued at over \$1,500.00. Exclude insurance policies, bank accounts, savings and loan associations and credit unions, publicly traded stocks/bonds, mutual funds and deferred compensation account.

6. Please list every office or directorship held by you or your spouse, domestic partner or dependent children in any firm, corporation or enterprise which is subject to jurisdiction of a regulatory agency. "Regulatory agency" is defined in RCW 42.21.020 as any state board, commission, department or officer authorized by law to make rules or to adjudicate contested cases.....

I certify that I understand my responsibility to notify my manager immediately if any circumstances arise which represent an actual or potential conflict of interest, and that the information provided above is true and correct.

---

Name (printed or typed)

Signature

Date

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**EXECUTIVE DIRECTOR/AUDITOR:** Is there a potential conflict for this employee?

Yes \_\_\_\_\_ No \_\_\_\_\_

---

Name

Signature

Date

Project	Description	Grants Pursued/Received	Comments	
1	Better Utilizing Investment to Leverage Development (BUILD formerly RAISE)	White Bluffs Southern Connection Rail, including ties and rail throughout the system	Federal - \$9.56 million POB - \$2.4 million	Awarded \$9.56 million in Federal Grant. Grant contracting will likely take until April 2026.
2	State Capital Request	Phase 1 - Intermodal Rail Yard	\$240,000	Request to support federal grant applications and initial phase 1 of intermodal rail yard; \$232,800 awarded, contracting has begun – Revised scope submitted June 2025 has been approved.
3	Congressional Directed Spending Requests	Port of Benton White Bluffs Rail Project Modernization and Intermodal Facility.	\$5 million	New request submitted to all congressional offices for 2026. Cantwell CDS has advanced, \$2,500,000  <b>As of 12/1: The bill is with the house right now. It has the potential to advance by end of January.</b>
4	Port Barge Facility Electrification	Barge Facilities Electrification and security improvements	WSDOT Port Electrification Grant - \$2.7M 10% match requirement - \$300,000 – POB	\$2.7 million awarded, contracting and project underway. 30% design completed and under review by stakeholders. Plan to start permitting in March 2026.

Project	Description	Grants Pursued/Received	Comments	
5	CERB/EDA-updated  2579 Stevens Drive offices and update remodel (RBP)	<p>\$2.4 million – CERB loan secured \$1.5 million – POB \$1.7 million – Benton County, secured</p> <p>Phase 2 EDA \$3M-pending</p>	<p>Submitted to CERB, May 15, 2025, presentation, loan secured.</p> <p>Benton County Rural County Capital Funds .09 grant request presentation made and disbursement agreement secured.</p> <p>EDA application, discussion begins for the future phase.</p>	
	USDA Rural Economic Dev Loan & Grant Program (REDLG)	"Business Incubator Building" Prosser VV	Loan and Grant require a POB 20% Match	Discussion with Benton REA since the dollars need to flow via a Rural electric cooperative.

	<b>Project</b>	<b>Description</b>	<b>Grants Pursued/Received</b>	<b>Comments</b>
	FEMA Hazard Mitigation Program	<ul style="list-style-type: none"> <li>• Richland Airport Air rescue facility</li> <li>• Light Poles all port street</li> <li>• Port security all sites</li> </ul>	75% FEMA grant, 12.5% state military grant, 12.5% local match	Benton County is updating its Hazard Mitigation Plan. We submitted these projects to get on the list that, once approved, is good for the next six years. This is required so that we can qualify for FEMA Hazard Mitigation Grants in the future.
<b>Airports</b>				
6	FAA Airport Funds - Prosser Airport	Runway and Apron Crack and Fog Seal and Airport Lighting	FAA NPE - \$200,000 FAA DI - \$1,300,000 Awarded FAA Grant amount 2023 - \$245,000 (Design Work)	Held initial pre-construction meeting with Western United. Construction May 2026

	Project	Description	Grants Pursued/Received	Comments
<b>7</b>	Infrastructure Investment and Jobs Act - Grant Funds (Now Bipartisan Infrastructure Law <b>BIL</b> funds) - <b>Richland Airport</b>	Main Apron Reconfiguration - Design/Environmental 2025/26	BIL Funds - \$833,000	Grant Awarded. 60% Design completed.
<b>8</b>	FAA Airport Funds – <b>Richland Airport</b>	Wildlife fencing around the airport. Complete fencing around the entire airport	FAA NPE - \$205,000	Approved
<b>9</b>	FAA Airport Funds – <b>Prosser Airport</b>	Construct Heliport/Helipad with service road – design	FAA NPE - \$155,000	Approved



## For the Good of the Order – January 2026

Date	What	Where	When	Who
January 14	Port of Benton Commission Meeting	Port of Benton	8:30 a.m.	All
January 15	Prosser Chamber Board Meeting	Prosser Chamber of Commerce, 1230 Bennett Ave., Prosser	7:30 a.m.	Lori
January 19	Martin Luther King Jr. Day – Office Closed			
January 20	Richland Chamber of Commerce Monthly Luncheon	1515 George Washington Way, Richland	11:30 a.m. – 1 p.m.	Scott
January 21-22	Tri-Cities Legislative Day	Olympia		Diahann, Cassie
January 28	Tri-City Regional Chamber Monthly Luncheon	Hapo Center, 6600 Burden Blvd., Pasco	11:30 a.m. – 1:30 p.m.	Scott, Staff
January 29	Visit Tri-Cities Board Meeting	7130 W. Grandridge Blvd., Kennewick	7:30 a.m.	Scott
January 29	Clean Energy Day	Olympia		Diahann, Cassie
January 30	Commissioner Stevens 1:1	Zoom	9 a.m.	Lori
February 2	Benton City Chamber Luncheon	Palm Tavern	Noon	
February 3	Prosser Chamber Monthly Luncheon		Noon	
February 4	Prosser Economic Development Meeting	236 Port Ave., Prosser	5:30 p.m.	Lori

February 5-6	WPPA Ports Day	Olympia		Diahann, Cassie
February 10	Prosser Tourism Meeting	Best Western Inn, 259 Merlot Dr., Prosser	8 a.m.	Lori
February 11	Port of Benton Commission Meeting	Port of Benton	8:30 a.m.	All