



# Code of Conduct

Workplace Responsibility  
Employee Handbook

**my actions  
my port**



# Workplace Responsibility Employee Handbook

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*To request this document in an alternative format, contact Human Resources and Development, 206.787.3836.*

## A MESSAGE FROM CEO TAY YOSHITANI

**T**he Port of Seattle is integral to the success of our community. We have existed since 1911 to serve this region as an economic engine, creator of jobs, facilitator of trade and travel, builder of critical trade and transportation infrastructure, and steward of the environment. We have a rich and successful history. We are recognized globally as a leader among peers. Our legacy is full of outstanding facilities, operations and programs that serve our customers and the public.

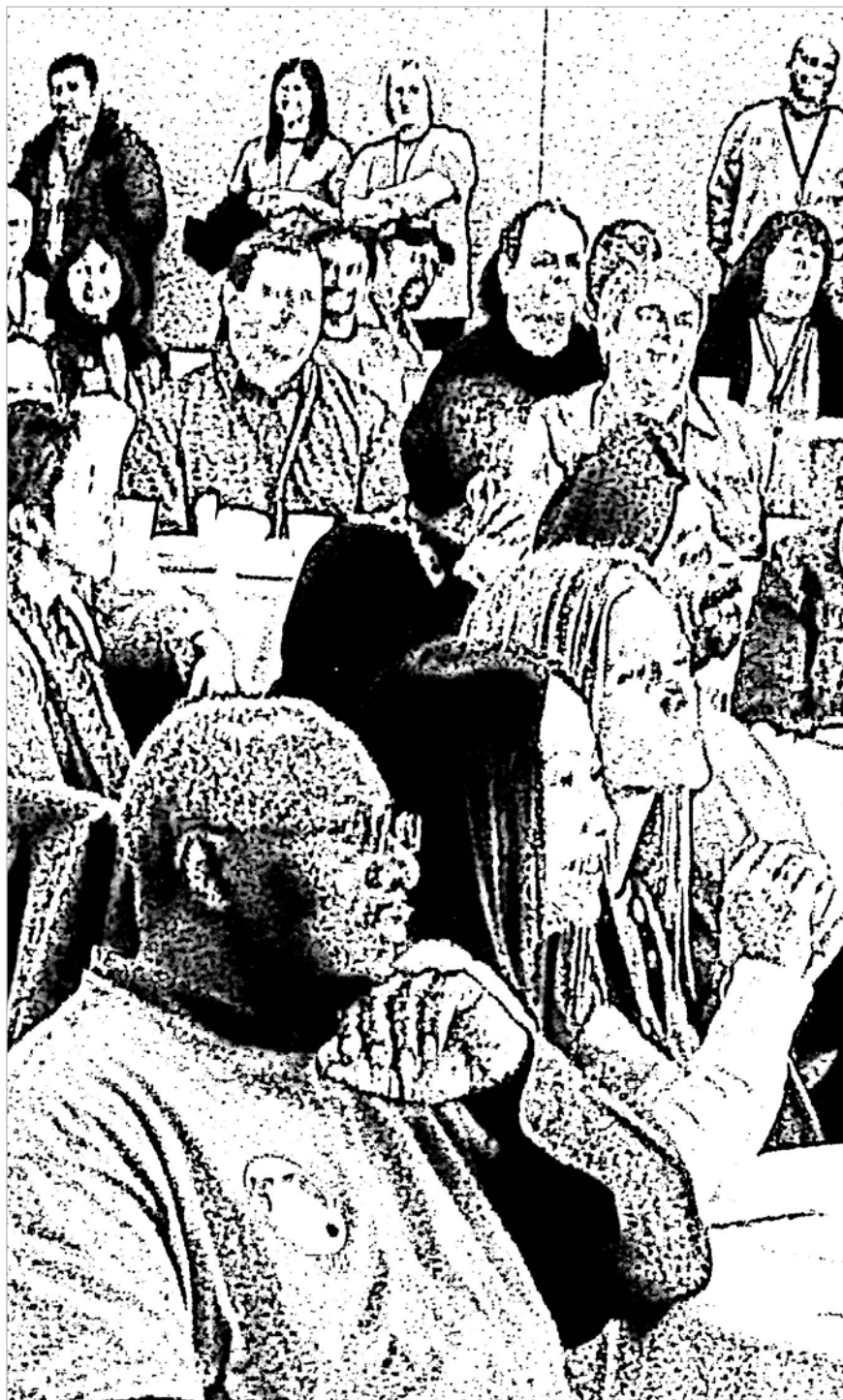
We also are a public enterprise, a local government, with a mandate to conduct our business with transparency and openness. We have an obligation to continually and readily provide information to the public about our activities, business dealings and practices, and other matters. Port employees must respect, accept and be vigilant about maintaining our transparent environment. Our taxpayers are entitled to nothing less.

Great organizations are built on a solid foundation of ethical, open and respectful business practices and behavior. It is from such a foundation that public trust grows. Yet, hard-earned trust and a fine reputation can tarnish quickly because of the improper or unethical actions of just a few people. That is why every Port employee must accept responsibility for maintaining public trust by managing the public's assets—and our good name—with care and integrity. Every Port employee is accountable for exercising high ethical standards in all matters involving the Port.

A team of employees developed the Workplace Responsibility Program and this Code of Conduct, incorporating core values and policies that provide a framework for ensuring the highest standards of business conduct, ethics and workplace behavior. I am asking every Port employee to read and follow this Code of Conduct and its policies. I am asking everyone to speak up if the values or Code standards are not being upheld. Moreover, I expect every Port manager to actively promote the Code values, policies and standards, to provide regular opportunities for workgroup discussions on these matters and to coach employees to a higher awareness of workplace expectations.

The Port is committed to providing training and guidance that will enable employees to comply with this Code. Our goal is to have an open culture where employees ask questions if they are unsure of the rules or the expected behavior in a particular situation—a culture where employees know whom to ask and where to get the information they need. With a unified focus on ethics, workplace behavior and business standards, the Port will continue to be a highly motivated and successful organization—one that generates pride both in our workforce and in the communities we serve.

A handwritten signature in black ink, appearing to read "T. G. Whitman". The signature is written in a cursive style with a large, prominent initial "T".



## OUR VALUES

**T**hese core values were developed by Port employees to guide and shape the Port's philosophy and culture. We intend for these values to be reflected in all of our business transactions, our community interactions and our workplace.

- **We conduct business with the highest ethical standards.** Our business practices reflect integrity, accountability, honesty, fairness and respect at all levels.
- **We honor our commitments to one another, the community and our customers.** We provide outstanding service and value to each other, our customers, the citizens of King County and the region we serve.
- **We are capable, high-performing people who appreciate the privilege of public service.** We practice open communication, innovation, collaboration and transparency in all interactions.
- **We embrace the richness of a diverse workplace and support employee development.** We encourage a healthy and diverse organization that enhances our contributions locally and globally.
- **We are responsible stewards of community resources and the environment.** We exercise care and wisdom in the use of both financial and natural resources.

## CODE OF CONDUCT

The Code of Conduct is a set of policies that forms the foundation for how we do business. The Code collects in one place key policies to guide us in all business dealings and the treatment of others. Familiarity with the Workplace Responsibility Program and the Code and associated policies is a basic requirement of your employment. If you have a question or ever think that one of your fellow employees—or the Port as a whole—may be falling short of our commitments, speak up. Failure to follow the Code of Conduct, including any of its policies, could lead to discipline up to and including termination.

The Port has many other policies and procedures that employees are expected to read, understand and follow. However, the Workplace Responsibility Policies are compiled within this Code of Conduct because they are interrelated and fundamental to how the Port conducts all aspects of its business. The Statement of Values, this Code of Conduct, and the included policies apply to all Port business transactions and workplace activities.

While our Code of Conduct is written with employees in mind, it also applies to contractors, consultants and others who may be temporarily assigned to perform work or services for the Port. Failure of a Port contractor or consultant to follow the Code can result in termination of their relationship with the Port. Employees whose active duties with the Port have been terminated, but who are still receiving any pay (including paid time off) or benefits from the Port, are also expected to comply with the Code.

On the following pages you will find the policies that specifically fall under the Code of Conduct, including:

- Employee Ethics and Conflicts of Interest, CC-1
- Consultant Ethics and Conflicts of Interest, CC-2
- Former Employee Ethics and Conflicts of Interest, CC-3
- Gifts and Hospitality, CC-4
- Fraud Awareness and Prevention, CC-5
- Loss Prevention, CC-6
- Electronic Systems, CC-7
- Anti-Harassment, CC-8
- Equal Opportunity, CC-9
- Violence in the Workplace, CC-10
- Substance Abuse, CC-11
- Employment of Relatives, CC-12
- Political Activities, CC-13
- Reporting Concerns or Violations, CC-14



## **EMPLOYEE ETHICS AND CONFLICT OF INTEREST**

### **Serving the Port Loyally**

#### **CC-1 as of 1/1/10**

#### **I. The Port's Interests Come First**

Port of Seattle employees are expected to serve the Port with the highest standards of ethical conduct and to avoid situations that create a real or perceived "conflict of interest." A "conflict of interest" exists when an employee's duty to give undivided loyalty to the Port is influenced, or could be influenced, by personal interest. The fact of a conflict of interest is not in itself a violation of the policy. Instead, it is something that should be reported (see Section IV) so the Port may ensure that decisions are not made that could be influenced by the conflict of interest, or perceived to have been influenced by it.

Port employees must ensure that any outside activity or personal interest is kept separate from their position at the Port and does not influence their business judgment on the Port's behalf. Port employees need to use common sense and keep the interests of the Port paramount at all times. In addition to avoiding actual conflicts of interests, Port employees should avoid situations that could *appear* to be a conflict of interest.

Ethical issues and conflicts of interest are not always obvious or clear. It is far better to raise issues in advance and get guidance than to make the wrong judgment call. **Thus, when in doubt, please review the situation with the Workplace Responsibility Officer.**

This policy is intended to

- Guide employees so that they consistently conduct Port business without being influenced by considerations of personal advantage or gain
- Help employees identify potential ethical concerns and conflicts of interest
- Require employees to disclose potential conflicts of interest; and
- Require employees to report potential policy violations

No policy can adequately substitute for personal honesty, common sense and good judgment. At a minimum, Port employees are expected to apply these attributes to their daily job-related activities. Port employees are expected to conserve and responsibly use the resources the public has entrusted to the Port, to act in accordance with applicable laws, and to conduct all Port business in a manner that will reflect positively on the Port, its employees and the community.

## **II. Real or Perceived Conflicts of Interest**

Port employees must avoid real, or perceived, conflicts of interest between their private activities and their duties and responsibilities as employees. At a minimum, potential conflicts should be reported so that the Port may consider what, if any, actions should be taken to ensure that decisions are not influenced (or perceived to be influenced) by personal interests.

The following are examples of situations in which an employee may feel conflicting loyalties between what is in the best interest of the Port and what may be in the best interest of the employee. For purposes of this policy, "Relative" is defined to include an employee's spouse, domestic partner, parents, children, cousins, nieces, nephews, grandparents, grandchildren, in-laws, and any person with whom the employee has a relationship that is substantially equivalent to any of the above.

### **A. Conflicts from Business Relationships**

A conflict of interest may exist when an employee, an employee's Relative, or someone with whom an employee has a significant personal relationship, directly or indirectly, has a Financial or Beneficial Interest in, or operates, an organization that competes with the Port, is doing business with the Port, or plans to do business with the Port. Employees should, therefore, avoid owning interests in or operating companies that compete with the Port, or that sell (or plan to sell) products or services to the Port, other than minimal amounts of stock in publicly-traded companies.

The Port's policy is to award business solely on merit, without favoritism, by

## *Employee Ethics & Conflict of Interest*

securing the best product or service available at the best price. Therefore, an employee must disclose to the Workplace Responsibility Officer the existence of any Financial or Beneficial Interest which, because of its existing or potential relationship to the Port, could create a present or future conflict of interest. An employee shall be presumed to have knowledge of any Financial or Beneficial Interest held by a Relative.

For purposes of this policy, "Financial or Beneficial Interest" is defined to include:

(a) a creditor, debtor or ownership interest in an amount or value in excess of \$1,500; (b) any employee, consultant or partnership arrangement; or (c) any option to purchase real or personal property.

No employee shall have a Financial or Beneficial Interest, direct or indirect, in any contract that may be made by, through or under the supervision of the employee, or for the benefit of the Port. No employee shall accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.

An employee shall not participate in any decision-making, review, approval, selection, authorization or supervisory activity concerning any contract or Port transaction in which he/she or his/her Relative has a Financial or Beneficial Interest.

### **B. Conflicts from Outside Employment**

Working with any organization that has a business relationship with the Port, or seeks to have one, results in a conflict of interest if that business receives, or may receive, more favorable treatment as a result of the employee's relationship with the business. As a result, working for those with whom the Port has a business relationship is prohibited unless expressly approved in writing by the Workplace Responsibility Officer.

Even if outside employment is with an organization that does not have a business relationship with the Port, conflicts of time and energy may arise. Accordingly, salaried, exempt employees must obtain prior written approval from his or her

Department Head before holding a job with another organization. If such approval is granted, the employee acknowledges that satisfactory job performance with the Port must be maintained and that no conflict of interest can exist.

All employees with other jobs will continue to be judged by the same performance standards and will be subject to the Port's scheduling demands, regardless of any existing outside work requirements. If the Port determines that an employee's outside work interferes with performance or the ability to meet the Port's changing requirements, employees may be asked to terminate outside employment in order to continue employment with the Port.

### **C. Improper Compensation**

No employee may, directly or indirectly, ask for or give or receive or agree to receive any compensation, gift, reward or gratuity from a source for performing or omitting or deferring the performance of any official duty, unless otherwise authorized by law. See also Gifts and Hospitality Policy.

## **III. Use of Position for Personal Benefit**

One particular type of conflict of interest arises when an employee is in a position to exploit his or her role with the Port to advance his or her personal interest. A conflict of interest also arises when an employee may have competing loyalties between his or her personal interests and the Port's business. Employees must avoid circumstances in which it appears, or to a reasonable person might appear, that the employee is requesting or otherwise seeking special consideration, treatment or advantage because of the employee's position with the Port.

### **A. Obtaining Special Privileges**

Port employees shall not use their employment position to secure special privileges or exemptions for themselves or a Relative. This includes obtaining any information, item or service from Port customers, suppliers, contractors, consultants, or lessees (or potential customers, suppliers, contractors, consultants, or lessees) or other Port employees. It also includes an employee

using his position at the Port to help a Relative get a job offer from the Port or to obtain a job offer from a Port vendor.

### **B. Use of Port Equipment**

Employees are expected to use Port-owned property and equipment for official Port business. An employee shall not take or use Port-owned property and equipment for personal purposes, convenience or profit. This includes taking or using fleet vehicles, shop tools, fax machines, copiers, postage, office supplies, cameras, cell phones and laptops.

It is not a violation of this policy for an employee to (i) engage in the incidental personal use of such property or equipment (such as sending/receiving personal e-mails while using a Port-owned laptop) while at the workplace, or (ii) engage in other incidental uses of such property or equipment that may be specifically permitted by a CEO's adopted policy (such as an employee's use of a Port assigned cell phone to make a long distance call to a family member while traveling on Port business, in accordance with Procedure AC-2) or CEO written authorization. See also Electronic Systems Policy.

### **C. Safeguarding Confidential Information**

An employee shall not disclose "Confidential Information" to third parties. "Confidential Information" includes, without limitation, any information in whatever form that the Port considers to be confidential, proprietary information and that is not publicly or generally available relating to: trade secrets (as defined by the Uniform Trade Secrets Act); matters discussed during Executive Sessions; requests for proposals; proposed or pending real estate transactions; personnel matters; all matters not subject to public disclosure; attorney-client privileged communications and attorney work product; research and development; product, content and technology development plans; marketing; databases; inventions; research data and mechanisms; procedures; engineering; purchasing; accounting; sales; customers; advertisers; investors; suppliers; financial status; contracts or employees.

The Port's definition of Confidential Information for purposes of an employee's requirements under this policy covers more information than may fall within the public records disclosure rules. While the Port is committed to transparency as a public agency, it also is respectful of employees and wants to foster an environment in which opinions may be aired without fear of publicity. It also needs to be able to formulate business strategy internally and make decisions about when such discussion is ready for more public debate. Thus, if you have a question about whether information is confidential, please consult with the Workplace Responsibility Officer before communicating it externally.

An employee shall not use Confidential Information in any manner that is detrimental to the Port. This restriction applies regardless of whether the use or disclosure of Confidential Information results in any benefit to the employee or the employee's Relative.

An employee shall not use Confidential Information for the benefit of the employee or employee's Relative. An employee shall not accept secondary employment or engage in business or professional activities that the employee might reasonably expect would require or induce him/her to disclose Confidential Information.

#### **IV. Duty to Report Conflicts of Interest**

Employees must report to the Workplace Responsibility Officer all potential situations that could present a real or perceived conflict of interest, including Financial or Beneficial interests held by the employee in entities doing business with the Port. The fact of a conflict of interest is not, in and of itself, a policy violation. Rather, it is the failure to disclose a real or potential conflict of interest, and/or taking action on behalf of the Port when there is a real or perceived conflict of interest that is of concern to the Port.

After an employee discloses a real or potential conflict of interest, the Workplace Responsibility Officer will document the disclosure and determine any steps that should be taken to avoid the employee's participation in any decision. Employees also should report all potential conflicts of interest, financial or

otherwise, of *another* employee who is in a position to influence the selection, non-selection, or conduct of business between the Port and any entity.

In an effort to assist employees in identifying and disclosing potential conflicts of interest, the Port will periodically ask employees to complete a “Statement of Financial or Beneficial Interests” and disclose information that may relate to an actual or perceived conflict of interest.

## **V. Reporting Concerns or Violations**

All employees have a responsibility for ensuring that this policy is followed. Concerns and potential violations should be reported to the Workplace Responsibility Officer, or anyone identified in the “Reporting Concerns or Violations” policy. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports of potential violations *must* promptly report them to the Workplace Responsibility Officer. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “Reporting Concerns or Violations” policy for more detail.

For further information, please contact the Workplace Responsibility Officer.

## CONSULTANT ETHICS AND CONFLICT OF INTEREST

### Serving the Port Loyally CC-2 as of 1/1/10

#### I. The Port's Interests Come First

Port of Seattle consultants ("Consultants") are expected to serve the Port with the highest standards of ethical conduct and to avoid situations that create a real or perceived "conflict of interest." A "conflict of interest" exists when a Consultant's duty to give undivided loyalty to the Port is influenced, or could be influenced, by personal interest. The fact of a conflict of interest is not in itself a violation of the policy. Instead, it is something that should be reported (see Section IV) so the Port may ensure that decisions are not made that could be influenced by the conflict of interest, or perceived to have been influenced by it.

Consultants must ensure that any outside activity or personal interest is kept separate from their position at the Port and does not influence their business judgment on the Port's behalf. Consultants need to use common sense and keep the interests of the Port paramount at all times. In addition to avoiding actual conflicts of interests, Port Consultants should avoid situations that could *appear* to be a conflict of interest.

Ethical issues and conflicts of interest are not always obvious or clear. It is far better to raise issues in advance and get guidance than to make the wrong judgment call. **Thus, when in doubt, please review the situation with the Workplace Responsibility Officer.**

This policy is intended to

- Guide Consultants so that they consistently conduct Port business without being influenced by considerations of personal advantage or gain
- Help Consultants identify potential ethical concerns and conflicts of interest
- Require Consultants to disclose potential conflicts of interest; and
- Require Consultants to report potential policy violations



No policy can adequately substitute for personal honesty, common sense and good judgment. At a minimum, Consultants are expected to apply these attributes to their Port-related activities. Consultants are expected to conserve and responsibly use the resources that the public has entrusted to the Port, to act in accordance with applicable laws, and to conduct all Port business in a manner that will reflect positively on the Port, its employees, its consultants, and the community.

## **II. Real or Perceived Conflicts of Interest**

Consultants must avoid real, or perceived, conflicts of interest between their private activities and their duties and responsibilities as Consultants. At a minimum, potential conflicts should be reported so that the Port may consider what, if any, actions should be taken to ensure that decisions are not influenced (or perceived to be influenced) by personal interests.

The following are examples of situations in which a Consultant may feel conflicting loyalties between what is in the best interest of the Port and what may be in the best interest of the Consultant. For purposes of this policy, "Relative" is defined to include a Consultant's spouse, domestic partner, parents, children, cousins, nieces, nephews, grandparents, grandchildren, in-laws, and any person with whom the Consultant has a relationship that is substantially equivalent to any of the above.

### **A. Conflicts from Business Relationships**

A conflict of interest may exist when a Consultant, a Consultant's Relative, or someone with whom a Consultant has a significant personal relationship, directly or indirectly, owns any significant interest in or operates an organization that competes with the Port, is doing business with the Port, or plans to do business with the Port. Consultants should, therefore, avoid owning interests in or operating companies that compete with the Port, other than minimal amounts of stock in publicly traded companies.

The Port's policy is to award business solely on merit, without favoritism, by securing the best product or service available at the best price. There is a potential conflict of interest if a Consultant or the Consultant's Relative has a Financial or Beneficial Interest in a business that sells products or services to the Port. For purposes of this policy, "Financial or Beneficial Interest" is defined to include (a) a creditor, debtor or ownership interest in an amount or value in excess of \$1,500; (b) any employee, consultant or partnership arrangement; or (c) any option to purchase real or personal property.

No Consultant shall have a Financial or Beneficial Interest, direct or indirect, in any contract which may be made by, through or under the supervision of the Consultant, or for the benefit of the Port. No Consultant shall accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.

A Consultant shall not participate in any decision-making, review, approval, selection, authorization or supervisory activity concerning any contract or Port transaction in which he/she or his/her Relative has a Financial or Beneficial Interest.

A Consultant shall disclose to the Workplace Responsibility Officer the existence of any Financial or Beneficial Interest that, because of its existing or potential relationship to the Port, could create a present or future conflict of interest for the Consultant. A Consultant shall be presumed to have knowledge of any Financial or Beneficial Interest held by a Consultant's Relative.

The Port recognizes that Consultants operate their own businesses and are under contract with the Port to provide services and products. The Port acknowledges that a Consultant will have a financial interest in the contract that the Consultant enters into with the Port and will participate in that negotiation process. Thus, this section of the policy is intended to cover those situations that involve products, services, contracts and business interests that are separate from the Consultant's then-existing contract with the Port.

## **B. Conflicts from Other Engagements or Employment**

Working with, or providing services to, any organization that has a business relationship with the Port, or seeks to have one, results in a conflict of interest if that business receives, or may receive, more favorable treatment as a result of the Consultant's relationship with the business. As a result, working for those with whom the Port has a business relationship is prohibited unless expressly approved in writing by the Workplace Responsibility Officer.

Even if the other organization does not have a business relationship with the Port, conflicts of time and energy may arise. Accordingly, Consultants who have been retained to provide their exclusive services to Port business must obtain prior written approval from the person with whom the contract has been entered before holding a job with, or providing services to, another organization. If such approval is granted, the Consultant acknowledges that satisfactory performance with the Port must be maintained and that no conflict of interest can exist.

## **C. Improper Compensation**

No Consultant may, directly or indirectly, ask for or give or receive or agree to receive any compensation, gift, reward, or gratuity from a source for performing or omitting or deferring the performance of any official duty, unless otherwise authorized by law. See also Gifts and Hospitality Policy.

## **III. Use of Position for Personal Benefit**

One particular type of conflict of interest arises when a Consultant is in a position to exploit his or her role with the Port to advance their personal interest. A conflict of interest also arises when a Consultant may have competing loyalties between personal interests and the Port's business. Consultants must avoid circumstances in which it appears, or to a reasonable person might appear, that the employee is requesting or otherwise seeking special consideration, treatment or advantage because of the employee's position with the Port.

### **A. Obtaining Special Privileges**

Consultants shall not use their employment position to secure special privileges or exemptions for themselves or a Relative. This includes obtaining any information, item or service from Port customers, suppliers, contractors, consultants, or lessees (or potential customers, suppliers, contractors, consultants, or lessees) or other Consultants. It also includes a Consultant using his or her engagement with the Port to help a Relative get a job offer from the Port or obtain a job offer from a Port vendor.

### **B. Use of Port Equipment**

Consultants are expected to use Port-owned property and equipment for official Port business. A Consultant shall not take or use Port-owned property and equipment for personal purposes, convenience or profit. This includes taking or using fleet vehicles, shop tools, fax machines, copiers, postage, office supplies, cameras, cell phones and laptops.

It is not a violation of this policy for a Consultant to (i) engage in the incidental personal use of such property or equipment (such as sending/receiving personal e-mails while using a Port-owned laptop) while at the Port workplace or (ii) engage in other incidental uses of such property or equipment that may be specifically permitted by a CEO's adopted policy (such as an employee's use of a Port assigned cell phone to make a long distance call to a family member while traveling on Port business, in accordance with Procedure AC-2) or CEO written authorization. See also Electronic Systems Policy.

### **C. Safeguarding Confidential Information**

A Consultant shall not disclose "Confidential Information" to third parties. "Confidential Information" includes, without limitation, any information, in whatever form, that the Port considers to be confidential, proprietary, information and that is not publicly or generally available relating to: trade secrets (as defined by the Uniform Trade Secrets Act); matters discussed during Executive Sessions; requests for proposals; proposed or pending real estate transactions;

## *Consultant Ethics & Conflict of Interest*

personnel matters; all matters not subject to public disclosure; attorney-client privileged communications and attorney work product; research and development; product, content and technology development plans; marketing; databases; inventions; research data and mechanisms; procedures; engineering; purchasing; accounting; sales; customers; advertisers; investors; suppliers; financial status; contracts or employees. The Port's definition of Confidential Information for purposes of a Consultant's requirements under this policy covers more information than may fall within the public disclosure rules.

While the Port is committed to transparency as a public agency, it also is respectful of employees and wants to foster an environment in which opinions may be aired without fear of publicity. It also needs to be able to formulate business strategy internally and make decisions about when such discussion is ready for more public debate. Thus, if you have a question about whether information is confidential, please consult with the Workplace Responsibility Officer before communicating it externally. (See also EX-19, Access to Port Public Records.)

A Consultant shall not use Confidential Information in any manner that is detrimental to the Port. This restriction applies regardless of whether the use or disclosure of Confidential Information results in any benefit to the Consultant's or the Consultant's Relative.

A Consultant shall not use Confidential Information for the benefit of the Consultant or Consultant's Relative. A Consultant shall not accept secondary employment or engage in business or professional activities that the Consultant might reasonably expect would require or induce him/her to disclose Confidential Information.

### **IV. Duty to Report Conflicts of Interest**

Consultants must report to the Workplace Responsibility Officer all potential situations that could present a real or perceived conflict of interest, including Financial or Beneficial interests held by the employee in entities doing business with the Port. The fact of a conflict of interest is not, in and of itself, a policy

violation. Rather, it is the failure to disclose a real or potential conflict of interest, and/or taking action on behalf of the Port when there is a real or perceived conflict of interest that is of concern to the Port.

After a Consultant discloses a real or potential conflict of interest, the Workplace Responsibility Officer will document the disclosure and determine any steps that should be taken to avoid the Consultant's participation in any decision. Consultants also should report all potential conflicts of interest, financial or otherwise, of *another* employee or Consultant who is in a position to influence the selection, non-selection, or conduct of business between the Port and any entity.

## **V. Expectations of Former Consultants**

### **A. Disclosure Requirements**

For one (1) year after Termination of Port engagement, a Former Consultant must disclose his or her past Port engagement to the Port before participating in any Port business or activity and must also disclose his or her past Port engagement before participating in any proceeding before the Commission. The disclosure shall be made in writing to the Port's Workplace Responsibility Officer and/or the Commission President, as the case may be.

### **B. Special Consideration Prohibited**

A Former Consultant shall not request or otherwise seek special consideration, treatment or advantage from other Port staff or Port Commissioners. A Former Consultant shall avoid circumstances in which it might appear to a reasonable person that the Former Consultant is requesting or otherwise seeking or receiving special consideration, treatment or advantage from other Port staff or Port Commissioners.

### **C. Appearances Before Commission**

For one (1) year after "Termination" of Port engagement, a Former Consultant may not appear before the Port Commission on behalf of another individual

or entity, whether or not for compensation of any kind, in relation to any case, proceeding, application or matter in which such Former Consultant participated in a decision-making, negotiation, review, selection, supervisory or other significant activity during his/her period of Port engagement. By way of limited exception, the Commission may waive this provision if so requested by a Former Consultant and after public discussion and a finding by the Commission that the public or the Port's interests would be better served. For purposes of this policy, "Termination" of Port engagement is defined as the latest date on which the Consultant provided services or was paid for services (in the case of a retainer).

#### **D. Participation in Contracts with Port of Seattle**

For one (1) year after Termination of Port engagement, a Former Consultant may not participate as a competitor in any competitive selection process, or have a direct or indirect Financial or Beneficial Interest in any contract that was made by, authorized or funded by Port action in which the Former Consultant participated in a decision-making, negotiation, review, selection, supervisory or other significant activity during his/her Port engagement. "Financial or Beneficial Interest" is defined to include (a) a creditor, debtor or ownership interest in an amount or value in excess of \$1,500; (b) any employee, consultant or partnership arrangement; or (c) any option to purchase real or personal property.

#### **E. Use of Confidential Information**

A Former Consultant shall not disclose or use any Confidential Information gained by reason of his/her Port engagement unless the information is a matter of public knowledge or is available to the public on request.

#### **F. Employment**

No Former Consultant may accept an offer of employment or receive compensation from an Employer if the Former Consultant knows, has reason to believe, or the circumstances would lead a reasonable person to believe, that the offer of employment or compensation was intended, in whole or in part, directly or indirectly, to influence the Former Consultant or as compensation or reward for

the performance or nonperformance of a duty by the Former Consultant during his/her Port engagement. For purposes of this policy, "Employer" means any person, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

## **VI. Reporting Concerns or Violations**

All Consultants have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Workplace Responsibility Officer. Consultants will not be retaliated against for reporting concerns or potential violations of this policy.

For further information, please contact the Workplace Responsibility Officer.



## **FORMER EMPLOYEE ETHICS AND CONFLICT OF INTEREST**

### **Serving the Port Loyally CC-3 as of 1/1/10**

#### **I. The Port's Interests Come First**

Former Employees of the Port of Seattle who are engaging in transactions with the Port shall do so in an ethical manner and in accordance with this policy. The purpose of this policy is to ensure that Port employees are not influenced in their decision-making and actions by the possibility of obtaining employment or other advantages with third parties after leaving the Port. It is also designed to ensure that Former Employees do not use their prior position at the Port for special consideration or advantage.

#### **II. Expectations of Former Employees**

##### **A. Special Consideration Prohibited**

A Former Employee shall not request or otherwise seek special consideration, treatment or advantage from other Port staff or Port Commissioners. A Former Employee shall avoid circumstances which to a reasonable person might appear that the Former Employee is requesting or otherwise seeking or receiving special consideration, treatment or advantage from other Port staff or Port Commissioners.

##### **B. Appearances Before Commission**

For one (1) year after "Termination" of Port employment, a Former Employee may not appear before the Port Commission on behalf of another individual or entity, whether or not for compensation of any kind, in relation to any case, proceeding, application or matter in which such Former Employee participated in a decision-making, negotiation, review, selection, supervisory or other significant activity during his/her period of Port employment. By way of limited exception,

the Commission may waive this provision if so requested by a Former Employee and after public discussion and a finding by the Commission that the public or the Port's interests would be better served. For purposes of this policy, "Termination" of employment is defined as the latest date for which the employee is receiving any pay or benefits from the Port, even if the employee ceased to provide services to the Port earlier in time. Termination includes all voluntary and involuntary separations from employment, regardless of the reason for the separation.

### **C. Participation in Contracts with Port of Seattle**

For one (1) year after Termination of Port employment, a Former Employee may not have a direct or indirect Financial or Beneficial Interest in any contract that was made by, authorized or funded by Port action in which the Former Employee participated in a decision-making, negotiation, review, selection, supervisory or other significant activity during his/her period of Port employment. "Financial or Beneficial Interest" is defined to include (a) a creditor, debtor or ownership interest in an amount or value in excess of \$1,500; (b) any employee, consultant or partnership arrangement; or (c) any option to purchase real or personal property.

### **D. Participation in Competitive Selection Process**

For one (1) year after Termination of Port employment, a Former Employee may not participate as a competitor in any competitive selection process for a Port contract in which the Former Employee participated in a decision-making, negotiation, review, selection, supervisory or other significant activity in any way during his/her Port employment.

### **E. Disclosure Requirements**

For one (1) year after Termination of Port employment, a Former Employee must disclose his or her past Port employment before engaging or participating in any Port business or activity. The disclosure shall be made in writing to the Port's Workplace Responsibility Officer.

## **F. Use of Confidential Information**

A Former Employee shall not disclose or use any Confidential Information gained by reason of his/her Port employment unless the information is a matter of public knowledge or is available to the public on request. See Employee Ethics & Conflict of Interest policy for definition of “Confidential Information.”

## **G. Employment**

No Former Employee may accept an offer of employment or receive compensation from an Employer if the Former Employee knows, has reason to believe, or the circumstances would lead a reasonable person to believe, that the offer of employment or compensation was intended, in whole or in part, directly or indirectly, to influence the Former Employee or as compensation or reward for the performance or nonperformance of a duty by the Former Employee during his/her Port employment. For purposes of this policy, “Employer” means any person, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

## **III. Reporting Concerns or Violations**

All employees and Former Employees have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Workplace Responsibility Officer, or anyone identified in the “Reporting Concerns or Violations” policy. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports of potential violations *must* promptly report them to the Workplace Responsibility Officer. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “Reporting Concerns or Violations” policy for more detail.

For further information, please contact the Workplace Responsibility Officer.

## **GIFTS AND HOSPITALITY**

### **Ensuring Sound Business Decisions, Avoiding Undue Influence CC-4 as of 1/1/10**

#### **I. Statement of the Policy**

The Port of Seattle's policy is that gifts and hospitality should never influence imminent business decision-making processes or cause others to perceive that there is an influence. Employees may not *solicit* Gifts. The Port also discourages employees from *accepting* Gifts from an actual or potential business partner. The Port requires employees to follow this policy not only to protect the Port's business reputation but also to protect employees from unfounded allegations of improper behavior.

A Gift is defined as anything of value that is received without any consideration provided in return. Hospitality is defined as services, meals, entertainment, beverages, lodging, transportation, experiences, and other similar activities that are received without any consideration, or for consideration that is below the fair market value. For purposes of this policy, both gifts and hospitality will be referred to collectively as "Gifts." Any Gift given to an employee's relative or guest shall be attributed to the employee for purposes of this policy unless an independent business, family, or social relationship exists between the donor and the relative or guest.

Employees are encouraged to ask themselves the following questions when evaluating Gifts:

- If I accept this Gift, will I feel obligated to respond in some manner?
- Is this Gift a "reward" for a business decision?
- Is this Gift excessive in value?
- Would the public likely be concerned to find out I had received this Gift?

If the answer to any of these questions is "yes," or even unclear, then the Gift should not be accepted, regardless of its value.

Gifts related to promotional hosting activities are covered under the Port's Promotional Hosting; Trade/Business and Community Development Expenses policy AC - 4. If you have questions about how this policy applies in a given circumstance, please contact the Workplace Responsibility Officer.

## **II. Specific Guidelines Regarding Gifts**

### **A. Solicitation of Gifts Prohibited**

An employee may not receive, accept, take, seek, or solicit, directly or indirectly, any Gift if it could be reasonably expected (or appear to a third party) that the Gift would influence the action or judgment of the employee, or be considered as part of a reward for action or inaction. If you have any question about whether accepting a Gift would be improper, please ask the Workplace Responsibility Officer.

### **B. Gifts Accepted on Behalf of the Port**

A Port employee may accept a gift *of any value* as long as it is for, and on behalf of, the Port. Any Gift so accepted shall become the property of the Port and not of the employee. An Employee shall report the acceptance of any Gift under this Section to the Workplace Responsibility Officer within thirty (30) days of receipt.

### **C. \$50 Limit on Gifts**

Even if the acceptance of the Gift is not solicited and even if accepting the Gift would not influence the employee's action or inaction, the Port believes it is appropriate to limit Gifts to a \$50 value. Thus, an employee may not accept a Gift for the employee's benefit with an aggregate value exceeding \$50 from a single source in a calendar year. "Single source" means any person, vendor or business partner, whether acting directly or through any agent or other intermediary. In other words, one vendor may not provide an employee with more than \$50 worth of Gifts in a year, as it could appear to be an effort to influence decisions.

An employee also may not accept a single Gift that may have been purchased by multiple sources that has a value in excess of \$50. The term “single gift” includes any event, item or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs. For example, an employee may not accept a Gift of a sports outing that has been paid for by several vendors if the value exceeds \$50, even if each contributing vendor spent less than \$50 toward the Gift.

#### **D. Exceptions to \$50 Limit on Gifts**

The following Gifts are presumed not to influence an employee’s action or non-action on any matter and may be accepted without regard to the \$50 limit. However, in the event that facts suggest that a Gift could influence a business decision, or create the appearance of influencing a business decision, then the Port may request that the Gift not be offered or accepted.

- Unsolicited flowers, plants, and floral arrangements
- Unsolicited advertising or promotional items of nominal value, such as pens and note pads
- Unsolicited items received by an employee for the purpose of evaluation or review, if the employee has no Financial or Beneficial Interest (See Conflict of Interest Policy for definition) in the eventual use or acquisition of the item by the Port
- Informational material, publications, or subscriptions related to the employee’s performance of official duties
- Food and beverages consumed at hosted receptions where attendance is related to the employee’s official duties, including admission to, and the costs of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization, *provided* that where the Gift exceeds \$50 on a single occasion, it shall be reported to the Workplace Responsibility Officer
- Unsolicited Gifts from dignitaries from another state or a foreign country and intended to be personal in nature
- Occasional Gifts in the form of food and beverage in the ordinary course of meals where attendance by the employee is related to the performance of official duties. If you have a question about whether

attendance is related to official duties, please consult with the Workplace Responsibility Officer. Gifts in the form of food and beverage that exceed \$50 per person on a single occasion shall be reported to the Workplace Responsibility Officer. "Occasional" means not more than four to six times per year with the same business partner.

### **III. Items Not Considered Gifts**

The following items are excluded from the definition of Gift and may be accepted by an employee or Relative without constituting a violation of this policy.

- Items from family or friends where it is clear beyond a reasonable doubt that the item was not given as part of any design to gain or maintain influence in the Port
- Items related to the outside business of a Port employee that are customary and not related to the employee's performance of his/her official duties
- Items exchanged among employees or between employees and Port Commissioners, or a social event hosted or sponsored by an employee or Port Commissioner for co-workers
- Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in the employee's official capacity. "Reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event.
- Items an employee is authorized by law to accept, including, but not limited to, items accepted in accordance with the Port's Promotional Hosting; Trade/Business and Community Development Expenses policy AC – 4
- Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade or charitable association or institution. "Reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event.

- Items returned by the employee to the donor within thirty (30) days of receipt or donated to a charitable organization within thirty (30) days of receipt
- Campaign contributions reported under chapter 42.17 RCW
- Discounts available to an employee as a member of an employee group, occupation, or similar broad-based group
- Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item.

#### **IV. Reporting Concerns or Violations**

All employees have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Workplace Responsibility Officer, or anyone identified in the “Reporting Concerns or Violations” policy. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports of potential violations *must* promptly report them to the Workplace Responsibility Officer. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “Reporting Concerns or Violations” procedure.

For further information, please contact the Workplace Responsibility Officer.



## **FRAUD AWARENESS & PREVENTION**

### **Promoting Trust and Vigilance**

**CC-5 as of 1/1/10**

#### **I. Statement of the Policy**

The Port of Seattle serves the public. Every Port employee has a responsibility to earn and maintain the public's trust by using taxpayer resources wisely and preventing loss and fraud. The Port is committed to having a work atmosphere of fraud awareness, where its employees, interns and volunteers, are skilled to identify potential fraudulent activity and are supported when carrying out their responsibility to immediately report such activity. Every employee is expected to follow this policy and to immediately report known or suspected loss of public funds or assets or "Fraud."

Fraud is a unique and particularly insidious form of dishonesty that is being called out separately from the Port's related Loss Prevention Policy (EX 18), to emphasize the seriousness of such acts. For purposes of this policy, the Port defines "Fraud" broadly. It includes any act of deception that is, or could reasonably be expected to, result in personal gain. It includes any situation in which Port resources are diverted to an employee, or the employee's Relative, friends, or associates, without authorization, which may also include misappropriation. Fraud may exist whether there is actual harm to the Port or not.

**The Port of Seattle has zero tolerance for Fraud. "Zero tolerance" means that complaints of violations of this policy will be reviewed and any violations will be addressed. The manner in which violations are addressed will depend on the circumstances. Employees could be subject to progressive discipline up to and including immediate termination.**

Employees must report suspected violations of this policy. See "Reporting Complaints" policy for more detail.

"Relative" is defined to include an employee or a consultant's spouse, domestic partner, parents, children, cousins, nieces, nephews, grandparents,

grandchildren, in-laws, and any person with whom the employee or consultant has a relationship that is substantially equivalent to any of these.

## **II. Specific Purposes of this Policy**

- To ensure proper stewardship over public funds and assets, and provide timely and proper handling of any known or suspected fraudulent activity
- To comply with RCW 43.09.185, that requires State agencies and local governments to immediately report any known or suspected loss of public funds or assets to the State Auditor's Office (SAO)
- To establish clear expectations and ensure consistent and timely action by the Port
- To ensure that losses are minimized; investigations and audits are not hampered; and bond claims are not jeopardized

## **III. What and How to Report**

Employees must report any irregularity that reasonably leads a Port employee to suspect Fraud—regardless of amount or type. Early and vigilant reporting will allow the Port to minimize losses by addressing matters before they become larger issues. The reporting requirement also includes issues that have occurred in the past but have only recently become apparent. When in doubt, report. Employees also should report suspicions of Fraud even if the matter has been referred to law enforcement. Any Port employee who becomes aware of or suspects Fraud shall immediately report this to the Ethics and Compliance Hotline, the Port's General Counsel, or the Workplace Responsibility Officer—even if it is also separately referred to the Port Police. Employees will not be retaliated against for reporting concerns or complaints of suspected Fraud. See "Reporting Concerns or Violations" policy.

## **IV. Investigation Process**

### **A. Commitment to Review and Investigate**

The Port will review and investigate concerns or complaints of Fraud, as outlined in the Port's Reporting Concerns or Violations policy. Employees are expected

to fully cooperate with, and avoid any actions that may impede an audit or investigation.

## **B. Fraud Response Committee**

The following is additional information about the investigation process and the Port's Fraud Response Committee. The Port will generally follow the process outlined below. However, the Port reserves the right to take an approach that best suits the particular situation and may not follow every step outlined below in all cases.

- The Port's Fraud Response Committee is comprised of the Deputy CEO, General Counsel, Chief Financial Officer and the Accounting and Financial Reporting Director. If any member of the Committee has or reasonably believes they may have a conflict with any matter, they shall immediately recuse themselves from any further participation in that matter.
- The General Counsel or Workplace Responsibility Officer will respond to reports of suspected fraud received through the Ethics and Compliance Hotline, and will forward such reports to the Port Police. The Port Police will forward all reports of suspected fraud brought to their direct attention to the General Counsel and Senior Internal Audit Manager.
- Following receipt of a report of Fraud, the General Counsel shall advise the Commission President and Chief Executive Officer. In concert with the Port Police and the Senior Internal Audit Manager, the General Counsel shall make preliminary inquiries and review relevant documents for the purpose of determining whether cause exists to pursue the matter further, either as an employment matter or as a civil matter to recover funds or assets. The General Counsel also may submit requests for additional information through the Ethics and Compliance Hotline process as necessary. The General Counsel then will draft a written recommendation that the matter be pursued further or that the matter should be closed for lack of substantiation. The General Counsel may not interfere with any police investigation or any decision by the Port Police to refer a matter for prosecution.
- The General Counsel shall forward his or her recommendation to the Commission President, the Chief Executive Officer and members of the Fraud Response Committee. If the General Counsel recommends closing

the matter, the Commission President, the Chief Executive Officer, or any member of the Fraud Response Committee may request further review and the matter will be forwarded to the Fraud Response Committee.

- If the Fraud Response Committee determines that further action is necessary, the Committee will determine the appropriate next steps including establishing the scope of the inquiry and determining whether in-house resources or outside consultants should be used to conduct the review.
- The Senior Internal Audit Manager, or retained consultant as determined by the General Counsel or by the Fraud Response Committee, shall conduct an investigation to gather the facts, determine the nature of the irregularity, and inform the General Counsel and/or Fraud Response Committee.
- At the point it is suspected or known that a Fraud has occurred, the Senior Internal Audit Manager shall immediately notify the SAO in accordance with RCW 43.09.185.
- The General Counsel or the Fraud Response Committee shall recommend the appropriate next steps for disciplinary action and recovery of funds or assets, based on the Senior Internal Audit Manager's or retained consultant's assessment and recommendations. Any recommended actions shall be implemented pursuant to applicable Port policies and procedures. Any such recommendations shall be coordinated with any ongoing criminal investigation.
- The Senior Internal Audit Manager shall notify the Risk Manager of all known and suspected instances of fraudulent activity. The Risk Manager, in coordination with General Counsel, shall determine whether to file a claim against the Port's employee dishonesty insurance policy, considering the circumstances.
- Any Port employee in possession of or responsible for relevant financial, operational and all other records shall protect them from loss or destruction, and all original records related to the loss shall be secured in a safe place until a full audit/investigation has been completed.

For further information, please contact the Workplace Responsibility Officer.

## **LOSS PREVENTION**

### **Preventing Loss of Public Funds and Assets CC-6 as of 1/1/10**

#### **I. Statement of the Policy**

The Port of Seattle serves the public. Every Port employee has a responsibility to earn and maintain the public's trust by using taxpayer resources wisely and preventing loss, whether accidental or intentional. Every employee is expected to follow this policy and to immediately report known or suspected loss of public funds or assets. See "Reporting Concerns or Violations" policy for more detail. For concerns about potential fraudulent activity, please refer also to the "Fraud Awareness and Prevention" policy.

#### **II. Specific Purposes of this Policy**

- To ensure proper stewardship over public funds and assets, and provide timely and proper handling of any known or suspected loss of such funds or assets
- To comply with RCW 43.09.185, that requires State agencies and local governments to immediately report any known or suspected loss of public funds or assets to the State Auditor's Office (SAO)
- To establish clear expectations and ensure consistent and timely action by the Port
- To ensure that losses are minimized, investigations and audits are not hampered, and bond claims are not jeopardized

#### **III. What to Report**

The Port encourages reporting of losses. Early and vigilant reporting will allow the Port to minimize losses by addressing matters before they become larger issues. Thus, employees must report any irregularity that reasonably leads a Port employee to suspect a loss of Port funds or assets, in accordance with this policy. This includes all suspected losses including losses resulting from unlawful

activity such as theft and fraud—regardless of amount or type. It also includes those that have occurred in the past but have only recently become apparent. When in doubt, report. See “Reporting Concerns or Violations” policy.

### **A. Required Reporting**

Port employees must report all suspected or known losses of Port funds and assets in accordance with this policy, subject to the exceptions set out in Sections B and C below. This includes all suspected losses that have occurred in the past, but only recently become apparent. Reports should be made in the manner described in the “Reporting Concerns or Violations” policy.

### **B. Materiality of Reportable Losses**

A loss of a “de minimus” amount, defined as under \$50 (fifty dollars), may but need not be reported. However, a pattern of suspected recurring losses that may in aggregate exceed \$50 must be reported. The full exposure to the Port can only be determined by a thorough investigation. However, any loss resulting from suspected unlawful activity such as theft and fraud must be reported *regardless of the amount of the loss*.

### **C. Losses That Generally Need Not Be Reported**

The following activities generally need not be reported, which is consistent with State Auditor’s Office guidelines. However, those in leadership positions for the related operations are responsible to monitor such activities for unreasonable irregularities and take action in accordance with this policy as necessary.

- Normal and reasonable “over and short” situations from cash receipting operations. These transactions are to be recorded in the accounting system as miscellaneous income and expense, respectively, and monitored by cashier for any unusual trends.
- Reasonable inventory shortages identified during a physical count. These inventory adjustments are to be recorded in the accounting system and monitored accordingly.

For further information, please contact the Workplace Responsibility Officer.

## **ELECTRONIC SYSTEMS POLICY**

### **Using Our Systems Responsibly CC-7 as of 1/1/10**

#### **I. Statement of the Policy**

The Port of Seattle is committed to providing a work environment that encourages the use of computers and electronic communications tools to support our business. The Port expects all employees and contractors (who have been provided access) to use the Port's electronic communications systems in a responsible and respectful manner that furthers the best interests of the Port and reflects well on the Port. This policy is designed to help you understand the Port's expectations for use of its electronic communications systems (including e-mail, instant messaging, text messaging, voice mail and the Internet), and to help you use those resources wisely. This policy applies to all electronic communications using Port equipment or Internet access, including but not limited to company computers, mobile phones, portable electronic devices and Internet access provided by the Port. It also applies to any electronic communications which identify a person as employed by the Port.

#### **II. Overarching Concepts**

- **Common Sense and Good Judgment.** No policy can adequately substitute for personal common sense and good judgment. At a minimum, Port employees are expected to apply these attributes to their daily job-related activities and their electronic communications. Employees should ask themselves: "Would I be proud to have this printed on the front page of the newspaper?"
- **Respectful Treatment of Others.** Employees may not use electronic systems in any way that may be seen as insulting, embarrassing, harassing, or offensive by other persons. Examples of forbidden transmissions include sexually-explicit or X-rated messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; political, sexual or religious propositions or invitations, or any other message that can be construed to be harassment or disparagement of

others based on their sex, race, sexual orientation, age, national origin, or religious or political beliefs. Employees should not use electronic systems to forward messages likely to embarrass the original sender.

- **No Right of Privacy:** The electronic mail system, Internet access, and other electronic systems have been installed by the Port to facilitate business communications. Although each employee has an individual password to access this system, it belongs to the Port. The Port respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of Port-provided equipment or supplies. Therefore employees should never assume electronic communications are totally private and confidential. Since your personal messages can be accessed by Port management without prior notice, you should not use e-mail to transmit any messages you would not want read by a third party.
- **The Port reserves the right, in its discretion and without employee permission, to review any employee's electronic files, e-mail messages and Internet usage to ensure that electronic systems are being used in compliance with the law and with Port policies.**
- **Incidental Personal Use:** Electronic media and services are for business use. Limited, occasional or incidental use of electronic media for personal, non-business purposes is understandable and acceptable. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege. Any employee found to be abusing the privilege of company-facilitated access to electronic media or services will be subject to corrective action and/or risk having the privilege removed.
- **Employees should take particular care to ensure that any personal use of social media remains incidental. The nature of social media is such that it can easily consume more productive work time than is reasonable or incidental. Employees also should remember that all content posted is subject to disclosure and review by the Port and others.**



### **III. Responsible Use**

The Port encourages employee use of technology resources and services to facilitate Port business. This includes conducting research, collaborating with co-workers, and communicating with others. Subscriptions to electronic news groups and mailing lists are permitted only for a work-related purpose. Any other subscriptions are prohibited.

Because the e-mail system often feels like a less formal method of communication than paper, and is not a face-to-face communication, users may lapse into more casual communication styles or be more candid than usual. Employees should use professional language and keep in mind that e-mail has the potential to be forwarded, read by a third party or published in the media. E-mail may be subject to public disclosure.

E-mail footers and signature blocks should generally be used to provide the user's name, title and telephone number. Signature blocks may not contain commercial, political, religious, or inappropriate references and must be consistent with this policy.

The Port prohibits use of the electronic systems that violate the Port's policies, the law, or has the potential to damage the Port's community image or business interests. We provide the following examples to illustrate what is not acceptable use of the Port's systems:

- Sending, receiving, or soliciting offensive, sexually-explicit, or harassing statements, images or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs
- Browsing or downloading content from Internet sites containing sexually-oriented images or information, gambling content, content associated with violence or hate, spyware and hacking tools, or criminal activity
- Updating, searching, reading personal Web sites or blogs that do not relate to Port business, other than incidental use outside normal work time
- Copying, disseminating, or reproducing information on the Internet that has been authored by others without the express permission of the author

or copyright holder(s)

- Downloading/installing software not licensed to the Port
- Disclosing, sending, receiving, printing, or otherwise disseminating proprietary data, trade secrets, or confidential information—including Security Sensitive Information (SSI) (e.g., social security numbers, credit card numbers, drivers' license numbers, PIN numbers, personal medical information, etc.)—in violation of the Port's confidentiality, privacy and security policies, proprietary agreements, or local, state, or federal law
- Soliciting, proselytizing, or advancing personal political purposes, commercial ventures, religious or personal causes or outside organizations, or engaging in other similar, non-job-related solicitations
- Soliciting funds or services for charitable causes without prior approval from the Director of Human Resources and Development
- Sending chain letters, pyramid schemes, gambling, or engaging in any other activity in violation of local, state, or federal law
- Gaining access to Port technology services, systems, content, or infrastructure by using any access-control mechanism not assigned to the particular user ("impersonating"), or permitting another person to have access by sharing one's Port credentials and passwords
- Gaining, or attempting to gain, unauthorized access to any computers, computer networks, databases, data, or electronically-stored information
- Using, transmitting, changing, or deleting another user's files, documents, software, or other media without the user's or manager's permission
- Introducing destructive software or programs such as computer viruses, Trojan horses, or worms, adware, spyware, keystroke-loggers, root kits, or other malware into any computer, computer system, or network
- Installing, implementing or using Peer-to-Peer networking systems such as Kazzaa, Gnutella, BitTorrent, etc. on Port computers
- Using systems and technology that disguise or alter the identifying information of the computer user, such as external proxies or anonymizer sites, for any purpose

#### **IV. Protecting Our Assets**

Employees must take all reasonable precautions to prevent the loss or theft of Port computers, PDAs, phones, USB Drives, portable media and other

information assets. At a minimum, passwords must be used on all Port computers and PIN numbers must be used on all Port portable devices (e.g., PDAs, smart phones), unless a specific exception has been authorized, as in the case of Blackberries used by certain public safety personnel. An employee who learns of the loss or theft of a computer or other information asset shall immediately notify their manager or supervisor and the ICT Service Desk (206-787-3333).

## **V. Protecting Our Systems**

### **A. Managing Resources Wisely**

Employees must take care to not overburden the Port's electronic systems by saving unnecessary files, downloading unauthorized programs, exposing the Port to allegations of copyright infringement, or introducing viruses. To that end, unless an employee has approval of the Chief Information Officer, ICT Senior Manager of Infrastructure, or Manager Enterprise Information Security, an employee should not:

- Alter any software, utility, or configuration parameters installed by ICT
- Establish wireless access points/networks and/or modems anywhere on the Port network
- Attach any devices anywhere on the Port network infrastructure (including printers, servers, routers, switches, firewalls, hubs, etc)
- Customize the computer work station if doing so would result in installing or downloading inappropriate or copyrighted content, unlicensed software, or modifying security settings

ICT may restore information technology systems to their original configuration at any time if necessary to restore functionality, operability, or reduce risks to other Port systems and infrastructure.

In addition, the ability to install or download software and make changes to the workstation by the individual user may be revoked at any time for any reason.

## **B. Protecting Against Viruses**

Employees must exercise caution to avoid the introduction of computer viruses or other destructive files or programs into Port computers or the network. Where employees are authorized to use their personal computers to gain access to the Port network via some form of remote-access (e.g., VPN, Outlook Web Access or OWA), those employees must maintain and apply current antivirus software on that equipment and follow the procedures outlined below. At a minimum, employees should not

- Download or open e-mail attachments from unknown senders
- Download files from the Internet and File Transfer Protocol (FTP) servers without being sure of a file's security authenticity and security
- Upload or send any file or program saved on any removable media and originating from a computer outside the Port network, unless you have taken reasonable precautions to ensure that the disk, file, or program is free of any virus or other destructive file or program

## **C. Enhancing Security through Passwords**

Access to Port systems is only for authorized users. Access is restricted and monitored via several means such as user identification and password. Also, other means such as biometrics, smart cards, USB fobs, etc. can be used to protect access to the Port network and resources. Users shall comply with the following requirements and guidelines:

- Passwords and other access-control tools must not be shared with anyone—including the Service Desk, co-workers or managers
- Passwords and log on information are not to be publicly posted in any manner or format, and are not to be left in an insecure location. Employees are recommended to store their passwords in secure password "safes."
- If you believe your password or any other access-control tool has been compromised, immediately change your password and contact the ICT Service Desk (206-787-3333).

## **VI. Appropriate Use Audits**

Electronic auditing may be implemented, with or without notice, on any Port network or on any Port resource to support identification, termination, and prosecution of unauthorized activity. These electronic audit mechanisms may be capable of recording the following:

- Access to all computer and phone systems, including successful and failed log-in attempts, connect time, and log-outs
- Inbound and outbound file and content transfers
- Connections to and from external systems
- Sent and received e-mail and voice mail messages
- Specific information about Web sites visited, including uniform resource locator (URL) of pages retrieved, and information downloaded
- Date, time, and user associated with each event

## **VII. Reporting Concerns or Violations**

Employees are required to report all suspected security and/or policy violations to the Director of Human Resources and Development, or anyone identified in the “Reporting Concerns or Violations” policy. Employees will not be retaliated against for reporting in good faith concerns or potential violations.

## **VIII. Violations**

Violations of this policy may result in disciplinary action including termination of e-mail or Internet privileges, termination of employment, and/or referral of the employee to law enforcement authorities for local, state and federal offenses. Nothing in this policy shall be understood to prevent ICT personnel who are authorized and responsible for the management and administration of the Port’s electronic systems from taking actions to protect those systems or carry out the intent of this Policy. Further, nothing in this Policy shall be understood to limit authorized Human Resources and Development, Records Management or Legal Department personnel from taking such action, or requesting such information, as may be necessary to comply with any legal obligation or their job duties.

For further information, please contact the Director of Human Resources and Development.

## **ANTI-HARASSMENT**

### **Fostering a Respectful Workplace CC-8 as of 1/1/10**

#### **I. Unlawful Harassment Will Not Be Tolerated**

The Port of Seattle is committed to providing a respectful, supportive and productive workplace for all employees that is free of verbal, physical and visual forms of unlawful harassment. One of the Port of Seattle's core values is treating co-workers, customers, contractors, vendors and community members with respect. Consistent with that value, the Port of Seattle does not tolerate unlawful harassment in the workplace.

Unlawful harassment refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and interferes with work effectiveness. It includes, but is not necessarily limited to, unwelcome verbal or physical conduct that is derogatory of an employee because of their age, race, color, national origin/ancestry, religion, disability, Family Medical Leave Act (FMLA) use, pregnancy, sex/gender, sexual orientation, whistleblower status, marital status, military status, use of workers' compensation, transgender status, political beliefs, or any other category protected by law ("Protected Status"). Not all disrespectful activity rises to a level of severity and pervasiveness that would be considered unlawful harassment. However, the Port strives to eliminate all disrespectful conduct from the workplace.

The Port does not tolerate unlawful harassment or disrespectful conduct in the workplace. This policy also applies to business-related activities that take place *outside* of the workplace, such as business-related trips, meetings and social events. The Port also will not tolerate unlawful harassment or disrespectful conduct of any of its employees by non-employees (including customers, visitors, and independent contractors).

**The Port has a "zero tolerance" policy concerning harassment. "Zero tolerance" means complaints will be reviewed and violations of this policy will be addressed. Offending behavior will not be permitted to continue or**

**be repeated. The manner in which violations are addressed will depend on the circumstances. Employees could be subject to progressive discipline up to and including immediate termination.**

## **II. Harassment Defined**

Prohibited harassment may take many forms, from passing along cartoons to actual physical violence. We provide the following examples of what may be considered harassment.

**Nonsexual harassment** based on race, national origin, religion, marital status, sexual orientation, gender identity, age, disability (or other protected status) can include the following:

- Displaying or circulating in any manner pictures, objects, or written materials (including graffiti, cartoons, photographs, posters, pinups, calendars, magazines, figurines, novelty items) that demean or show hostility to a person because of the person's Protected Status
- Verbal conduct, including making or using derogatory comments, epithets, slurs and jokes towards such groups or individuals based on Protected Status
- Asking unwelcome questions or making unwelcome comments about another person's Protected Status

**Sexual harassment** is generally defined as unwelcome sexual advances, requests for sexual favors, or other visual, verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment (such as promotion, training, overtime assignment, leave of absence)
- Submission to, or rejection of, such conduct affects employment opportunities
- The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment

Sexual harassment includes harassment based on another person's gender, gender identity, sexual orientation or harassment based upon pregnancy, childbirth, or related medical conditions. It also can include harassment of another employee who is the same gender as the harasser.

**Examples** of sexual harassment include, but are not limited to:

- Offering or conditioning an employment benefit, like a raise, a promotion or a special job assignment, in exchange for sexual favors
- Threatening or taking a negative employment action (such as termination, demotion, denial of a leave of absence), or changing performance expectations, after an employee has turned down a sexual advance
- Unwelcome sexual advances, like requests for dates or propositions for sexual favors
- Excessive, one-sided, romantic attention in the form of requests for dates, love letters, telephone calls, e-mails or gifts
- Visual or physical conduct, like unwelcome staring, leering, making sexual gestures, whistling
- Displaying or circulating in any manner and/or through e-mail, voice mail or other electronic means pictures, objects, or written materials (including graffiti, cartoons, photographs, poster, pinups, calendars, magazines, figurines, novelty items) that are sexually suggestive
- Verbal conduct, like making or using derogatory comments, epithets, slurs, teasing and jokes of a sexual nature
- Graphic verbal or written comments (including e-mails or other electronic documents) about an individual's sex life or body
- Sexually degrading words used to describe an individual
- Suggestive or obscene letters, e-mails, notes or invitations
- Asking unwelcome questions or making unwelcome comments about another person's sexual activities, dating, personal or intimate relationships
- Unwelcome intentional touching of another person or other unwanted intentional physical contact (including patting, pinching, shoulder rubs, brushing up against another person's body, or impeding or blocking movements)



### **III. Your Responsibilities**

The Port is committed to taking reasonable steps to prevent harassment from occurring and will take immediate and appropriate action when it knows that unlawful harassment has occurred. To do this, however, the Port needs the cooperation of all employees at all levels. All Port employees are responsible for keeping our work environment free of harassment.

### **IV. What to Do if You Suspect Harassment**

Harassment, particularly sexual harassment, is often difficult to define. Misconceptions abound and people tend to have different notions of what is appropriate conduct and what is not. Employees should never tolerate inappropriate behavior. The Port encourages employees who are uncomfortable with an interaction to make their feelings known to the offending employee, if they are comfortable doing so. If the behavior does not stop, or if the employee is not comfortable with this approach, then the employee should immediately report the concern to the Director of Human Resources and Development or anyone identified in the “Reporting Concerns or Violations” policy.

Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of, or receive, reports or complaints of offending behavior *must* promptly report them to the Director of Human Resources and Development. See “Reporting Concerns or Violations” policy for more detail.

### **V. The Port’s Commitment to Investigate and Act**

The Port will promptly and thoroughly investigate all claims of harassment. Complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Please see “Reporting Concerns or Violations” policy for more detail.

If the Port concludes that unlawful harassment occurred, prompt and effective remedial action will be taken. This may include discipline of the harasser and

other actions to remedy the effects of the harassment and prevent further harassment. No action will be taken against any employee who in good faith files a complaint of harassment or assists in the investigation of such a complaint.

## **VI. No Retaliation**

This policy is also violated if an employee is fired, denied a job, subjected to negative performance feedback or denied some other employment benefit because the employee in good faith complained about harassment, or assisted in an investigation of harassment.

Employees who believe they have been retaliated against for having reported harassment or participated in an investigation should promptly report it to the Director of Human Resources and Development or anyone identified in the “Reporting Concerns or Violations” policy so that such concerns can be investigated. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential retaliation. Supervisors and managers who know of or receive reports of potential retaliation *must* promptly report them to the Director of Human Resources and Development. See “Reporting Concerns or Violations” policy for more detail.

**Employees who are found to have engaged in retaliation could be subject to progressive discipline up to and including immediate termination.**

For further information, please contact the Director of Human Resources and Development.

## **EQUAL OPPORTUNITY**

### **Ensuring Non-Discrimination and Reasonable Accommodation CC-9 as of 1/1/10**

#### **I. The Port's Commitment to Equal Employment Opportunity**

The Port of Seattle is an equal employment opportunity employer. The Port embraces, and in fact relies on, having a diverse workforce. Every employee has the right to work in surroundings that are free from all forms of unlawful employment discrimination. The Port will not engage in, or tolerate, any discrimination in the workplace prohibited by local, state or federal law.

Specifically, no employee will be discriminated against on the basis of his or her age, race, color, national origin/ancestry, religion, disability, Family Medical Leave Act (FMLA) use, pregnancy, sex/gender, sexual orientation, whistleblower status, marital status, military status, use of workers' compensation, transgender status, political beliefs, or any other category protected by applicable federal, state or local law ("Protected Status").

#### **II. Reasonable Accommodation of Disabilities and Religion**

The Port recognizes that employees with physical or mental disabilities may need reasonable accommodations to enable them to perform their essential job functions. The need for accommodations is determined on a case by case basis. Generally the Port and the employee will work together in an interactive process to identify possible accommodations. The employee has an obligation to cooperate with the Port in this process, which may include authorizing the Port to communicate with the employee's health care providers concerning the employee's condition, its impact on the employee's ability to perform job functions, and possible reasonable accommodations. Please see the Port's Disability Management policy for more information.

The Port also generally will offer reasonable accommodation for an employee's sincerely held religious belief that conflicts with a workplace rule, unless doing so would create an undue hardship.

Employees who want to request accommodation of a disability or religious belief should contact the Director of Human Resources and Development. The Port will evaluate requests consistent with current legal requirements.

### **III. Commitment to Inclusion**

The Port expects its employees to embrace a higher standard of non-discrimination and inclusion than simply not discriminating and harassing others based on Protected Status. It expects all employees to be tolerant and accepting of our individual differences, to avoid stereotyping others with whom we interact both at the Port and in the broader community based on protected characteristics and to treat others with respect. Disrespectful treatment by Port employees of our customers or members of the public is not consistent with the Port's values and will not be condoned.

### **IV. Reporting Concerns or Violations**

All employees have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Director of Human Resources and Development, or anyone identified in the "Reporting Concerns or Violations" policy, even if the alleged improper conduct happened to someone else. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports of potential violations *must* promptly report them to the Director of Human Resources and Development. Employees will not be retaliated against for reporting in good faith potential violations of this policy. See "Reporting Concerns or Violations" policy for more detail.

For further information, please contact the Director of Human Resources and Development.

## **WORKPLACE VIOLENCE**

### **Promoting a Safe Work Environment**

**CC-10 as of 1/1/10**

#### **I. Workplace Threats and Violence Will Not Be Tolerated**

The Port of Seattle is committed to maintaining a safe and efficient working environment where employees and the public are free from the threat of violence. The Port also supports a proactive approach in identifying potential threats and preventing workplace violence.

The Port does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. The following behavior, while not an exhaustive list, provides examples of conduct that is prohibited.

- Causing physical injury to another person
- Making threatening remarks
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- Intentionally damaging Port property or property of another employee
- Possession of ammunition, a firearm, weapon or other item intended to be used as a weapon on Port property or while on Port business, unless specifically authorized in connection with the performance of Port duties (i.e. law enforcement, wildlife management, and other like positions)
- Committing acts motivated by, or related to, unlawful harassment or domestic violence

#### **II. Duty to Report Dangerous Situations**

Port employees should report any potentially dangerous situation immediately to a supervisor or the Director of Human Resources and Development. While the Port does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform his or her supervisor or the Director of Human Resources and Development of

coworker behavior which could cause concerns. Examples include:

- Discussing ammunition, weapons, or violent activity in such a manner that causes one to reasonably believe that the employee could pose a risk to the workplace
- Bringing weapons or ammunition into the workplace, unless specifically authorized in connection with the performance of Port duties (i.e., law enforcement, wildlife management, and other like positions)
- Displaying overt signs of extreme stress, resentment, hostility or anger
- Making threatening remarks
- Sudden or significant deterioration of performance
- Displaying irrational or inappropriate behavior

Employees who have concerns about domestic violence (either their own situation or a co-worker's situation) are urged to contact the Director of Human Resources and Development so that HRD professionals can work with such employees to evaluate risks and minimize risk to the workplace.

Employees who encounter a threatening person should not attempt to challenge or disarm that individual. Employees should remain calm, keep constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Alternatively, if possible, call 911.

### **III. The Port's Commitment to Investigate and Act**

The Port will promptly and thoroughly investigate all reports of workplace violence. Reports will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Please see "Reporting Concerns or Violations" policy for more detail. Any employee determined to have engaged in workplace violence will be subject to disciplinary action, up to and including termination.

### **IV. Reporting Violations of This Policy**

All employees have a responsibility for ensuring that this policy is followed.

## *Workplace Violence*

Concerns or potential violations should be reported to the Director of Human Resources and Development, or anyone identified in the “Reporting Concerns or Violations” policy. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports of potential violations *must* promptly report them to the Director of Human Resources and Development. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “Reporting Concerns or Violations” policy for more detail.

For further information, please contact the Director of Human Resources and Development.

## **SUBSTANCE ABUSE**

### **Promoting Personal Health and Safety CC-11 as of 1/1/10**

#### **I. Statement of the Policy**

Use of alcohol or drugs is a serious threat to personal health, workplace safety and job performance. Moreover, maintaining a drug-free workplace is essential to the Port's ability to deliver quality work and service, to the Port's image with customers and the public, and to the Port's ability to maintain federal funding for Port projects.

Port of Seattle employees are strictly prohibited from possessing, selling, or being under the influence of illegal drugs and misused prescription medications or other controlled substances while on the job, during work hours, in company vehicles or in any other manner that may affect the employee's work performance or the Port's interests. Any employee who is taking a prescription medication should determine from his or her physician or pharmacist whether the prescription drug could impair his or her ability to perform the job safely and effectively. If the employee's performance may be so impaired, he or she should advise his or her supervisor so that reasonable accommodations can be considered.

The Port may permit the moderate consumption of alcohol at Port-sponsored events. Even when alcohol is available at such events, employees are expected to conduct themselves in a professional manner and only consume moderate amounts so that their behavior is appropriate and does not create a possible risk to the health or safety of the employee or others nor a risk of harm to the Port's interests.

Employees are strictly prohibited from being impaired by the use of alcohol while on the job, during work hours, in company vehicles or in any other manner that may affect the employee's work performance or the Port's interests.



## *Substance Abuse*

Any employee experiencing difficulties with drugs or alcohol is encouraged to contact the Port's Employee Assistance Program or Human Resources before the drug or alcohol issue affects his/her work performance. Human Resources and Development can provide referrals to helpful resources.

To ensure compliance with this policy, the Company may require drug and alcohol testing at its discretion. This includes testing based upon reasonable suspicion, where management personnel reasonably suspect that an employee may be under any influence of drugs or alcohol, or is otherwise violating this policy.

### **II. Reporting Concerns or Violations**

All employees have a responsibility for ensuring that this policy is followed. Employees should report to the Director of Human Resources and Development, or anyone identified in the "Reporting Concerns or Violations" policy, potential violations of this policy or any other situation in which you reasonably believe that an employee's use of alcohol or drugs could be impacting the employee's ability to safely do the job. See "Reporting Concerns or Violations" policy.

Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations and also with respect to identifying and reporting situations in which an employee's use of alcohol or drugs could be impacting the employee's ability to safely do the job. Supervisors and managers who know of, or receive, reports of offending behavior *must* promptly report them to the Director of Human Resources and Development. Employees will not be retaliated against for reporting suspected violations of this policy. See "Reporting Concerns or Violations" policy.

### **III. The Port's Commitment to Investigate and Act**

The Port will promptly and thoroughly investigate all reports of violation of this policy. Complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Please see "Reporting Concerns or Violations" policy for more detail. The Port will impose disciplinary

action, up to and including termination of employment, in the event of any of the following:

- (1) Violation of this policy
- (2) A positive test result
- (3) Refusal or failure to submit to testing when requested to do so
- (4) Refusal to cooperate in the testing process
- (5) Adulteration of any sample or tampering with any part of the testing process

Test results are handled as confidential records, and provided only to those with a need to know the information.

For further information, please contact the Director of Human Resources and Development.

## **EMPLOYMENT OF RELATIVES**

### **Avoiding the Appearance of Favoritism CC-12 as of 1/1/10**

#### **I. Statement of the Policy**

The Port of Seattle believes it is in the Port's best interests to keep business and professional relationships separate from personal and family relationships, wherever possible. To prevent real or perceived conflicts of interest or favoritism, the Port provides the following guidelines.

"Relative" is defined to include an employee or a consultant's spouse, domestic partner, parents, children, cousins, nieces, nephews, grandparents, grandchildren, in-laws, and any person with whom the employee or consultant has a relationship that is substantially equivalent to any of the above.

When there will be employment of an employee or consultant's Relative such employment will only occur where:

- Neither will supervise, appoint, remove or discipline the other
- Neither will evaluate or audit the work of the other
- The employment relationship will not create a conflict of interest or the appearance of favoritism

When there will be an engagement of an employee or consultant's Relative as a consultant, such engagement will only occur where:

- Neither the employee nor consultant shall evaluate or audit the work of the Relative and vice versa
- Neither the employee nor the consultant shall approve of payment for the Relative
- The business relationship will not create a conflict of interest or the appearance of favoritism

## **II. Candidates for Positions**

Port employees and consultants should not be involved in any way with a Relative's candidacy for employment. Even recommending a Relative for employment could be perceived, or experienced, as undue pressure by the hiring team. To make such a recommendation carries an inherent conflict of interest. The higher level the position of the employee who recommends a Relative for employment, the greater the risk of real or perceived pressure to hire the Relative. Thus, an employee's failure to follow this policy could subject an employee to discipline up to and including termination. A consultant's failure to follow this policy could lead to termination of the consultant's business engagement with the Port.

When a Relative of a Port employee is a candidate for a Port position, the candidate shall be judged the same as other applicants, based on his/her individual qualifications, without influence from Relatives who are already employed. Any interference or influence exerted by a Port employee regarding employment, compensation, or working conditions of his or her Relative could disqualify the candidate from employment and could be considered a violation of this policy.

The Port also reserves the right not to employ Relatives of high-level employees of its competitors or major vendors where such a restriction is a reasonable step towards avoiding the actuality or appearance of a conflict of interest or to protect confidential information.

## **III. Employees Who Become Related**

If two employees become related (typically by marriage or a relationship substantially similar), and their continued employment might create a conflict of interest or the appearance of favoritism, one of the employees may be transferred to another open position consistent with the employee's skills, change supervisory authority, or provided alternate assignments that remove the potential for a conflict of interest. The Port reserves the right to terminate the

employment of an employee if the Port concludes that it is the best approach under the circumstances to avoid real or perceived conflicts of interest.

#### **IV. Reporting Concerns or Violations**

All employees have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Director of Human Resources and Development, or anyone identified in the “Reporting Concerns or Violations” policy. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports of potential violations *must* promptly report them to the Director of Human Resources and Development. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “Reporting Concerns or Violations” policy for more detail.

For further information, please contact the Director of Human Resources and Development.

## **POLITICAL ACTIVITIES**

### **Responsible Personal Participation CC-13 as of 1/1/10**

#### **I. Statement of the Policy**

Employees are encouraged to take an active individual interest in political activities provided that participation does not give the impression employees are representing the Port.

Employees are encouraged to participate in the affairs of government. In doing so, the following guidelines should be considered:

- Employees should not use Port equipment or facilities for the benefit of a political campaign.
- Intelligent participation requires knowledge and understanding of government, candidates, and issues. Employees are urged to become informed through individual and group study.
- Participation must be of the employee's own volition and on their own time.
- Personal beliefs should not be communicated in any manner that could cause another to construe such beliefs as official Port endorsement of any particular candidate or issue.

Port employees are not obligated to endorse or contribute funds or time to any Port Commission candidate. Port employees choosing to support a Port Commission candidate must do so on their own time, using non-Port facilities and equipment.

#### **II. Reporting Concerns or Violations**

All employees have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Workplace Responsibility Officer, or anyone identified in the "Reporting Concerns or Violations" policy. Supervisors and managers will be held to a higher level of

*Political Activities*

responsibility with respect to reporting potential violations. Supervisors and managers who know of or receive reports or complaints of potential violations *must* promptly report them to the Workplace Responsibility Officer. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “Reporting Concerns or Violations” policy for more detail.

For further information, please contact the Workplace Responsibility Officer.

## **REPORTING CONCERNS OR VIOLATIONS**

### **Ensuring Compliance with Workplace Responsibility Policies CC-14 as of 1/1/10**

#### **I. Each Employee's Role In Compliance**

The Port of Seattle is committed to reviewing concerns and investigating potential violations of its Workplace Responsibility policies, as well as concerns that the Port has engaged in improper governmental activity.

Port employees should report, without fear of retaliation, any matter which they believe could constitute a violation of the Port's Workplace Responsibility policies or other improper governmental activity. This policy outlines the steps that the Port generally will take to review and investigate concerns and complaints. This policy also sets forth the Port's commitment to ensuring that employees who make reports in good faith, or who participate in investigations, do not experience retaliation. This protection extends to employees who report concerns of alleged improper governmental activity, commonly referred to as "whistleblowers."

Workplace Responsibility/Code of Conduct Policies:

- Employee Ethics and Conflicts of Interest
- Consultant Ethics and Conflicts of Interest
- Former Employee Ethics and Conflicts of Interest
- Gifts and Hospitality
- Fraud Awareness and Prevention
- Loss Prevention
- Electronic Systems
- Anti-Harassment
- Equal Opportunity
- Violence in the Workplace
- Substance Abuse
- Employment of Relatives
- Political Activities



## **II. Expectations of Supervisors and Managers**

All employees have a responsibility for ensuring that each of the Workplace Responsibility/Code of Conduct policies is followed. Supervisors and managers will be held to a higher level of responsibility with respect to reporting potential violations of the policies described above. Supervisors and managers who know of or receive reports or complaints of offending behavior *must* promptly report.

## **III. How to Report**

To report a concern or potential violation employees should contact any one of the following:

- Workplace Responsibility Officer
- General Counsel
- Director of Human Resources and Development
- Ethics & Compliance Hotline: **1-877-571-5237, 24 hours a day, 7 days a week**

An employee who reports his/her own improper action does not automatically receive immunity from disciplinary action. However, the fact that an employee voluntarily reports his or her own possible policy violations may be favorably considered when evaluating disciplinary action.

## **IV. Confidentiality**

Except as necessary to facilitate a thorough investigation, any person within the Port receiving information about a concern or potential violation of a Workplace Responsibility policy shall keep all information received as confidential as possible. This includes the names of the persons involved and the nature of the concerns or violations.

## **V. No Retaliation**

No retaliatory action will be taken against any employee who in good faith reports a concern or potential violation of a Workplace Responsibility policy, or

who assists in the investigation of one. The Port's commitment to non-retaliation includes protection of those employees who report complaints of alleged improper governmental activity, commonly referred to as "whistleblowers."

Employees are prohibited from using their official authority or position to prevent or interfere with an employee reporting violations of Workplace Responsibility policies.

Employees who believe they have been retaliated against for having made a complaint or participated in an investigation must promptly notify any one of the resources listed in Section III of this policy so that such concerns can be investigated. Appropriate corrective measures will be taken if allegations of retaliation are substantiated.

## **VI. The Investigation Process**

The Port will promptly and thoroughly review all reported concerns and alleged violations of its Workplace Responsibility policies. Reports will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally this means that details are shared only with those who have a need to know so that the Port can conduct an effective investigation.

There may be a preliminary investigation to determine whether the concern or allegation constitutes a potential policy violation, as a rational and legitimate explanation may exist for the reported activity. If a full investigation is deemed appropriate, decisions will be made about whether to conduct internally or by retaining an outside investigator. The Port will conduct the investigation as swiftly as feasible.

The reporting employee typically will be requested to provide relevant details, such as the date(s), location(s), name(s) of witnesses, or information about the alleged improper actor(s)/action(s). Other persons with relevant information may be interviewed as needed. During the investigation, steps may be taken, when appropriate, to minimize contact between the reporting employee and the alleged

### *Reporting Concerns or Violations*

improper actor. In the case of harassment allegations, changes may include schedule changes, temporary transfers or investigatory leave, usually for the alleged harasser.

After the investigation is completed, the Port generally will discuss its findings with the reporting employee, the alleged improper actor, and possibly others directly concerned with the matter.

If the Port concludes that a policy violation occurred, prompt and effective remedial action will be taken. This may include discipline of the improper actor(s) and other actions to remedy the effects of the violation and to prevent further violations.

The Port also will be responsible for fulfilling other statutory reporting requirements that may be necessary, including those required by the Washington State Auditor's Office.

For further information, please contact the Workplace Responsibility Officer.

## THE WORKPLACE RESPONSIBILITY PROGRAM

The Port is committed to achieving a culture grounded in ethical behavior and compliance, and has a designated Workplace Responsibility Officer who has overall responsibility for ensuring the effectiveness of the Workplace Responsibility Program. This program recognizes that most employees and contractors want to perform effectively, do the right thing, and seek help in uncertain situations. The Port will provide tools and training to assist them.

Compliance elements of the Workplace Responsibility Program include:

- *Clear Advice and Reporting Mechanisms.* Employees should direct questions and report potential violations of the Code of Conduct to any one of the following:
  - Workplace Responsibility Officer
  - General Counsel
  - Director of Human Resources and Development
  - Ethics & Compliance Hotline: **1-877-571-5237, 24 hours a day, 7 days a week**
  
- *Education and Training.* Practical and effective training and education is an essential facet of the Workplace Responsibility Program. Annual training requirements will address clear guidelines and opportunities to have questions answered.
  
- *Hiring and Promotion of Personnel who Embrace Compliance.* The Port will hire, promote and appropriately compensate employees and contractors who are committed to and who foster a culture of compliance.
  
- *Employee Discipline.* The Port does not tolerate unethical or inappropriate behavior in its employees and contractors. There will be clear consequences for inappropriate behaviors.
  
- *Auditing and Monitoring.* The Workplace Responsibility Program will monitor and audit its effectiveness on an ongoing basis.

**Workplace Responsibility  
Employee Handbook  
January 2010**

**Ethics & Compliance Hotline:**

**1-877-571-5237** 24 hrs / 7 days

**Workplace Responsibility Officer  
206-787-4930**

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