



Agency Strategic Plan

2025 V5.1

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Overview:

The Marine Board has a long-standing tradition of serving Oregon Boaters. The agency is a resource for local governments, non-profits and private entities that provide services to recreational boaters. The agency was established in 1959 and has led recreational boating through significant changes to boating and natural resource policies over the last sixty years. As the agency looks ahead at the next decade of continued service, it is imperative that it continues to adapt to the changes boaters face.

Development Process:

The strategic plan was developed with input from the Marine Board, agency staff, interested parties, non-profits, boating communities, local government entities and other state agencies. This was accomplished through public listening sessions, direct requests for feedback, surveys and internal staff workshops.

Development of the plan included alignment with the Governor's Office priorities for the agency. The agency utilized information provided by the Governor's Policy Advisor on priorities and values in developing the plan. Additionally, the Governor's Policy Advisor was provided with an opportunity to provide direct feedback on the plan.

The agency strategic plan is not a static document. It is regularly maintained and updated with input from the same entities that participated in the original development along with adapting for new state priorities and interested parties.

Mission: Serving Oregon's recreational boating public through education, enforcement, access and environmental stewardship for a safe and enjoyable experience.

Vision: Boaters benefit as the Marine Board navigates change and growth of waterway use.

Values:

- *Transparency:* We ensure agency information is available to the public through honest and collaborative engagement.
- *Trust and Credibility:* We communicate with authenticity, are accountable for our mistakes, seek to understand issues and find solutions with others.
- *Innovation:* We push ourselves to find solutions for tomorrow that are better than what we did yesterday.
- *Boating:* Our passion is the confluence of boating, innovation, tradition, safety and stewardship.
- *Diversity and Inclusion:* We are a culture where inclusivity is a reflex, not an initiative.

Major programs:

- *Business Services:* Providing services to agency programs to support the agency mission.
- *Director's Office:* Integrating Board, Legislative and agency operations.
- *Environmental and Policy:* Creating a positive boater experience.
- *Facilities:* Removing barriers to waterway access.
- *Human Resources:* Providing human relations services to support the agency.
- *Registration:* Providing proactive customer service and issuing accurate titles and registrations.
- *Safety:* Facilitating safety, education, and stewardship for Oregon boaters and outfitter guides.

External Factors that impact Mission:

- *Public sentiment about boating:* Oregonians are drawn to the water for a variety of reasons and activities. Over time, sentiment shifts on what activities should garner regulatory favor and locations where boating should occur.
- *Facility permitting:* As state and federal agencies responsible for setting standards and administering permits needed to build, or maintain, boating facilities adapt to changes in the environment, costs and complexity of facility projects increase.
- *Economy:* Boating activities change as different economic conditions occur. Higher fuel prices drive down usage and result in more localized boat trips; recessions curb new boat sales while economic growth leads to more boats on the water; and housing costs and types influence the types of boats people own.
- *Other government agencies:* Boating is often a means of doing another activity. A large portion of boating trips are tied to angling so fishing seasons have an impact on boating activity. Boaters often utilize facilities owned by state agencies so their rules, fees and maintenance impact boating.

Partners and Interested Parties:

The Marine Board relies on, and is a resource, to a wide variety of entities across the state.

- State and Federal natural resource agencies
- Oregon's nine federally recognized Tribal Governments
- Public boating facility providers
- Community organizations that serve underrepresented communities
- County Sheriffs and Oregon State Police
- Oregon Ports Association
- SOLV Adopt-A-River
- Non-profit organizations that are interested in boating and water safety
- Boat builders and dealers

Key 10-year Challenges and Goals

1. Ensuring boaters have the resources and information they need so they can have a positive boating experience.

- (1) By October 31, 2025, develop and implement translation services for boaters both in person and over the phone.
 - (a) By May 31, 2025, research live translation services for in person transactions in the lobby.
 - (b) By August 31, 2025, research language line options for call center.

Success Measure: Services implemented and available to customers by deadline.

- (2) By December 1, 2026, improve boater experience and expanding access to agent locations.
 - (a) By June 2026, develop and implement an agent portal for agents to electronically submit transactions to the Marine Board.
 - (b) By October 2026, develop training and communication plan with 3rd party agents and introduce better guidance documents.
 - (c) By December 2026, add two new agents in underserved areas.

Success Measure: New agent portal implemented, agent training completed, and two new agents added in underserved areas.

- (3) Preliminary planning and scoping discussion to modernize current agency software.
 - (a) By July 31, 2025, develop regular reporting of enhancements to the current system to staff and the Board.
 - (b) By December 1, 2027, research alternatives to current system, compare costs and vendors.

Success Measure: System enhancements are communicated to staff and the Board, and a system modernization project plan is completed by December 1, 2027.

2. Ensuring boating is viable and public access is available in the future.

- (1) Explore and develop resources for waterway access intersecting facility management.

- (a) By December 31, 2025 plan and implement “Welcome to the Water” facility access sign pilot project.
- (b) By July 31, 2026 study and collaborate with facility operators to learn about Outfitter Guide use, impacts, and develop solutions to mitigate challenges.
- (c) By November 30, 2026, develop and publish life jacket loaner station best management practices, guidance and standards that are adaptable to all waterway access types.
- (d) In November 2025, initiate agency working group to plan, propose, and engage partnerships to prepare for the 2027 legislative session. Proposal to be completed by April 2026.

Success Measure: Deadlines for each item met.

3. Ensuring staff is supported, trained, and provided with the tools needed to fulfill duties and the agency mission.

- (1) Increase intra-agency communication and awareness of program areas and projects.
 - (a) Hold three staff lunch and learns each calendar year.
 - (b) Hold four all staff meetings a calendar year; share Board reports with all staff; and Director sends monthly update to all staff.
 - (c) DEI representative meets monthly with Director to plan and implement communication and support for DEI initiatives.
- (2) All quarterly reviews include discussions about opportunities for career development and exploration.
- (3) By December 31, 2028 create standard operating procedures for each position.
- (4) By December 31, 2025, implement a project and task management software for GIS, procurement, IT and PIO.

Success Measure: All time and quantitative measurements met.

Regular performance monitoring and transparency reporting:

- Agency managers will meet quarterly to monitor progress and set intermediate actions needed to meet goals.
- The Director will report on progress at All Staff meetings four times a year.
- The last Board meeting of the calendar year will include an update on progress in the Director’s Report. This report is publicly available on the agency website.

Diversity and Inclusion:

The Oregon State Marine Board (OSMB) was established in 1959 to be the leader in recreational boating for Oregon. Throughout our history, boating has evolved from being primarily middle-aged white activity to one that better reflects Oregon's diverse population. Boating has diversified in all aspects including race, gender, age, physical ability, income level and geographically.

As boating evolved, OSMB remained focused on serving the same boaters that had traditionally received services from the agency. This created service gaps in boating access locations, facility design, education approaches and outreach to boaters. For example, aging boaters along with an increase in physically disabled boaters found our facilities designed for able bodied boaters to be difficult, if not unsafe, for them to use. An additional example was having no outreach and educational material available in any language other than English.

In 2019 the agency recognized a need to evolve with the population the Mission is designed to serve. This launched a targeted effort to change the agency culture and service delivery. That initial effort has evolved to building equity and inclusion in at the beginning of operational efforts rather than as an afterthought or short-term initiative.

The OSMB vision, **"Boaters benefit as the Marine Board navigates change and growth of waterway use"**, provides the forward-looking call to action to serve boaters. As a public-serving agency committed to access and equality, it is our privilege to work with communities across Oregon to fulfill our vision.

The Agency values found in this plan provide guidance to agency staff and the Board on what the agency considers to be important in its decision-making, culture and customer service.

While Diversity and Inclusion is called out as a specific value, the other values all contribute to an agency fabric that considers the needs of the communities we serve.

OSMB has made progress and remains focused on the challenge of meeting the diverse needs of Oregon boaters. While this plan will serve as a guide, there is a recognition that the agency needs to be flexible, continue to learn and remain engaged as we move forward.

Plan Development:

OSMB developed the DEI strategy as part of a multi-year effort to modernize and maintain our strategic plan. Throughout the process, input from across Oregon was used. The following are some examples of the community engagement process the agency uses:

- Hold an average of five community engagement meetings across the state per year.
- Consultation with Oregon Federally recognized Tribal Governments: The agency Tribal Liaison participates in Tribal Cultural Cluster meetings; includes Tribal Consultation in rule making and facility projects; and regularly works with Tribal Natural Resources staff on issues related to boating.
- Regularly meet with over 15 nonprofits that serve Oregon's diverse communities in water-based recreation. Attend, and present at, several statewide conferences for outdoor recreation non-profits.
- The agency is represented at the Environmental Equity Committee and utilizes that as an opportunity to learn and seek feedback.
- During the 2023 budget development process, OSMB volunteered to be part of a pilot group that worked with the Racial Justice Council's budget development process. This allowed for direct feedback on our budget priorities and resulted in the agency changing a
- Utilized statewide survey data related to outdoor recreation.
- During 2024, the agency did a 6-month staff led process to redevelop the initiatives the agency focused on. This led to the discovery that while the agency had focused on external equity and inclusion, there was a gap in internally focused work. With this knowledge, the agency is developing an internally focused effort around diversity and inclusion.

Building a Foundation:

OSMB has taken actions to set a foundation for future DEI work. These actions were developed and implemented in partnership with underserved communities across Oregon.

1. In 2024, the Marine Board finished an effort to offer the Boat Oregon Course material in multiple languages. The course material is currently available in English, Vietnamese, Spanish, Russian and Simple Chinese.
2. The Boating Safety Advocate program is entering its third year of outreach and education to underserved communities. In 2023, they worked at 12 events and connected with 1,293 individuals on the water or shore. In 2024, they worked at 120 events and connected with 5,171 individuals on the water or shore.
3. The Westport Boating Facility received a national award for its accessibility design. More importantly, the agency has received feedback from local users that the design has enabled them to utilize a facility that was previously unusable for many boaters.

Future Action:

1. *Strategy/Focus area:* Community Engagement
 - a. *Challenge:* The Boating Safety Program is undergoing a modernization process to ensure the agency is prepared to serve boaters in the future. This includes outreach and education to traditionally underserved communities that don't have an established relationship with OSMB.

- b. *Action:* As the agency enters the third year of the Boating Safety Advocate Program, there is an opportunity to evolve the program to further the outreach objectives. The agency will be moving from a seasonal program to a mix of full time and seasonal positions. This will allow BSA's more time to visit schools to conduct education, reduce ramp up and training time that impacts the amount of outreach that can be done and focus on the growing need to educate boaters outside of the summer season.
 - c. *Timeline:* Fall of 2025, the agency will convert four seasonal positions into two full time positions and then fill those positions by December 31, 2025.
- 2. *Strategy/Focus area:* Communications
 - a. *Challenge:* Ensuring boaters have the resources and information they need so they can have a positive boating experience.
 - b. *Action:* Review documents, education material and forms available to the public and build a prioritized list of material that needs to be available in more languages. Begin having the highest priority material translated and made available to the public.
 - c. *Timeline:* By May 2026, have at least two additional publicly available communications in English, Spanish, Russian, Vietnamese and Simple Chinese.
- 3. *Strategy/Focus area:* Budget and Legislation
 - a. *Challenge:* Alignment of the agency budget and budget development with actions that are developed with underserved communities.
 - b. *Action:* Include underserved communities in development of the future of the Waterway Access Program. This will likely culminate in a budget and legislative agenda for the 2027-2029 biennium.
 - c. *Timeline:* Starting in November 2025, the agency will begin building a roadmap for the future of the Waterway Access Program. This work will be completed by April 2026. Throughout this process, the agency will include underserved communities and non-governmental entities in the development process.

DEI work is essential to creating an inclusive organization that serves all Oregonians. By establishing specific goals, strategies, and actions, we can promote diversity, reduce barriers, and foster a culture of openness, dialogue, and collaboration that values and celebrates diversity. Our agency commitment to DEI will benefit our employees and enhance our ability to achieve our mission and serve the citizens of our state.

Affirmative Action

Roles and Responsibilities for Implementation of Affirmative Action Plan:

- *Director* - The Marine Board Director is responsible for agency management including Human Resource management and leadership in Diversity and Inclusion principles. The Director is rated on these assignments during his annual performance evaluation.

The Director has appointed an Affirmative Action representative. The Affirmative Action representative reports to the Director and is responsible for attending monthly DI/AA/EEO workgroup meetings, drafting policy and arranging training, as requested.

- *Management Staff* - The Marine Board has five sections/programs: Facilities, Boating Safety, Business Services, Registration and Policy & Environmental.

The Marine Board managers are responsible for promoting the Diversity and Inclusion and Affirmative Action goals and objectives of the agency. Responsibilities are outlined within individual position descriptions. Managers are required to promote the importance of a diverse and respectful workplace. Managers are asked to discuss the Affirmative Action Policy and Plan with their employees and reinforce Inclusion and Diversity concepts. These requirements are discussed as part of the quarterly performance reviews that each manager receives from the Director.

For the period of July 2025 through June 2027, as reported:

OSMB Management will:

- Routinely discuss diversity and inclusion during staff meetings
 - Ensure ADA guidelines are incorporated into facility design, education and outreach.
 - Annually discuss affirmative action with each employee during one quarterly review.
 - Educate new employees on the agency Affirmative Action and DEI plans as part of the onboarding process.
 - Encourage staff to take training on DEI related topics.
 - Apply DEI principles and practices throughout the recruitment cycle from intake to hire.
- *Affirmative Action Representative* - The HR Business Partner, in the capacity of affirmative action representative:
 - Reviews the draft Affirmative Action Plan prior to the director's approval and signature.

- Responds to agency ADA accommodation requests.
- Ensures Affirmative Action/EEO and ADA information is posted and properly displayed.
- Monitors progress toward affirmative action goals and reports progress to the director.
- Receives and investigates discrimination complaints in accordance with the agency's complaint procedure and forwards them to the director for appropriate action.

2023-2025 Biennium Affirmative Action Progress Report

- *Progress Towards Strategies and Goals* - Hiring managers now begin each recruitment with an evaluation of the position description and desired attributes of the position. This information is used to work with the recruiter to create the opportunity for diverse candidates to apply.

The agency continues to promote job rotations, within the agency and other state agencies, to provide employees with the opportunity to learn different skills and assist them in upward mobility.

Managers have improved communication and awareness of the issues of Inclusion & Diversity through training and education for their employees. This is tracked through management team discussions and quarterly check ins.

- *Plan Alignment* - The agency Affirmative Action Plan, DEI Plan and Strategic Plan are all in alignment. These plans are often used in conjunction with each other and as points of reference when working on various other initiatives within the agency.
- *Leadership Evaluation Report* - All management staff receive quarterly performance reviews with the Director in which part of the discussion includes the affirmative action policy and plan and diversity and inclusion concepts.

All recruitments are reviewed by the Director to ensure that the affirmative action plan and policy are followed.

The managers of the Marine Board will be held accountable for any increase in discrimination and harassment claims and will be evaluated on their efforts and accomplishments in promoting the respectful workplace, affirmative action and equal employment opportunity goals and objects of the agency.

To maintain accountability, managers position descriptions include a commitment to meeting affirmative action goals and maintaining a respectful workplace. Managers

receive quarterly reviews where this standard is one of the items they are evaluated on. The Human Resource Business partner keeps the Director apprised of any investigations related to Affirmative Action and makes recommendations for corrective action when needed.

2025-2027 Biennium Affirmative Action Plan

- *Agency Strategies and Goals*

- *Goals* - Hiring managers will begin each recruitment with an evaluation of the position description and desired attributes of the position. This information will be used to work with the recruiter to create the opportunity for diverse candidates to apply. As the conclusion of each recruitment, the hiring manager will discuss with their peer managers any barriers diverse candidates encountered in the process. This peer review will be utilized to look for solutions to remove barriers and ways to help build a pipeline for diverse candidates to be competitive in OSMB hiring processes.

The agency will continue to promote job rotations, in the agency and throughout the state agencies to provide employees the opportunity to learn different skills and assist them in up-ward mobility.

The Marine Board will encourage managers to improve communication and awareness on issues of Inclusion & Diversity through training and education for their employees.

To ensure a wider range of candidate selection, the Director has stated that direct appointments will only be used when our ability to deliver mission critical services, or legal obligations, that could jeopardize boating safety will be impacted.

The OSMB will track progress of strategies and goals for recruitment, selection, retention and employee engagement by comparing the annual data produced for the Affirmative Action report for changes in the diversity composition of the agency. This will be discussed at an Executive Leadership meeting to review and refine our recruitment, selection and retention strategies.

- *Implementation* - The Marine Board's goal is to enhance the staff's ability to work effectively with an increasingly diverse workforce and consumer

population. The Marine Board will continue to encourage employees to pursue developmental and training opportunities. Implementation: on-going.

Affirmative Action Plan, EEO, and the Prohibition of Discrimination and Harassment Statements will be reviewed with all new hires. Employees will sign receipt of these policies. Implementation: on-going.

The Affirmative Action Policy Statement will be distributed to all staff on the shared drive and posted on the employee bulletin board. Implementation: on-going.

Consistent with the Marine Board's commitment to Diversity and Inclusion, Affirmative Action and Equal Employment Opportunity, a copy of the Diversity and Inclusion statement will be included on all job announcements. Implementation: on-going.

- *Strategies to Achieve the Affirmative Action Goals, Outcomes, Measures and Implementation*
 - *Recruitment* - The Director occasionally attends college school of business events that focus on recruiting underserved communities. The Director meets with individuals exploring future career opportunities. He discusses everything from what types of work the state has, how to apply, how to network with state managers, to what to expect during an interview. The agency engineers attend outreach events designed to enhance broader representation in the engineering field.

The agency will utilize state recruitment systems that are designed for accessibility and ease of access. Agency staff will be made aware that our assigned Human Resource Business Partner is available as a resource for them utilizing the system to apply for jobs.

Agency leadership attend annual diversity training and participate in statewide leadership training that frequently include diversity and equity as part of the course.

- *Selection* - The Marine Board is an equal opportunity employer committed to a pro-active role in the recruitment and selection process. The Marine Board will continue in its attempt to use diverse recruitment strategies to identify and attract candidates and, to the best of its ability, establish interview panels that represent protected class groups.

Hiring managers will conduct hiring practices that create opportunities for everyone to be able to apply.

Utilize information from post hiring assessments to develop plans to reduce barriers and ensure opportunities exist for diverse applicants to apply for future vacancies.

- *Retention* - The Marine Board provides equal opportunities for professional growth and career advancement for all employees (See Appendix B (p. 19)).

Managers work closely with staff to identify areas of career growth and needed skill enhancement. As needed, employees are encouraged to attend developmental-training courses, conferences and workshops, and apply for promotional opportunities and job rotations. This is done with the employee during their annual goal setting.

The Marine Board is committed to providing broad and culturally enriched training, career growth and developmental opportunities to all employees on an equal basis, enabling them to further advance and promote their knowledge, skills and abilities and their value of diversity.

Agency staff take annual training on preventing discrimination and harassment that is developed by the Department of Administrative Services. This training is assigned at the beginning of each year and is required to be completed by the end of each year. The agency maintains nearly 100% compliance with completing this training.

Ensure all OSMB employees are made aware of, and encouraged to attend, DEI training workshops.

- *Employee Engagement* - Affirmative action and DEI responsibilities will be in every executive and manager's position description. These responsibilities will be reviewed annually as part of the manager's performance expectations.

The agency director will discuss the affirmative action plan and goals at a minimum of one all staff meeting a year.

New employees will receive information on the agencies Affirmative Action plan and resources for them if they have concerns about discrimination within 30 days of being hired.

During the first quarter of the annual review cycle, managers will remind staff of the resources available if they have concerns about discrimination.

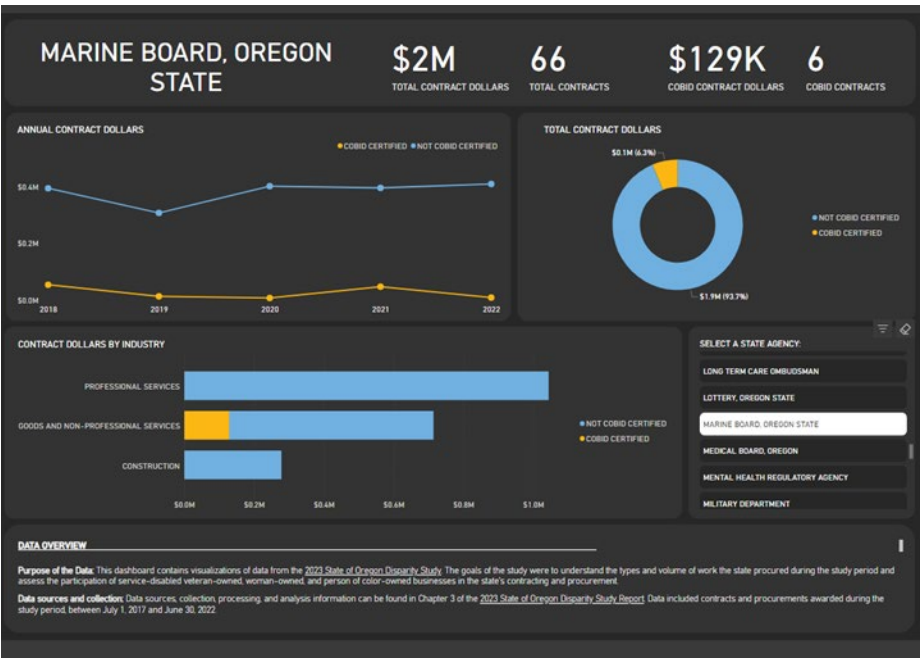
The agency will maintain a value that supports Affirmative Action as one of its formally adopted values. Agency values are routinely discussed with staff and serve as the underpinning to our decision making.

The Marine Board’s Diversity and Inclusion efforts reinforce respectful treatment of others in the workplace. These efforts focus on identifying ways to work better together, reducing conflict by increasing understanding, improving collaboration, fostering teamwork, and increasing productivity and quality of services delivered by the Marine Board.

Complaint Options

Persons, who believe they have been subjected to discrimination, either internally or externally, by the agency in violation of this plan, may file a complaint with the affirmative action representative within thirty (30) calendar days of the alleged act or upon knowledge of the occurrence. Complaint Forms are available from the affirmative action representative. The affirmative action representative will investigate and recommend a course of action to the agency director. The agency director will make a decision and take steps to remedy the situation as appropriate. Nothing in this policy precludes any person from filing a formal complaint in accordance with the appropriate state or federal regulators.

Status of Contracts to Minority Business (ORS 659A.015)



Information Technology:

The agency utilizes technology to serve its customers effectively and to meet our operational objectives. To ensure alignment with business and technology the following strategies are employed:

- *Information Technology Governance Committee (ITGC)*- The agency will maintain a chartered committee that oversees the agencies technology oversight and decision making.
- *Information Technology Alignment to Business*- Information Technology solutions will be driven by solutions that solve the 10-year Challenges. Decisions on technology will be rooted in the ability for technology to resolve business issues and improve our customer service.
- *Planned IT Investments*: The agency does not have any current IT investments planned. In the future, the agency will prepare an annual IT progress report if investments are planned.

Customer Service Strategy:

The agency's mission is centered around serving Oregon's recreational boaters, and to fulfill it, customer service is paramount. Given the importance of customer service, it is imperative the agency maintain standards and continually innovate to improve customer service.

Customer feedback and available data on response times and transaction processing drive delivery methods and improvements to reach the agency's customer service goals.

The agency will maintain a Customer Service Policy to ensure the customer service strategy is integrated into business operations.

Service Level Goals- The agency will at a minimum track and use the following service level goals:

- A legislatively adopted Key Performance Measure that derives from a customer service satisfaction survey related to timeliness, accuracy, helpfulness, expertise and availability of information.
- A target of 60-days or less to process boat titles. While the agency has several transaction types, boat title processing time has long served as the benchmark for customers rating of their satisfaction with the agency. While 60 days aligns with the duration a temporary registration permit and in compliance under the United Coast Guard regulations, the agency will seek ways to reduce processing time until a yearly average of 30 days to process is achieved.
- Outfitter and guide applications processed within 10 business days of receiving all required documentation and fees.
- Boating safety education cards processed within 10 business days of receiving all required documentation.
- Maintain customer response times and availability in the OSMB Customer Service Policy.

Service Delivery Methods- OSMB serves a broad range of customers. To ensure customers have access to the information they need, the agency will provide services as follows in accordance with the OSMB Customer Service Policy:

- Maintain consistent walk-in office hours and phone availability for members of the public for immediate service.
- Provide self-service internet options when possible. When self-service options are not available, the agency will develop prioritized plans to implement self-service options.
- Make information available online so that customers can learn about boating laws, safe boating, boating facilities, environmental programs and the Outfitter Guide program.
- Attend events and meetings to promote boating access opportunities and safety.
- Develop simplified and universal signage at boating facilities where OSMB dollars are invested.
- Utilize multiple languages when producing outreach and educational material.

Improving Customer Service- OSMB will ensure that in their totality, initiatives to meet the 10-year challenge identified in this plan improve customer service. Customer service improvements will be based on customer input with measurable results.

Unplanned High-Volume Events- In the event of a disruption that creates significantly higher than the usual number of customer contacts resulting in a significant backlog, the following actions will be taken:

- Director will designate a high-volume event leader who will:
 - Develop and implement a customer communication plan.
 - Identify and report to the Director any recommended process changes, temporary rules or potential staffing adjustments to reduce the backlog.
 - Develop a tracking system to monitor the backlog and a report on estimated time to eliminate the backlog.
 - Conduct a daily 5-minute stand-up meeting for agency leadership prior to 9 a.m.
 - Develop and implement a plan to support staff morale and engagement during the time the backlog is being reduced.

In times of regular workload, agency managers will do the following to improve the agency's ability to respond to an unplanned high-volume workload:

- Identify single points of failure and implement cross-training additional personnel to alleviate them.
- Build and test a plan for integrating untrained staff into a work process to find the ideal way to augment without further reducing productivity.
- Maintain awareness of federal, state and local issues that may create a high volume of customer contacts to minimize impacts on the agency.

Financial Overview-

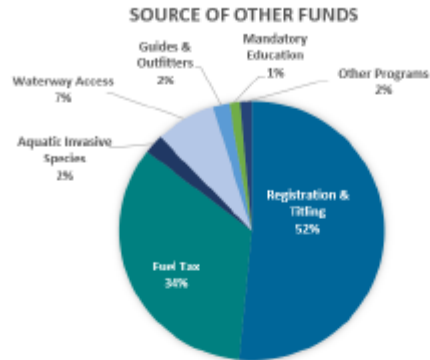
Oregon State Marine Board

23-25 Agency Recommended Budget

Dollars in Thousands

Other Funds

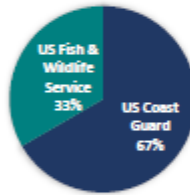
Revenue	Budget 2021-23	Budget 2023-25	Growth
Registration	\$ 14,364	\$ 14,395	0.21%
Fuel Tax	8,580	11,000	28.21%
Titling	3,047	2,301	-24.48%
Aquatic Invasive Species (AIS)	1,573	775	-50.73%
Waterway Access	1,367	2,381	74.19%
ARPA - CSFRF	1,000	-	-100.00%
Guides & Outfitters	656	667	1.62%
Other - Penalty, Interest, Misc	359	365	1.72%
Mandatory Education	277	439	58.21%
Floating Homes	25	37	48.24%
Charters	15	13	-11.56%
Towed Watersports	11	40	261.82%
Total	31,273	32,412	3.64%



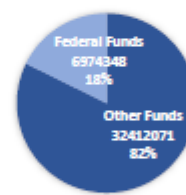
Federal Funds

Revenue	Budget 2021-23	Budget 2023-25
USCG		
Recreational Boating	\$ 4,528	\$ 4,649
USFWS Clean Vessel Act	1,960	1,576
USFWS Boating Infrastructure Grant	110	750
AIS	63	-
Total	6,660	6,974
Expenditures		
Law Enforcement	\$ 4,183	\$ 4,334
Facilities	2,070	2,326
Aquatic Invasive Species	63	-
Administration & Education	344	315
Total	6,660	6,974

SOURCE OF FEDERAL FUNDS



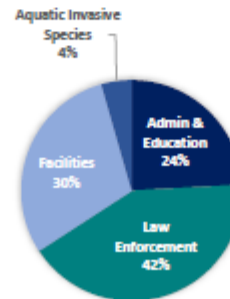
REVENUE BY FUND



2023-25 Budget Dollars in Thousands

	Law Enforcement	Facilities	Admin & Education	Aquatic Invasive Species	Total
Beginning Fund Balance	\$ -	\$ -	\$ 8,750	\$ 1,067	\$ 9,817
Revenues					
State Revenues	674	123	30,820	795	32,412
Federal Revenues	4,334	2,326	315	-	6,974
Intrafund Transfer	11,365	9,230	(21,720)	1,125	-
Expenditures					
State Expenditure	12,039	9,353	9,171	1,736	32,298
Federal Expenditure	4,334	2,326	315	-	6,974
(Deficit) Surplus in the Period	-	-	(71)	184	114
Ending Fund Balance	-	-	8,679	1,251	9,930

ALLOCATION BY PROGRAM



Appendix A- Completed Strategic Plan Initiatives

2022

- Completed an annual communications plan. The plan was operationalized and improved our external communication.
- Held community engagement listening sessions across the state.
- Developed the Boating Safety Advocate policy option package with input from the Racial Justice Council and community partners that serve underrepresented communities.
- Held first annual agency boat day.
- A significant number of staff participated in a Portland area demonstration, and hands on trial, of crew, dragon and racing scull boats.
- Reactivated and changed the agencies approach to staffing the Portland Boat Show. 2023 will be the first show under the new approach where we anticipate better participation and staff being able to gain more understanding of the Oregon boating culture.
- Agency represented at multiple water vision groups at the state level.
- Received NASBLA award for Waterway Access program.

2023

- Waterway Access Permits print with life jacket requirement information and a QR code for nonmotorized education.
- There were zero SUP fatalities during the “Summer of SUPs” focused outreach and education campaign.
- A white-water life jacket kiosk was installed.
- July all staff meeting included a comprehensive overview from our Tribal Liaison.
- Various state agency leaders have presented to OSMB managers on leadership.
- Waterway Access Permit program ideas were brought to the Board. The Board instructed staff to continue to educate and inform the public on the permit and an update will be brought back to the Board in October.
- Boater Education class held for OSMB staff.
- Quarterly reviews are 100% on time agency wide.
- New employees are given an overview of agency values.
- Boat day for staff was held at Turner Lake with an emphasis on non-motorized boating.
- HR provided a presentation at an all staff meeting on how to access training, what training is available and how to request training.

2024

- Boating Safety Advocates hired in April so they can work their first full season.
- Agency represented at multiple outdoor shows across the state.
- Grant applications now include a question about interest in adding a life jacket kiosk station.
- Boat Oregon materials and tests available in five languages.
- A sign promoting free non-motorized education card was at all shows.
- ODFW regulations book had full-page color add for the Waterway Access Permit.

5- Year Accomplishments-

- Agency engaged in multi-agency issues surrounding algae blooms at Ross Island.
- Facilities, Safety and Policy have all worked with the Army Corp of Engineers on impacts boaters are experiencing due to changes in reservoir level management.
- The Six Year Facility Plan is being finalized.
- Agency wide strategic plan engagement process developed.
- Staff have an opportunity to attend a nonmotorized safety education class.

2025

- Agency all staff meeting included a presentation on the Canoe Culture from the Confederated Tribes of the Grand Ronde.
- Staff lunch and learns implemented.

Appendix B- Affirmative Action State Policy Documentation



State HR Policy

SUBJECT:	Candidate Preference in Employment	NUMBER:	40.055.04
DIVISION:	Chief Human Resources Office	EFFECTIVE DATE:	01/01/2022

APPROVED: Signature on file with the Chief Human Resources Office

POLICY STATEMENT: Oregon state government applies preference to candidates in recruitment processes as outlined in law.

AUTHORITY: ORS 408.225 to 408.237, 240.306, 184.340, 284.771 to 284.801

APPLICABILITY: All employees, including temporary employees, according to provisions of state law.

Resources: Evaluation Tools; www.oregon.gov/jobs/pages/veterans.aspx

DEFINITIONS: Refer to State HR Policy 10.000.01, ORS 408.225 to 408.237 and ORS 284.771 to 284.801

POLICY:

- (1) An appointing authority or designee administers this policy as the agency's policy.
- (2) Complying with candidate preference is mandatory. An agency must apply the appropriate candidate preference as outlined below.
- (3) Veterans' Preference
 - (a) Veterans' preference is applied whenever a competitive selection process is conducted including new hire, promotion, job rotation, developmental assignment, and temporary hires. Candidate preference is applied at every stage in the selection process.
 - (b) Qualifying for veterans' preference
 - (A) An agency awards veterans' preference points when an applicant:

- (i) Submits all required application materials and follows application instructions; and
- (ii) Meets all minimum qualifications and special qualifications of the position; and
- (iii) Meets the requirements to qualify as a veteran or disabled veteran as defined by statute and submits military documents as verification:

Veterans (qualifying for a 5-percentage preference)

- (I) A copy of the Certificate of Release or Discharge from Active Duty (DD214 or 215), or a letter from the U.S. Department of Veterans Affairs indicating the applicant receives a non-service-connected pension; or
- (II) Submits a certification indicating the applicant is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification.

Disabled Veterans (qualifying for a 10-percentage preference)

- (III) A copy of form DD214 and a copy of a letter from the U.S. Department of Veterans Affairs indicating a disability rating unless the information is included on the DD214 or 215; or
- (IV) A copy of a letter from the U.S. Department of Veterans Affairs indicating the person is receiving service-connected compensation; or
- (V) Submits a certification indicating the applicant is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification.

- (B) For veterans' preference to apply, the agency must receive the military documents normally at time of application but no later than at the time of interview. Military documents should be submitted through the E-Recruit system.
- (C) Preference is applied when an unscored method, such as a pile system, is used.
- (D) Once an agency awards veteran preference and records it in the E-Recruit system, the military documents do not need to be submitted again.

(c) Screening veteran candidates

- (A) The hiring agency considers all of the following when determining the skills and attributes of the veteran applicant:
 - (i) Education
 - (ii) Work experience
 - (iii) Relevant life experience, i.e., experience where skills and attributes are obtained through unpaid activities such as volunteering or participating in an association or committee

- (iv) Transferable skills, i.e., including skills obtained through military education or experience that substantially relate, directly or indirectly, to the position.
- (B) The hiring agency screens only for skills and attributes listed in the job posting.
- (C) The veteran must provide sufficient evidence in the requested application materials for the hiring agency to determine if the veteran possesses the qualifications, skills and attributes for the position.
- (d) Interviewing veteran candidates
 - (A) The hiring agency interviews all veteran candidates who:
 - (i) Meet the evaluation criteria for an interview to be granted (after application of veteran's preference) as determined by the hiring agency; or
 - (ii) Meet all the required and requested skills and attributes listed in the job posting.
 - (I) If the veteran candidate does not meet criteria in (i, the agency must review the veteran's application materials for (ii).
 - (B) The hiring agency must document the reason if a veteran is not selected for an interview.
 - (C) Veterans from a pre-qualified list established by pre-employment tests who will be considered for hire from a ranked order do not have to be interviewed. Pre-qualified lists are typically established by law enforcement and fire protection agencies.
- (e) Applying veterans' preference throughout the selection process
 - (A) Veterans' preference is applied at each stage of the selection process, including but not limited to an interview.
 - (B) A stage in the process occurs when two or more applicants are compared and one or more applicants are rejected for the position.
 - (C) Veterans' preference is applied on reference checks used as a tie-breaker or to distinguish between candidates. Veterans' preference does not apply when reference checks are conducted only on a top candidate to ensure suitability.
 - (D) The hiring agency may use a scored or unscored evaluation method.
 - (i) Scored evaluation method
 - (I) The applicable percentage (5 or 10) is calculated based on the total score possible and added to the applicant's total points
 - (ii) Unscored evaluation method

- (I) Veterans will advance one level and disabled veterans will advance two levels.
- (II) The hiring agency may choose the number of levels or rankings and define the levels and rankings such as:
 - a Sorting levels or piles (for example, “highly desirable,” “substantially desirable,” “moderately desirable,” “possibly desirable,” “not desirable”)
 - b Ranking (comparing a candidate’s skills and attributes to another candidate)

- (E) The hiring agency may choose the evaluation criteria such as:
 - (i) Strengths and weaknesses
 - (ii) Competencies (skills and attributes)
 - (iii) Responses to interview questions
- (F) The hiring agency must define and document the evaluation method and criteria.

(f) Selection

- (A) An agency appoints a veteran applicant if at the final stage of the selection process the veteran is ranked equal to or higher than a non-veteran candidate.
- (B) A disabled veteran will be appointed over a veteran when deemed equal at the final stage of the selection process.

(g) Veterans’ rights

- (A) A veteran applicant who is not appointed to a position may make a written request for an explanation from the hiring agency.
- (B) The hiring agency must provide the reasons for not appointing the veteran, in writing.

(4) Malheur County Residence Preference

- (a) Malheur County residence preference applies whenever a competitive selection process is conducted for a vacant position or for promotion
- (b) Malheur County residence preference applies to positions where the majority of work will be performed within 20 miles of the State of Oregon border and State of Idaho border, including but not limited to Ontario, Vale and Nyssa; an area in Oregon that is across the Oregon border from Weiser, Idaho; an area southwest of Vale for a distance of 10 miles; and Willow Creek and Brogan. This area is otherwise known as the Eastern Oregon Border Economic Development Region.
- (c) An agency awards Malheur County residence preference when an applicant:

- (A) Submits all required application materials and follows application instructions; and
 - (B) Meets all minimum qualifications and special qualifications of the position; and
 - (C) Primarily resides in Malheur County
- (d) Candidates may decline preference at the time of application.
- (e) Applying Malheur County residence preference throughout the selection process
- (A) Malheur County residence preference is applied at each stage of the selection process, including but not limited to an interview.
 - (B) A stage in the process occurs when two or more applicants are compared and one or more applicants are rejected for the position.
 - (C) Malheur County residence preference is applied on reference checks used as a tie-breaker or to distinguish between candidates. Preference does not apply when reference checks are conducted only on a top candidate to ensure suitability.
 - (D) The hiring agency may use a scored or unscored evaluation method. At each stage of the application screening and recruitment process that result in a score,
 - (i) Five percentage preference points are calculated based on the total score possible and added to the applicant's total points
 - (E) At each stage of the application screening and recruitment processes which do not result in a score, the candidate is moved up one rating at each step in the recruitment.
 - (F) Malheur County residence preference is applied after any veteran's points are awarded.
 - (G) A qualified resident shall be appointed if the results of the resident applicant's application examination, when combined with the resident applicant's preference percentage points, are equal to or higher than the results of an application examination for an applicant who is not a resident applicant.
 - (H) A resident applicant who received preference and accepted the position must maintain residency in Malheur County for at least five consecutive years following the date on which the employment begins.
 - (I) Failure to maintain residency in Malheur County for this period shall be considered a voluntary termination of the employment from the position.

SUBJECT: Discrimination and Harassment Free Workplace

NUMBER: 50.010.01

DIVISION: Chief Human Resources Office

EFFECTIVE DATE: 01/01/2022

APPROVED: Signature on file with the Chief Human Resources Office

**POLICY
STATEMENT:**

Oregon state government as an employer is committed to a discrimination and harassment free work environment. This policy outlines types of prohibited conduct and procedures for reporting and investigating prohibited conduct.

AUTHORITY:

ORS 174.100, 240.086(1); 240.145(3); 240.250; 240.316(4); 240.321; 240.555; 240.560; SB 726 (2019; to be added to ORS 659A), SB 479 (2019; to be added to ORS 243); 659A.029; 659A.030, 659A.082 and 659A.112; Title VII; Civil Rights Act of 1964; Executive Order EO-93-05; Rehabilitation Act of 1973; Employment Act of 1967; Americans with Disabilities Act of 1990; and 29 CFR §37.

APPLICABILITY:

All employees, including limited duration and temporary employees, board and commission members, elected officials, volunteers, interns, others working in an agency, and prospective employees unless this policy conflicts with an applicable collective bargaining agreement.

ATTACHMENTS:

None

DEFINITIONS:

Also refer to State HR Policy 10.000.01, Definitions

Collective Bargaining Agreement (CBA): A written agreement between Oregon state government (Department of Administrative Services) and a labor union. References to CBAs contained in this policy are applicable only to employees covered by a CBA.

Complainant: A person (or persons) allegedly subjected to, or who witnessed or observed discrimination, workplace harassment or sexual harassment and who files a complaint with their immediate supervisor, another manager, or the agency, board, or commission human resources section, executive director, or chair, or the DAS Chief Human Resources Office.

Contractor: An individual or business with whom Oregon state government has entered into an agreement or contract to provide goods or services. Qualified rehabilitation facilities who by contract provide temporary workers to state agencies are considered contractors. Contractors are not subject to ORS 240 but must comply with all federal and state laws.

Designated individual: An individual designated by the agency who is responsible for receiving reports of discrimination, harassment or sexual assault.

Discrimination: Making employment decisions related to hiring, firing, transferring, promoting, demoting, benefits, compensation, and other terms and conditions of employment, based on or because of an employee's protected class status. (See *also Workplace Harassment*.)

Employee: Any person employed by the state in one of the following capacities: management service, unclassified executive service, unclassified or classified unrepresented service, unclassified or classified represented service, or represented or unrepresented temporary service. This definition includes board and commission members, and individuals who volunteer their services to state government.

Higher Standard: Applies to managers and supervisors. Managers/supervisors are held to a higher standard and are expected to be proactive in creating and maintaining a discrimination and harassment free workplace. Managers/supervisors must exercise appropriate measures to prevent and promptly correct any discrimination, workplace harassment or sexual harassment they know about or should know about.

Non-disclosure agreement: An agreement between the employer and employee not to disclose information related to complaints or personnel actions related to violations of the Statewide Discrimination and Harassment Free Workplace policy.

Non-disparagement agreement: An agreement between the employer and employee not to make negative statements about the other related to complaints or personnel actions related to violations of State HR Policy 50.010.01 (*Discrimination and Harassment Free Workplace*).

Manager/Supervisor: Those who supervise or have authority or influence to affect employment decisions.

Protected Class Under Federal Law: Race; color; national origin; sex (includes pregnancy- related conditions); religion; age (40 and older); disability; sexual orientation; a person who uses leave covered by the Federal Family and Medical Leave Act; a person who uses military leave; a person who associates with a protected class; a person who opposes unlawful employment practices, files a complaint or testifies about violations or possible violations; and any other protected class as defined by federal law.

Protected Class Under Oregon State Law: All federally protected classes, plus: age (18 and older); physical or mental disability; injured worker; a person who uses leave covered by the Oregon Family Leave Act; marital status; family relationship; gender identity, whistleblower; expunged juvenile record; and any other protected class as defined by state law.

Sexual Harassment: Sexual harassment is unwelcome, unwanted or offensive sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment, or is used as a basis for any employment decision (granting leave requests, promotion, favorable performance appraisal, etc.); or
- (2) Such conduct is unwelcome, unwanted or offensive and has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment include but are not limited to: unwelcome, unwanted or offensive touching or physical contact of a sexual nature, such as closeness, impeding or blocking movement, assaulting or pinching; gestures; innuendoes; teasing, jokes, and other sexual talk; intimate inquiries; persistent unwanted courting; sexist put-downs or insults; epithets; slurs; or derogatory comments. (*See also Workplace Harassment.*)

Sexual assault: Unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation; or a sexual offense has been threatened or committed as described in ORS 163.305 to 163.467 or 163.525. (*See also Workplace Harassment.*)

Sexual Orientation under Oregon State Law: An individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

Workplace Harassment: Conduct that constitutes discrimination prohibited by ORS 659A.030, including conduct that constitutes sexual assault or that is prohibited by ORS 659A.082 or 659A.112.

Workplace Intimidation: Unwelcome, unwanted or offensive conduct based on or because of an employee's protected class status.

Workplace intimidation may occur between a manager/supervisor and a subordinate, between employees, and among non-employees who have business contact with employees. A complainant does not have to be the person harassed, but could be a person affected by the offensive conduct.

Examples of intimidation include, but are not limited to, derogatory remarks, slurs and jokes about a person's protected class status.

Volunteer: Any individual who is performing work on behalf of Oregon state government or a state agency and is not paid for their service. This may include interns, externs and other categories of unpaid workers.

POLICY:

Oregon state government is committed to a discrimination, harassment, and intimidation free work environment. This policy outlines types of prohibited conduct and procedures for reporting and investigating prohibited conduct.

(1) Workplace Harassment (Discrimination), Sexual Harassment, Sexual Assault, and Workplace Intimidation.

Oregon state government provides a work environment free from workplace harassment (unlawful discrimination) or workplace intimidation based on or because of an employee's protected class status. Additionally, Oregon state government provides a work environment free from sexual harassment.

Discrimination and Harassment Free Workplace**50.010.01**

Employees at every level of the organization, including state temporary employees and volunteers, must conduct themselves in a business-like and professional manner at all times and not engage in any form of discrimination, workplace harassment, workplace intimidation, sexual assault, or sexual harassment.

- (2) **Higher Standard.** Managers/supervisors are held to a higher standard and are expected to be proactive in creating and maintaining a discrimination and harassment free workplace. Managers/supervisors must exercise appropriate measures to prevent and promptly correct any discrimination, workplace harassment, workplace intimidation, sexual assault, or sexual harassment they know about or should know about.
- (3) **Designated Individual.** Each agency shall designate an individual and an alternate who are responsible for receiving reports of prohibited conduct under this policy (discrimination, workplace harassment, sexual harassment, sexual assault, workplace intimidation or employment or settlement agreements containing prohibited provisions) occurring within the agency. Each agency must notify employees of who the agency designated individual and alternate are any time it is required to provide a copy of the Discrimination and Harassment Free Workplace policy to employees under this policy or whenever a new designated individual or alternate is selected. Agencies must inform the DAS Chief Human Resources Office (CHRO) who the agency has selected as the designated individual and alternate. CHRO will maintain a list of these individuals.
- (4) **Reporting.** Anyone who is subject to or aware of what they believe to be discrimination, workplace harassment, workplace intimidation, sexual harassment, sexual assault, or related employment or settlement agreements containing prohibited provisions should report that behavior to the designated individual or alternate.

Those individuals making a report of what they believe to be discrimination, workplace harassment, workplace intimidation, sexual harassment or sexual assault may also report that behavior to their immediate supervisor, another manager, or the agency, board, or commission human resources section, executive director, chair, or DAS CHRO.

A report of discrimination, workplace harassment, sexual harassment, workplace intimidation, or sexual assault is considered a complaint. Any supervisor or manager, or the agency, board, or commission human resources section, executive director, or chair receiving a complaint should promptly notify the agency's designated individual or alternate.

Upon receipt of a report of prohibited discrimination, workplace harassment, sexual harassment, workplace intimidation, or sexual assault, the designated individual or alternate shall provide a copy of this policy to the employee. The designated individual and alternate shall maintain appropriate records of all complaints.

- (a) A complaint may be made orally or in writing.
- (b) An oral or written complaint should contain the following:
 - (A) The name of the complainant and the name of the person that was subjected to the discrimination, workplace harassment, sexual harassment, workplace intimidation, or sexual assault if they are not the same person.
 - (B) the names of all parties involved, including witnesses.

(C) A specific and detailed description of the conduct or action the employee believes constitutes discrimination, workplace harassment, sexual harassment, workplace intimidation or sexual assault;

(D) The date or time period in which the alleged conduct occurred.

(E) A description of the desired remedy.

(c) A report should be made to the designated individual within five (5) years of the occurrence; however, failure to report within five years does not remove the agency's responsibility for coordinating and conducting an investigation.

(5) Other Reporting Options.

(1) Nothing in this policy prevents any person from filing a formal grievance in accordance with a CBA; a formal complaint with the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC); or if applicable, the U.S. Department of Labor (USDOL) Civil Rights Center. However, some CBAs require an employee to choose between the complaint procedure outlined in the CBA and filing a BOLI or EEOC complaint.

(2) A complaint filed with BOLI alleging an unlawful employment practice as described in ORS 659A.030, 659A.082 to 659A.865, 659A.112 or section 2 of SB726 (2019) must be filed no later than five years after the occurrence of the alleged unlawful employment practice.

(3) Nothing in this policy prevents any person from seeking remedy under any other available law, whether civil or criminal.

(4) An employee or claimant must provide advance notice of claim against the employer as required by ORS 30.275.

(6) Filing a report with the U.S. Department of Labor (USDOL) Civil Rights Center. An employee whose agency receives federal financial assistance from the U.S. Department of Labor under the Workforce Innovation and Opportunity Act, Mine Safety and Health Administration, Occupational Safety and Health Administration, or Veterans' Employment and Training Service, may file a complaint with the State of Oregon Equal Opportunity Officer or directly through the USDOL Civil Rights Center. The complaint must be written, signed and filed within 180 days of when the alleged discrimination or harassment occurred.

(7) Investigation. The agency designated individual or alternate will notify the agency, board, or commission human resources section, executive director, or chair, or the DAS Chief Human Resources Office as applicable, to coordinate and conduct, or delegate responsibility for coordinating and conducting, an investigation.

(a) All complaints will be taken seriously and an investigation will be initiated as quickly as possible.

(b) The agency, board or commission may need to take steps to ensure employees are protected from further potential discrimination or harassment.

(c) To the extent possible, the agency will handle complaints in a discreet and confidential manner.

(d) All parties are expected to cooperate with the investigation and keep information regarding the investigation confidential.

Discrimination and Harassment Free Workplace**50.010.01**

- (e) The agency, board, or commission will notify the accused and all witnesses that retaliating against a person for making a report of discrimination, workplace harassment, sexual harassment, workplace intimidation or sexual assault will not be tolerated.
- (f) The agency, board, or commission will notify the complainant and the accused when the investigation is concluded.
- (g) Immediate and appropriate action will be taken if a complaint is substantiated.
- (h) The agency, board, or commission will inform the complainant if any part of a complaint is substantiated and action has been taken. The complainant will not be given the specifics of the action.
- (i) The complainant and the accused will be notified by the agency, board, or commission if a complaint is not substantiated.
- (j) Unless the victim has signed a waiver of the employer's responsibility to conduct follow up contacts with the victim, the employer shall follow up with the victim of the alleged workplace harassment once every three months for the 12 (twelve) calendar months following the date on which the employer received a report of workplace harassment to determine whether the alleged harassment has stopped or if the victim has experienced retaliation.

(8) Documentation.

- (A) Any of the individuals or entities outlined in (1)(4) that receive reports of discrimination, workplace harassment, workplace intimidation, sexual harassment, sexual assault, or related employment or settlement agreements containing prohibited provisions must document such reports.
- (B) Any supervisor, manager or employee who observes or experiences what they believe to be incidents of discrimination, workplace harassment, workplace intimidation, sexual harassment, or sexual assault should also document such incidents.
- (C) Agencies must maintain records of workplace harassment including;
 - i. The date of the incident.
 - ii. The date the complaint was received by the designated individual or alternate.
 - iii. The dates the investigation was started and closed.
 - iv. The investigation report.
 - v. The outcome of the investigation and any actions taken by the agency.
 - vi. The dates the agency followed up with the victim, or a signed waiver of the employer's responsibility to conduct follow up contacts with the victim.

(9) Penalties. Conduct in violation of this policy will not be tolerated.

- (a) Employees engaging in conduct in violation of this policy may be subject to disciplinary action up to and including dismissal.
- (b) State temporary employees and volunteers who engage in conduct that violates this policy may be subject to termination of their working or volunteer relationship with the agency, board, or commission.

Discrimination and Harassment Free Workplace**50.010.01**

- (c) An agency, board, or commission may be liable for discrimination, workplace harassment sexual harassment, workplace intimidation or sexual assault if it knows of or should know of conduct in violation of this policy and fails to take prompt, appropriate action.
- (d) Managers and supervisors who know or should know of conduct in violation of this policy and who fail to report such behavior or fail to take prompt, appropriate action may be subject to disciplinary action up to and including dismissal.

(10) Prohibited employment or settlement agreements.

(A) Agencies may not require, coerce, or enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation or the receipt of benefits, that contains a nondisclosure provision, a non-disparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing conduct that:

- i. Constitutes discrimination prohibited by ORS 659A.030, including conduct that constitutes sexual assault; or
- ii. Constitutes discrimination prohibited by ORS 659A.082 or 659A.112; and(b)(A) that occurred between employees or between an employer and an employee in the workplace or at a work-related event that is off the employment premises and coordinated by or through the employer; or
- iii. Occurred between an employer and an employee off the employment premises.

(B) Exceptions:

- i. An agency may enter into a settlement, separation or severance agreement that includes one or more of the following, only when an employee claiming to be aggrieved by conduct described under section (10)(A) of this policy requests to enter into the agreement:
 - 1. A provision described in section (10)(A) of this policy,
 - 2. A provision that prevents the disclosure of factual information relating to a claim of discrimination or conduct that constitutes sexual assault; or
 - 3. A no-rehire provision that prohibits the employee from seeking re-employment with the employer as a term or condition of the agreement.
- ii. An agreement entered into under subsection (i) of this section must provide the employee at least seven days after executing the agreement to revoke the agreement.
- iii. The agreement may not become effective until after the revocation period has expired.
- iv. If an employer makes a good faith determination that an employee has engaged in conduct prohibited by ORS 659A.030, including sexual assault, conduct prohibited by ORS 659A.082 or 659A.112, or conduct prohibited by this section, the employer may enter into a settlement, separation or severance agreement that includes one or more of the following:
 - 1. A provision described in section (10)(A) of this policy;
 - 2. A provision that prevents the disclosure of factual information that relates to a claim of discrimination or conduct that constitutes sexual assault; or
 - 3. A no-rehire provision that prohibits the employee from seeking re-employment with the employer as a term or condition of the agreement.
- v. For violations that occur after October 1, 2020, an employee may file a complaint under ORS 659A.820 for violations of this section and may bring a civil action under ORS 659A.885 and recover relief as provided by ORS 659A.885(1) to (3).
- vi. This section does not apply to an employee who is tasked by law to receive confidential or privileged reports of discrimination, sexual assault or harassment

- (11) A victim of workplace harassment may voluntarily disclose information regarding an incident of workplace harassment that involves the victim.
- (12) **Resources.** Individuals who believe they are the victim of workplace harassment should contact their immediate supervisor, another manager, or the agency, board, or commission human resources section, executive director, or chair, or the DAS Chief Human Resources Office for information related to legal resources, counseling, and support services, including the employee assistance program.
- (13) **Retaliation.** This policy prohibits retaliation against anyone who files a complaint, participates in an investigation, or reports observing discrimination, workplace harassment, workplace intimidation, sexual assault, or sexual harassment.
- (a) Anyone who believes they have been retaliated against because they filed a complaint, participated in an investigation, or reported observing discrimination, workplace harassment or sexual harassment, should report this behavior to the employee's supervisor, another manager, or the agency, board, or commission human resources section, executive director, or chair, or the DAS Chief Human Resources Office as applicable. Complaints of retaliation will be investigated promptly.
 - (b) Employees who violate this policy by retaliating against others may be subject to disciplinary action, up to and including dismissal.
 - (c) State temporary employees and volunteers who retaliate against others may be subject to termination of their working or volunteer relationship with the agency, board, or commission
- (14) **Policy Notification.**
- (A) An employer shall:
 - (i) Make the policy available to employees within the workplace;
 - (ii) Provide a copy of the policy to each employee at the time of hire and in any orientation materials provided to the employee at the time of hire; and
 - (iii) Require any supervisor or individual who is designated by the employer to receive complaints to provide a copy of the policy to an employee at the time that the employee discloses information regarding prohibited discrimination, harassment, intimidation or sexual assault.
 - (B) All employees including board/commission members, state temporary employees, and volunteers shall:
 - i. Be required to complete harassment and discrimination training upon their initial hire or appointment, and annually thereafter.
 - ii. Be given directions to read the policy.
 - iii. Be provided an opportunity to ask questions and have their questions answered. Questions regarding this policy may be directed to the employee's immediate supervisor, another manager, or the agency, board, or commission human resources section, executive director, or chair, or the DAS Chief Human Resources Office as applicable.

Sign an acknowledgement indicating the employee has read the policy and had the opportunity to ask questions. The agency, board or commission must keep signed acknowledgements on file, or use an electronic acknowledgment system to comply with this requirement.

SUBJECT: ADA and Reasonable Accommodation
in Employment

NUMBER: 50.020.10

DIVISION: Chief Human Resources Office

EFFECTIVE DATE: 11/05/2019

APPROVED: Signature on file with the Chief Human Resources Office

**POLICY
STATEMENT:**

Oregon state government follows the clear mandate in state law and the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendments Act of 2008, to remove barriers that prevent qualified people with disabilities from enjoying the same employment opportunities that are available to people without disabilities.

Oregon state government provides equal access and equal opportunity in employment. Its agencies do not discriminate based on disability. Oregon state government uses only job-related standards, criteria and methods of administration that are consistent with business necessity. These standards, criteria and methods do not discriminate or perpetuate discrimination based on disability.

According to OAR 105-040-0001 Equal Employment Opportunity and Affirmative Action, Oregon state government takes positive steps to recruit, hire, train, and provide reasonable accommodation to applicants and employees with disabilities.

AUTHORITY:

ORS 240.145; 240.240; 240.250; ORS 659A.103 -145; 243.305; 243.315; The Americans with Disabilities Act (ADA) of 1990 as amended by the Americans with Disabilities Act Amendments Act (ADAAA) of 2008; Civil Rights Act of 1991; and 42 U.S.C. §12101 et seq.

APPLICABILITY:

This policy applies to all state employees, including state temporary employees, according to provisions of federal and state law.

ATTACHMENTS:

ADA Accommodation Tool Kit

DEFINITIONS:

Also refer to State HR Policy 10.000.01, Definitions.

The following definitions apply to terms referenced in this policy and its attachments:

Americans with Disabilities Act (ADA): The ADA is a federal civil rights statute that removes barriers preventing qualified people with disabilities from enjoying the same employment opportunities available to people without disabilities. References to ADA also refer to amendments to that Act.

Essential Functions: These include, but are not limited to, duties that are necessary because:

- The primary reason the position exists is to perform these duties.
- A limited number of employees are available who can perform these duties.
- The incumbent is hired or retained to perform highly specialized duties.

Individual with a Disability: This term means a person to whom one or more of the following apply:

- A person with a physical or mental impairment that substantially limits one or more of the major life activities of such a person without regard to medications or other assistive measures a person might use to eliminate or reduce the effect of impairment.
- A person with a record of such impairment.
- A person regarded as having such impairment.

Major Life Activities: This term means the basic activities the average person in the general population can perform with little or no difficulty. These include, but are not limited to: breathing; walking; hearing; thinking; concentrating; seeing; communicating; speaking; reading; learning; eating; self-care; performing manual tasks such as reaching, bending, standing and lifting; sleeping; and working (working in general, not the ability to perform a specific job). The term also includes, but is not limited to, “major bodily functions,” such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

Physical or Mental Impairment: This term refers to any of the following:

- A physiological disorder, condition, cosmetic disfigurement, or anatomical loss that affects one or more bodily systems, including neurological, musculoskeletal, special sense organs, respiratory, cardiovascular or reproductive.
- A mental or psychological disorder including, but not limited to, intellectual disability, organic brain syndrome, emotional or mental illness or specific learning disability.
- Disease or condition including orthopedic, visual, speech and hearing impairment, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV or alcoholism.
- Any other physical or mental impairment listed under the ADA.

Qualified Person: This term means a person who has the personal and professional attributes, including skill, experience, education, physical and mental ability, medical, safety and other requirements to hold a position.

“Qualified person” does not include people who currently engage in illegal drug use. However, persons who are currently enrolled in, or who have completed a rehabilitation program, and who continue to abstain from illegal drug use may qualify.

Reasonable Accommodation: This term means change or adjustment to a job or work environment that enables a qualified employee with a disability to perform the essential functions of a job, or to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities.

“Reasonable accommodation” does not include modifications or adjustments that cause an undue hardship to the agency.

“Reasonable accommodation” does not mean providing personal auxiliary aids or services, such as service dogs or hearing aids that a person uses both on and off the job.

A reasonable accommodation does not include lowering production standards, promoting or assigning an employee to a higher-paying job, creating a position or reassigning essential functions to another worker.

Accommodations for Pregnancy, Childbirth or a Related Medical Condition

“Reasonable accommodation” includes accommodations or adjustments made for pregnancy, childbirth, or a related medical condition including, but not limited to, lactation. Reasonable accommodations for purposes of pregnancy, childbirth or a related medical condition may include, but are not limited to:

- (1) Acquisition or modification of equipment or devices.
- (2) More frequent or longer break periods or periodic rest.
- (3) Assistance with manual labor.
- (4) Modification of work schedules or job assignments.

Undue Hardship: This term means significant difficulty or expense. Whether a particular accommodation imposes undue hardship is determined on a case-by-case basis, with consideration of such factors as the following:

- The nature and cost of the accommodation needed.
- The agency’s size and financial resources and the employee’s official worksite.
- The agency’s operation, structure, functions and geographic separateness.
- The agency’s administrative or fiscal relationship to the facility responding to the accommodation request and to any other state agencies in the facility.
- The impact of the accommodation on the operation of the agency or its facility.

POLICY:

- (1) Each state agency director or authorized designee administers State HR Policy 50.020.10 as the agency's policy. Compliance with the ADA is mandatory.
 - (a) Each agency identifies an ADA coordinator to coordinate ADA accommodation requests and function as an agency resource on ADA matters.
 - (b) Each agency develops and follows its own procedures for receiving, processing and documenting accommodation requests under this policy. The attached tool kit will assist in this process.
- (2) An employee may request an accommodation under this policy by following agency procedures.
- (3) The agency must review and respond in a timely manner to each request for accommodation. The agency must engage in an interactive dialogue with the employee to determine whether the accommodation is necessary and will be effective. Agencies will acknowledge in writing all written requests for accommodations within seven calendar days from the date of receipt.
- (4) Each accommodation is unique to the person, the disability and the nature of the job. No specific form of accommodation can guarantee success for all people in any particular job. The agency must give primary consideration to the specific accommodation requested by the employee. Through the interactive process the agency may identify and provide an alternative accommodation. With regard to pregnancy, childbirth or a related medical condition, the agency must not require an employee to accept a reasonable accommodation that is unnecessary for the employee to perform the essential duties of the job or to accept a reasonable accommodation if the employee does not have a known limitation.
- (5) The duty to provide reasonable accommodation is ongoing. The agency and the employee must engage in the interactive process again if an accommodation proves ineffective.
- (6) The agency may deny an accommodation if it is not effective, if it will cause undue hardship to the agency, or if the agency identifies imminent physical harm or risk. The undue hardship exception is available only after careful consideration. The agency must consider alternative accommodations, should a requested accommodation pose undue hardship.
- (7) Federal and state law prohibit retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested or was previously accommodated under the ADA.
- (8) **Policy Notification.**
 - (A) Agencies will ensure information regarding ADA and agency-specific procedures for requesting an accommodation are readily accessible to employees via bulletin boards and/or a public website or intranet.
 - (B) Agencies shall post signs that inform employees of the employment protections under ORS 659A, including the right to be free from discrimination because of pregnancy, childbirth and related medical conditions, and the right to reasonable accommodation. Agencies shall post the signs in a conspicuous and accessible location in or about the premises where employees work.

- (i) In addition to posting signs, agencies shall provide a written copy of the notice to:
 - (1) New employees, at the time of hire.
 - (2) Existing employees, within 180 days after the effective date of this policy.
 - (3) Any employee who informs the agency of the employee's pregnancy, within 10 days after the employer receives the information.

Department of Administrative Services

Chief Human Resources Office - Chapter 105

Division 40

FILLING POSITIONS

105-040-0001

Equal Employment Opportunity and Affirmative Action

(1) Oregon State Government is committed to achieving a workforce that represents the diversity of the Oregon community and being a leader in providing its citizens with fair and equal employment opportunities. Accordingly:

(a) State agency heads shall ensure:

(A) Equal employment opportunities are afforded to all applicants and employees by making non-discriminatory employment related decisions;

(B) Employment practices shall be in compliance with the state's Affirmative Action Guidelines, state and federal laws to:

(i) Promote good faith efforts to achieve established affirmative action objectives; and

(ii) Take proactive steps to develop diverse applicant pools for position vacancies.

(b) The Department of Administrative Services (DAS) shall:

(A) Maintain an automated affirmative action tracking system which uses a uniform methodology for communicating affirmative action objectives for each state agency.

(B) Produce periodic reports showing Oregon State Government's progress toward achieving established affirmative action objectives identified by the Chief Human Resources Office at DAS and the Governor's Office of Diversity and Inclusion.

(c) Persons, who believe they have been subjected to discrimination by an agency in violation of this rule, may file a complaint with the agency's affirmative action representative within 365 calendar days of the alleged act or upon knowledge of the occurrence.

(2) Employment related decisions include, but are not limited to:

(d) Hiring,

(e) Promotion,

(f) Demotion,

(g) Transfer,

(h) Termination,

(i) Layoff,

(j) Training,

(k) Compensation,

(l) Benefits, and

(m) Performance evaluations;

(3) Diverse applicant pools are developed by using proactive outreach strategies.

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(4) This rule does not preclude any person from filing a formal complaint in accordance with a collective bargaining agreement, or with appropriate state or federal agency under the applicable law.

Statutory/Other Authority: ORS 184.340, 240.145 & 240.250

Statutes/Other Implemented: ORS 240.306 & 659A.012 - 659A.015

History:

CHRO 2-2016, f. 6-22-16, cert. ef. 7-1-16

HRSD 2-2008, f. & cert. ef. 11-4-08

HRSD 11-2003, f. 7-15-03, cert. ef. 7-21-03

PD 2-1994, f. & cert. ef. 8-1-94

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EXECUTIVE ORDER 08-18

Amending EXECUTIVE ORDER 05-01 RELATING TO AFFIRMATIVE ACTION

On January 26, 2005, I issued Executive Order 05-01 relating to affirmative action. That Executive Order directs Agency Directors and Administrators to review and discuss their affirmative action plans, to initiate training on affirmative action issues, to include affirmative action responsibilities in key job descriptions and to conduct Cultural Competency Assessment and Training.

Since the issuance of Executive Order 05-01, many state agencies have met with the Governor's Affirmative Action Office (GAAO) to review and discuss their affirmative action plans. The Department of Administrative Services (DAS) has concluded an audit of position descriptions for the inclusion of affirmative action duties and has shared audit results with GAAO. In addition, a number of state agencies have completed Cultural Competency Assessment and Training.

Despite these gains, much more can be accomplished. The State of Oregon remains committed to the right of all persons to work and advance on the basis of merit ability and potential. In order to clarify the provisions of Executive Order No. 05-01, I amend that order as follows.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. The GAAO and each Agency Director and Administrator shall review and discuss each agency's affirmative action plan and affirmative action goals to identify resources for improving the hiring and development opportunities of underrepresented persons.
2. To continue the State of Oregon's progress in the elimination of the effects of past and present discrimination, intended or unintended Agency Directors and Administrators shall:
 - a. Provide ongoing leadership in implementing agency's affirmative action plan.
 - b. Include affirmative action and diversity responsibilities in executive and/or management job descriptions, as appropriate, on or before January 31, 2009;
 - c. Ensure that Affirmative Action Representatives attend GAAO's informational trainings to assist Representatives in fulfilling their affirmative action responsibilities;



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- d. Post each agency's affirmative action policy statement in a visible area. The policy statement shall include contact information for the agency's Affirmative Action Representative
 - e. Communicate to all employees about the Affirmative Action resources available within each agency and the important role of Affirmative Action Representatives in responding to employees' concerns of discrimination in the areas of hiring, retention, promotion and career development;
 - f. Evaluate and assess any trends showing an increase or decrease in discrimination and/or harassment claims; and
 - g. Work to improve implementation of the agency's affirmative action plan through the use of performance assessments and/or performance evaluations.
3. Under ORS 659A.012, state agencies are required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action objectives as a key consideration of the manager's or supervisor's performance." Periodically, DAS shall conduct audits of agencies to determine whether management personnel are being evaluated based on effectiveness in achieving affirmative action objectives. Results of this audit shall be provided to GAAO.
4. GAAO will continue to coordinate with DAS in the development and presentation of training designed to improve employees' skills and competency in managing affirmative action and diversity issues.
5. GAAO will continue to monitor agencies' implementation of Cultural Competency Assessment and Implementation Services. Agency Directors and Administrators are strongly encouraged to utilize Cultural Competency Assessment and Implementation Services within their agencies if, in the opinion of GAAO and the Agency Director or Administrator, it is beneficial and appropriate for the agencies to do so.
6. DAS, in conjunction with GAAO and the Oregon Department of Justice, has developed a confidential web-based exit interview survey tool. Agency Directors and Administrators shall allow employees to utilize state equipment to access the Exit Interview survey and shall encourage all employees to complete the survey prior to their transfer or departure.



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7. This Executive Order and Executive Order 05-01 expires on
December 31, 2014.

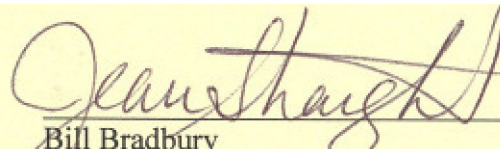
Done at Salem, Oregon, this ^{fv} j_L day of August, 2008.



Theodore R. Kulongoski

GOVERNOR

ATTEST:


Bill Bradbury
SECRETARY OF STATE

Appendix C – Agency Documentation in support of its Affirmative Action Plan

OREGON STATE MARINE BOARD	
Title: Affirmative Action	Number: OSMB 11-1012
Effective: Upon Signature	Revision: 08/01/16
Applicability: All employees, board members and volunteers of the Oregon State Marine Board	
Reference: ORS 830.135	
Approval: 	Date: 01/01/11

I. POLICY

The OSMB Affirmative Action Plan applies to all employees, board members and volunteers of the Oregon State Marine Board. This plan governs all matters relating to all human resources selection and decision practices, such as: advertising, benefits, compensation and discipline including probation, suspension and termination for cause or layoff, employee facilities, performance evaluation, recruitment, social/recreational programs, training, as well as delivery of OSMB services.

II. PURPOSE

OSMB is committed to establishing and maintaining a diverse workforce, reflective of the diverse population within the State of Oregon. OSMB is committed to an affirmative action program that provides equal opportunities for all persons regardless of race, color, religion, sex, sexual orientation, national origin, marital status, age or disability.

III. AFFIRMATIVE ACTION POLICY STATEMENT

1. OSMB is committed to establishing and maintaining a diverse workforce, reflective of the diverse population within the State of Oregon. OSMB is committed to an affirmative action program that provides equal opportunities for all persons regardless of race, color, religion, sex, sexual orientation, national origin, marital status, age or disability.
2. It is the policy of OSMB to provide an environment for each applicant and employee that is free from sexual harassment, as well as, harassment and intimidation on account of an individual's race, color, religion, gender, sexual orientation, national origin, age or disability.
3. The Marine Board's commitment toward affirmative action and diversity and inclusion in the workplace is realized through a variety of programs and measures.
 - a) The Marine Board is an equal-opportunity employer that is committed to a pro-active role in the recruitment and selection process. The Marine Board will attempt to use diverse recruitment strategies to identify and attract candidates and to the best of its ability establish interview panels that represent protected class groups.

- b) The Marine Board is committed to providing broad and culturally enriched training, career growth and developmental opportunities to all employees on an equal basis, enabling them to further advance and promote their knowledge, skills and abilities and their value of diversity.

IV. AFFIRMATIVE ACTION POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES

1. The Marine Board will not discriminate, nor tolerate discrimination against any applicant or employee because of physical or mental disability in regard to any position for which the known applicant for employment is qualified.
2. The Marine Board agrees to take affirmative action to employ, advance in employment and otherwise treat known qualified individuals with disabilities without regard to their physical or mental disabilities in all human resources selection and decision practices, such as: advertising, benefits, compensation and discipline including probation, suspension and termination for cause or layoff, employee facilities, performance evaluation, recruitment, social/recreational programs and training. The Marine Board will also continue to administer these practices without regard to race, color, religion, gender, sexual orientation, national origin, age or disability.
3. All applicants and employees are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under this policy.

V. AFFIRMATIVE ACTION POLICY FOR MEMBERS IN UNIFORMED SERVICES (ORS 659A.082)

The Marine Board will not discriminate or tolerate discrimination against any employee because they are a member of, apply to be a member of, perform, has performed, applied to perform or have an obligation to perform service in a uniformed service.

VI. HARASSMENT POLICY AND COMPLAINT PROCEDURE

1. In accordance with statewide policy 50.010.01 the Oregon State Marine Board will maintain a work environment free from discrimination against a person on the basis of sex, race, color, religion, material status, national origin, age, political affiliation, physical or mental disability, or any other non-job related factor prohibited by law or policy. This policy applies to all matters relating to hiring, firing, promotions, transfers and other conditions of employment.
2. All employees, customers, volunteers, contractors, and visitors to the workplace will have the benefit of a positive, respectful and productive work environment. Workplace harassment is a form of discrimination that is illegal. Offensive treatment, behavior, actions or language, which a reasonable person would consider intimidating, hostile or abusive, is prohibited. It may be sexual, racial, religious, or based upon any other status as a member of any protected class.

VII. ADA AND REASONABLE ACCOMMODATION IN EMPLOYMENT AND IN WORKPLACE

1. The Oregon State Marine Board shall provide reasonable accommodation to any qualified employee, job applicant, volunteer, or members of the public who qualify as a person with a disability under the Americans with Disabilities Act of 1990.
2. Persons with disabilities will be treated with dignity and respect in the accommodation process. Modifications to the recruitment and hiring process to allow consideration of qualified persons with disabilities will be made unless it can be shown that to do so would create undue hardship on the operation of the Oregon State Marine Board.

3. Reasonable accommodation will be made on a case-by-case basis for qualified individuals with known physical or mental impairments. It is the responsibility of the individual with a disability to request an accommodation. The Marine Board will endeavor to provide appropriate and necessary accommodations to ensure that persons with disabilities have equal opportunities to participate in activities and receive the services of the Oregon State Marine Board.

VIII. COMPLAINT RESOLUTION

Persons, who believe they have been subjected to discrimination, either internally or externally, by the agency in violation of this plan, may file a complaint with the affirmative action representative within thirty (30) calendar days of the alleged act or upon knowledge of the occurrence. Complaint Forms are available from the affirmative action representative. The affirmative action representative will investigate and recommend a course of action to the agency director. The agency director will make a decision and take steps to remedy the situation as appropriate. Nothing in this policy precludes any person from filing a formal complaint in accordance with the appropriate state or federal regulators.

IX. ADHERENCE, IMPLEMENTATION AND ACCOUNTABILITY

1. All employees are expected to adhere to the equal employment laws, rules and regulations and affirmative action concepts as hereto presented. The application of this policy is the responsibility all managers and staff. The agency director has the overall responsibility to implement and enforce the Affirmative Action Plan.
2. The managers of the Marine Board will be held accountable for any increase in discrimination and harassment claims and will be evaluated on their efforts and accomplishments in promoting the respectful workplace, affirmative action and equal employment opportunity goals and objects of the agency.

X. CONSEQUENCES

Any employee found to have engaged in violation of this policy, will be counseled, or depending on the severity of the behavior, may be subject to discipline, up to and including dismissal.



OREGON STATE MARINE BOARD

Title: Employee Education Authorization and Reimbursement	Number: OSMB 13-1019
Effective: Upon Signature	Revision: June 24, 2019
Applicability: All Employees	
Reference: Policy 50.045.01; OAM 50.10.00.PO; SCS-20-020	
Approval:	Date: August 1, 2013

I. POLICY

This policy outlines the agency procedure when requesting reimbursement for authorized education provided by an independent institution. This policy does not apply to job training provided by the agency.

II. PURPOSE

The Oregon State Marine Board encourages its employees to participate in education related to the continuous improvement of the employee's job related knowledge and skills, as well as, individual employee development as it relates to agency workforce development and state government.

III. IMPLEMENTATION

1. Education will relate to the employee's current position or other positions the employee can reasonably be expected to fill, e.g., skills within the same or related job classes.
2. The education must be cost effective in relation to the skill to be learned and will provide knowledge that will be used often.
3. The manager will discuss, monitor and document the employee's education goals within the employee's annual performance evaluation.
4. Documentation of the tuition reimbursement request will include employee name, course title and description, duration, institution, cost of tuition and course fee, and documentation of enrollment. Documentation shall also identify whether the education is job-related or career development (form attached). Once the form is completed and managerial approval received, the OSMB Employee Education Authorization and Reimbursement Request Form will be kept on file in Business Services.
5. Prior approval from the employee's manager is required before the beginning of the course work. Courses lasting longer

than one (1) term/semester must be reviewed and approved prior to the beginning of the next session.

6. If course work is approved at a private institution of higher learning, reimbursement will not exceed the actual cost of a similar offering at a state college or university. The agency will not reimburse for books, supplies, travel or lodging associated with the course work within the scope of this policy.
7. The agency will reimburse 50% of the cost of the course tuition and associated course fee upon documentation of a successful outcome of the class identified as a "C" or better or a course completion certification. Employees are limited to requesting reimbursement for two (2) courses per term/semester at a maximum reimbursement amount of \$400.00 per course.
8. The agency will set aside a maximum of \$3,600.00 reserve per biennium for agency education. Dollars will be expended during the biennium to employees in order of the request date. Only the Director may authorize the expenditure of funds as defined within the scope of this policy. The Director's authorization must be acquired prior to the beginning of the course work. At the Director's discretion, all or part of this funding may be reallocated if the financial situation dictates.
9. Business Services will process the Employee Education Authorization and Reimbursement Request Form, track reimbursement applications for completeness and compliance, maintain documentation in the employee training file and request reimbursement payment through business services, as appropriate.
10. The agency will ensure all employees are informed of the Employee Education Authorization and Reimbursement policy.

IV. APPEAL PROCESS

An employee may appeal a denial of an Education Authorization and Reimbursement request received from their manager by submitting a written memo to the agency Director outlining the reason for their request and why they feel the request should be reconsidered for approval. This written appeal shall be submitted to the Director within one week of notification of denial. The Director's decision is final.

V. CONSEQUENCES

Any employee found to have engaged in violation of this policy, will be counseled, or depending on the severity of the behavior, may be subject to discipline, up to and including dismissal.

OSMB Employee Education Authorization and Reimbursement Request Form

Employee Name:	
Agency Program:	
Course Name:	
Course Description: NOTE: A description of the course content as listed in the catalog or announcement must be attached.	
Course Hours:	
Course Cost:	
Course Fees:	
Total Cost:	
Duration of Education:	
Institution/Location:	
Explain how this course relates to your current job assignment or career development:	

D
Job Related - Provides knowledge needed to meet agency or state performance expectations.

D
Career Development - Provides knowledge beyond the scope of the employee's current job minimum qualifications and skills.

I certified that I have not applied for, received, nor will receive payment from any source for the reimbursement expenses requested:

Employee Signature:

Approved: ☐	Disapproved: ☐	Manager's Signature	Date

I approve and certify that funding is available for reimbursement:

Approved: ☐	Disapproved: ☐	Director's Signature	Date

Upon evidence of satisfactory completion, reimburse employee for a total of:

Request to Business Services:

Employee Received Reimbursement Check