



PLAQUEMINES PORT: CODE OF ETHICS & WORKPLACE CONDUCT
Policy Category: Ethics, Integrity and Legal Compliance Policies
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Procedures: N/A
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I. SCOPE.

This Code of Ethics & Workplace Conduct (this “**Code**”) addresses the Plaquemines Port Harbor & Terminal District’s (the “**Port**”) ethical values that guides and shapes the Port’s philosophy and culture that should be reflected in all business transactions, community interactions, and in the workplace. The policies that comprise this Code apply to all Port departments, directors, members of the Board of Commissioners, and employees.

II. POLICY STATEMENT.

The Port is committed to a standard of excellence in the workplace, encouraging a safe, supportive and productive work environment. This can only happen when everyone cooperates and agrees to suitable standards of conduct. Certain activities, if engaged in while conducting Port business, or on Port property, or which adversely affect job performance even though committed outside the scope of employment constitute a violation of this Code of Ethics and Workplace Conduct.

This Code was developed by Port employees to guide and shape the Port’s philosophy and culture. These values should be reflected in all business transactions, community interactions, and in the workplace. Maintaining the public trust requires a daily commitment to making good decisions. Port employees conduct business with the highest ethical standards. The Port’s business practices reflect integrity, accountability, honesty, fairness, and respect at all levels. Port employees honor their commitments to one another, the community, and the Port’s customers. If a Port employee feels unsure about taking a particular action, they should stop and discuss the situation with a supervisor or the Director of Administration and Human Resources.



III. DEFINITIONS.

“Confidential Information” means, 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.

“Conflict of Interest” mean an event or circumstance where an employee’s duty to give undivided loyalty to the Port is influenced, or could be influenced, by personal interest.

“Electronic communications” means the electronic transmission (internally or externally) of data that has been encoded digitally, including, but not limited to, e-mail, instant messaging/ chat, text messaging, voice mail, file transfers (i.e., FTP or similar), internet browsing/searching, download/installation of files or software/applications.

“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.

“Fraud” means any act of deception that is, or could reasonably be expected to, result in personal gain. Fraud may exist whether there is actual harm to the Port or not. Fraud includes any situation in which Port resources are diverted to an employee, or the employee’s Relative, friends, or associates, without authorization, including, but not limited to:

- Leave Abuse
- Unauthorized Leave or Absent
- Giving false or misleading information to obtain a leave of absence
- Falsification of Records or Documents
- Committing other illegal acts
- Violation of Louisiana Code of Ethics including prohibitions as defined in Louisiana Revised Statute 42:1111-112

“Gifts” means anything of economic value as defined in Louisiana’s Code of Governmental Ethics (LSA-R.S. 42:1115).



“Hospitality” means 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.

“Information systems and services” means Port-managed or Port-provided workstations, laptops, servers, network infrastructure, peripherals (e.g., copiers and printers), mobile information devices (e.g., mobile phones, smartphones, portable digital assistants, tablets/pads, etc.), telephones, faxes, Port-provided software and applications, Port-provided internet access and intranet services, as well as surveillance and monitoring systems.

“Protected Status” means age, race, color, national origin/ancestry, religion, disability, Family Medical Leave Act (FMLA) use, pregnancy, sex, gender identity, 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.

“Relative” means 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.

“Sexual harassment” means any unwelcomed sexual advance, request 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

“System user” means anyone who has been authorized to use or access the Port’s information systems and services. System Users specifically include Port employees as well as nonemployees, such as Commissioners, interns, contractors, and vendors, who are authorized to use or access information systems and services. System User does not, however, include members of the public that use or access publicly available resources (e.g., public wireless networks).

“Zero tolerance” means that complaints of violations of this policy will be reviewed and any violations will be addressed.



IV. POLICY.

This Code is the Port’s guide to applying the correct ethical values to work and workplace behavior. The conduct standards and policies outlined in this Code express the commitment employees make to Port business partners and customers, the public, and to each other. Port employees commit to following the Code because they are legally obligated to do so, and because it’s the right thing to do. This Code covers the following policies:

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A. POLICY: CODE OF ETHICS AND CONFLICTS OF INTEREST

a. The Port’s Interests Comes First

Plaquemines Port Harbor & Terminal District (the “**Port**”) 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. The fact of a conflict of interest is not in itself a violation of the policy. Instead, it is something that should be reported 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 Director of Administration and Human Resources.

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.

b. 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.

(i) 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 securing the best product or service available at the best price. Therefore, an employee must disclose to the Director of Administration and Human Resources 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.

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.

(ii) *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 Director of Administration and Human Resources.

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 supervisor 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.



(iii) *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*” in Section B below.

c. **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.

(i) *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.

(ii) *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 (a) 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 (b) engage in other incidental uses of such property or equipment that may be specifically permitted by an 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 or written authorization. See also “*Information Systems and Services Acceptable Use Policy*” under Section E hereof.



(iii) *Safeguarding Confidential Information*

An employee shall not disclose Confidential Information to third parties. 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 Director of Administration and Human Resources 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.

d. Duty to Report Conflicts of Interest

Employees must report to the Director of Administration and Human Resources 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 Director of Administration and Human Resources 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**”¹ and disclose information that may relate to an actual or perceived conflict of interest.

e. 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 Director of Administration and Human Resources, or anyone identified in the “*Reporting Concerns or Violations*” policy under Section J. 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 Administration and Human Resources or anyone identified in the “*Reporting Concerns or Violations*” policy under Section J. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “*Reporting Concerns or Violations*” policy under Section J for more detail.

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

B. CONDUCTING ALL PORT BUSINESS WITH INTEGRITY AND RESPECT – GIFTS AND HOSPITALITY

The Port’s policy is that gifts and hospitality is based on Louisiana’s Code of Governmental Ethics. (LSA-R.S. 42:1115). Please refer to the Louisiana Code of Governmental Ethics for additional information on Louisiana. Gifts 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.

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?

¹ For compliance purposes, we need to create this if it doesn’t currently exist. Please confirm.



- 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.

If you have questions about how this policy applies in a given circumstance, please contact the Director of Administration and Human Resources.

a. Specific Guidelines Regarding Gifts

(i) 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 Director of Administration and Human Resources.

(ii) What is a Thing of Economic Value

An employee shall not solicit or accept, directly or indirectly, anything of economic value as a Gift or gratuity from any person who has or is seeking a contractual, business, or financial relationship with the public servant’s agency. The term “**thing of economic value**” means money or any other thing having economic value.

(iii) Exceptions to Thing of Economic Value

The exceptions to the definition of “thing of economic value” include:

- i. promotional items having no substantial resale value such as calendars, pens, hats, and t-shirts which bear a company’s name or logo;
- ii. food and drink consumed while the personal guest of the giver. In order for this second exception to apply, the giver or a representative of the giver must be present when the food and drink are consumed. Reasonable transportation and entertainment which are incidental to the food and drink are also allowed;
- iii. complimentary admission to a civic, non-profit, educational or political event. This exception applies only when the public servant



is giving a speech at the event, is on a panel for discussion during the event, or is a program honoree. Tickets to collegiate, professional, and semi-professional sporting events are not included within the exception; and

- iv. flowers or a donation in connection with the death of an immediate family member of the public servant, if the value does not exceed \$100.

If you have a question about whether something is a Gift, please consult with the Director of Administration and Human Resources. Gifts in the form of food and beverage that exceed \$50 per person on a single occasion shall be reported to the Director of Administration and Human Resources. "*Occasional*" means not more than four to six times per year with the same business partner.

b. 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 non-governmental 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
- 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 Louisiana law
- 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.

c. 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 Administration and Human Resources, or anyone identified in the “***Reporting Concerns or Violations***” policy under Section J. 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 Administration and Human Resources. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “***Reporting Concerns or Violations***” policy under Section J for more detail.

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



C. FRAUD AWARENESS & PREVENTION

The Port 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 potentially 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, to emphasize the seriousness of such acts. The Port has zero tolerance for Fraud. 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 Concerns or Violations*" policy under Section J 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.

a. 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 State law 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; and
- To ensure that losses are minimized; investigations and audits are not hampered; and bond claims are not jeopardized

b. 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 Hotline², the Port’s legal/general counsel (“General Counsel”), the Director of Administration and Human Resources or the Parish Sheriff’s Office. Employees will not be retaliated against for reporting concerns or complaints of suspected Fraud. See “**Reporting Concerns or Violations**” policy under Section J for more detail.

c. Investigation Process

i. 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 under Section J. Employees are expected to fully cooperate with and avoid any actions that may impede an audit or investigation.

ii. 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 Executive Director, Deputy Director and General Counsel. 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 and/or the Director of Administration and Human Resources will respond to reports of suspected fraud received through the Ethics and Compliance Hotline and will forward such reports to the appropriate law enforcement agency and all reports of suspected fraud shall be brought to the direct attention of the General Counsel and the Port’s external auditors

Following receipt of a report of Fraud, the General Counsel and/or the Director of Administration and Human Resources shall advise the Commission President and Executive Director. The General Counsel and/or the Director of Administration and Human Resources shall make preliminary inquiries and review relevant documents for the purpose of determining whether cause exists to pursue the matter further, either as

² We should consider creating this, as discussed.



an employment matter or as a civil matter to recover funds or assets. The General Counsel and/or the Director of Administration and Human Resources also may submit requests for additional information through the Ethics and Compliance Hotline process as necessary. The General Counsel and/or the Director of Administration and Human Resources 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 and/or the Director of Administration and Human Resources may not interfere with any law enforcement investigation or any decision by the Parish Sheriff's Office to refer a matter for prosecution.

D. LOSS PREVENTION

a. Purposes of the 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 law, that requires State agencies and local governments to immediately report any known or suspected loss of public funds or assets to the SAO;
- To establish clear expectations and ensure consistent and timely action by the Port; and
- To ensure that losses are minimized, investigations and audits are not hampered, and bond claims are not jeopardized.

b. 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 under Section J for more detail.



i. 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 (ii) and (iii) 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 under Section J.

ii. 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.

iii. 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.

E. INFORMATION SYSTEMS AND SERVICES ACCEPTABLE USE POLICY

a. No Right or Expectation of Privacy

- i. The Port makes information systems and services available to system users to facilitate Port business. Although each system user may be provided a unique username and password to access the Port’s information systems and services, these information systems and services are owned or managed by the Port.



- ii. System users have no expectation or right of privacy regarding their use of the Port's information systems and services, including any electronic communications made with them.
- iii. The Port, at its discretion and without system user notification or permission, may monitor, log, analyze or review a system user's information systems and services usage and activity, as well as electronic communications, whenever the Port deems such action necessary.
- iv. Electronic communications and data related to Port activities are generally subject to public disclosure under Louisiana's Public Records Act. They may also be subject to discovery in civil litigation in which the Port is involved.
- v. The Port is not responsible for any loss, modification, destruction, or maintenance of personal content saved or stored on Port information systems and services. The Port will not provide support services of any kind related to personal content. If personal content is stored on Port information systems or services, this content is specifically subject to public disclosure, monitoring, logging, analyzing, and review.

b. Acceptable Use

Authorized uses of Port information systems and services include the following:

- i. Uses permitted under the *Use of Port Equipment* under Section A(c)(ii);
- ii. Personal use, provided that such personal use does not interfere with or disrupt the Port's business processes, the system user's job productivity, or the normal operation of the Port and that such personal use does not impose cost or fees on the Port or otherwise violate this policy;
- iii. Uses software/ applications in accordance with license agreements. The Port licenses the use of system software/applications from a variety of vendors. Compatibility, vulnerabilities, maintenance and licensing concerns should be considered prior to installing software/applications. The Port does not own most software/applications or its related documentation and, unless authorized by the software/application developer, does not have the right to reproduce it except for backup purposes.

c. Prohibited Use

The following uses of the Port's information systems and services are prohibited:

- i. Any use that violates the law or Port policies, including but not limited to Employee Ethics and Conflict of Interest policy, and Anti-Harassment policy;
- ii. Creating, downloading, viewing, storing, copying, or transmitting content that is sexually explicit, sexually-oriented, criminal, or disparaging of others based on their race, national origin, sex, sexual orientation, age, disability, religion or political beliefs;
- iii. Soliciting, proselytizing, or advancing personal political or religious interests, commercial ventures, personal or outside causes, or engaging in other similar, non-job-related solicitations;
- iv. Soliciting funds or services for charitable causes without prior written approval from the Director of Administration and Human Resources;
- v. Visiting or establishing websites/URLs that promote gambling, illegal weapons, violence or hate;
- vi. Copying, disseminating, or reproducing information that has been authored by others in violation of the applicable terms of use or without the express permission of the author(s) or copyright holder(s);
- vii. Downloading or storing of Port sensitive information (e.g., Social Security Numbers, HIPAA, credit card numbers, etc.) on personal computers, removable media, or portable devices;
- viii. Storing credit card numbers on any Port information systems or services except as specifically approved by IT Manager;
- ix. Transmitting or extracting Port information without authorization or business justification;
- x. Gaining access to Port information systems and services 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;
- xi. Attempting to bypass, defeat, strain or test any security mechanisms of any information system or service. If security mechanisms must be bypassed for any reason, they must be approved in advance by contacting the IT Manager;
- xii. Introducing destructive software/applications or programs such as computer viruses, trojan horses, or worms, adware, spyware, keystroke-loggers, root

kits, hacking tools, or other malware, etc. into the Port's information systems and services;

- xiii. Using systems or technology that disguises or alters the identifying information of the computer or system user, such as external proxies or anonymizer sites, for any purpose;
- xiv. Use of surveillance systems for non-authorized or voyeuristic purposes, and/or creating, posting or disseminating unauthorized surveillance video clips; and
- xv. Use of any Port information systems and services as a staging ground or platform to gain unauthorized access to the Port or other systems. Such uses include, but are not limited to, circumventing user authentication or security of any host, client, network, or account, effecting security breaches or disruptions, introduction of a malicious program into the system, or executing any form of network monitoring which will intercept data not intended for the user.

d. Additional Responsibilities for System Users

- i. The system user must review and consent to this policy **PRIOR** to access being granted to Port information systems and services. System users that do not consent are not authorized users;
- ii. System users must apply software updates, patches and versions as required by IT Manager;
- iii. System users must use caution to avoid the introduction of computer viruses or other destructive and malicious files or programs;
- iv. System users that are authorized to use their personal computers to gain access to Port information systems and services via a form of authorized remote-access (e.g., Outlook Web Access/OWA), must maintain and apply current antivirus software and security-related software/ application updates on their computer;
- v. System users may require user credentials (user id and password) or other access-control tools to gain access to information systems and services. These tools and credentials (e.g., passwords) are not to be shared with anyone, including the Service Desk, co-workers, administrative staff or managers;



- vi. System users must use secure transmission methods (e.g., encryption, secure FTP, etc.) when sending sensitive information (e.g., Personally Identifiable Information, ePHI, system information, vulnerability/risk information, etc.).
- vii. For transmission options, please contact the IT Manager (PHONE NUMBER)³;
- viii. System users who believe their pass- words or any access-control tools have been compromised must immediately change their passwords and notify the IT Manager (PHONE NUMBER);
- ix. System users who believe an information system has been lost or stolen must immediately notify the IT Manager (PHONE NUMBER) and file a report with the Parish Sheriff Office. The system user must provide the Sheriff's Office report number to the IT Manager (PHONE NUMBER) once received;
- x. System users must immediately report any recovery of a lost or stolen system to the IT Manager (PHONE NUMBER); and
- xi. System users may not introduce wireless access points/networks or modems, electronic equipment or devices anywhere on the Port network. Any such needs must be requested and approved in advance by contacting the IT Manager (PHONE NUMBER).

e. Reporting Concerns or Violations

System users are required to report all suspected security and/or policy violations as outlined in *Reporting Concerns or Violations* policy under Section J. System users will not be retaliated against for the good-faith reporting of concerns about, or potential violations of, this policy.

Violation of this policy may result in disciplinary action, including reduction or termination of access, termination of employment, and/or referral of the system user to law enforcement authorities for local, state and federal offenses.

f. Exceptions

Any exceptions to this policy must be requested through the IT Department (PHONE NUMBER OR EMAIL) and explicitly approved in writing by the IT Manager. For further information, please contact the IT Manager).

³ Need to confirm primary IT Manager contact.



F. ANTI-HARASSMENT

a. Unlawful Harassment Will Not Be Tolerated

The Port 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's core values is treating co-workers, customers, contractors, vendors and community members with respect. Consistent with that value, the Port 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. 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. 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.

b. 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, bullying, 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; or
- 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).

c. Your Responsibility

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.

d. 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 Administration and Human Resources, or anyone identified in the “*Reporting Concerns or Violations*” policy under Section J.

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 Administration and Human Resources. See “*Reporting Concerns or Violations*” policy under Section J for more detail.

e. 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. See “*Reporting Concerns or Violations*” policy under Section J 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.

f. 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 Administration and Human Resources or anyone identified in the “*Reporting Concerns or Violations*” policy under Section J 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 Administration and Human Resources. See “*Reporting Concerns or Violations*” policy under Section J 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 Administration and Human Resources.

G. EQUAL OPPORTUNITY

a. The Port's Commitment to Equal Employment Opportunity

The Port 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 identity, 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.

b. 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 Administration and Human Resources. The Port will evaluate requests consistent with current legal requirements.

c. Commitment to Inclusion

The Port expects its employees to embrace a higher standard of nondiscrimination 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.

d. 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 Administration and Human Resources, or anyone identified in the "***Reporting Concerns or Violations***" policy under **Section J**, 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 Administration and Human Resources. Employees will not be retaliated against for reporting in good faith potential violations of this policy. See "***Reporting Concerns or Violations***" policy under **Section J** for more detail.

H. WORKPLACE VIOLENCE

a. Workplace Threats and Violence Will Not Be Tolerated

The Port 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

b. Duty to Report Dangerous Situations

Port employees should report any potentially dangerous situation immediately to a supervisor or the Director of Administration and Human Resources. 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 Administration and Human Resources of co-worker 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 Administration and Human Resources so that human resources 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.

c. 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 under Section J for more detail. Any employee determined to have engaged in workplace violence will be subject to disciplinary action, up to and including termination.

d. Reporting Violations of this Policy

All employees have a responsibility for ensuring that this policy is followed. Concerns or potential violations should be reported to the Director of Administration and Human Resources, or anyone identified in the “**Reporting Concerns or Violations**” policy under Section J. 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 Administration and Human Resources. Employees will not be retaliated against for reporting in good faith concerns or potential violations of this policy. See “**Reporting Concerns or Violations**” policy under Section J for more detail.

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

I. SUBSTANCE ABUSE

a. Statement of this 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 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.

Any employee experiencing difficulties with drugs or alcohol is encouraged to contact the Port's Director of Administration and Human Resources team before the drug or alcohol issue affects his/her work performance. The Director of Administration and Human Resources 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.

b. Reporting Concerns or Violations

All employees have a responsibility for ensuring that this policy is followed. Employees should report to the Director of Administration and Human Resources, 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 under Section J for more detail.

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 Administration and Human Resources. Employees will not be retaliated against for reporting suspected violations of this policy. See "*Reporting Concerns or Violations*" policy under Section J for more detail.

c. 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 under Section J. The Port will impose disciplinary action, up to an 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; or
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 Administration and Human Resources.

J. REPORTING CONCERNS OR VIOLATIONS

a. Each Employee's Role in Compliance

The Port is committed to reviewing concerns and investigating potential violations of its Human Resources 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 Human Resources 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."

Human Resources/ Code of Conduct Policies:

- A. Employee Ethics and Conflicts of Interest
- B. Gifts and Hospitality
- C. Fraud Awareness and Prevention
- D. Loss Prevention
- E. Information Systems and Services
- F. Anti-Harassment
- G. Equal Opportunity
- H. Violence in the Workplace
- I. Substance Abuse

b. Expectations of Supervisors and Managers

All employees have a responsibility for ensuring that each of the policies created under this Code are 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.

c. How to Report

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

Deputy Port Director
Paul Matthews
504-682-7920
pmatthews@pphtd.com

Director of Administration/Human Resources
Christie Nielsen
504-682-7920
cnielsen@pphtd.com

Director of Security & Vessels
Donald Durr
504-682-7920
ddurr@pphtd.com

Louisiana Board of Ethics
(225) 219-5600
ethics.la.gov

Port Chairman
Richie Blink
504-934-3630
rblink@ppgov.net

Port Vice-Chairman
Trudy Newberry
504-934-6336
tnewberry@ppgov.net

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.

d. Confidentiality

Except as necessary to facilitate a thorough investigation, any person within the Port receiving information about a concern or potential violation of a Human Resources 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.

e. No Retaliation

No retaliatory action will be taken against any employee who in good faith reports a concern or potential violation of a Human Resources policy, or Reporting Concerns or Violations 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 Human Resources 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 (c) of this policy so that such concerns can be investigated. Appropriate corrective measures will be taken if allegations of retaliation are substantiated.

f. The Investigation Process

The Port will promptly and thoroughly review all reported concerns and alleged violations of its Human Resources 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 dates(s), location(s), names(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 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 Louisiana State Auditor's Office.

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



V. EFFECTIVE DATE(S).

This Policy was effective May 27, 2021.

VI. REVIEW SCHEDULE.

This Policy shall be reviewed and updated, as necessary, every two years following the effective date.

DRAFT



VII. SIGNATURE, TITLE AND DATE OF APPROVAL

This policy needs to be signed by the appropriate officer (listed below) before it is considered approved.

Approved:

NAME:
TITLE:

Date Approved: _____

DRAFT