

RESOLUTION NO. 3668, as amended

A RESOLUTION of the Port Commission of the Port of Seattle repealing Resolution No. 3166 and restating Port policy relating to the prohibition of discrimination and equal employment in employment and subcontracting by Port of Seattle contractors, subcontractors, consultants, and suppliers and establishing policies, procedures, and requirements for compliance.

WHEREAS, the Port of Seattle Commission adopted Resolution No. 3166 on July 26, 1994, wherein a policy of commitment to Employment Opportunity and Affirmative Action was incorporated and adopted in the exhibit thereto; and

WHEREAS, changes to Resolution No. 3166 are required to comply with current state law and facilitate administration and clarify Port requirements to contractors, subcontractors, consultants and suppliers doing business with the Port;

NOW THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle that Resolution No. 3166 is repealed; and

BE IT FURTHER RESOLVED that this Resolution shall not prohibit the Port from implementing any policies and procedures regarding non-discrimination or equal opportunity where the law requires or allows;

BE IT FURTHER RESOLVED that the following statement of policy, procedure and requirement is adopted by the Port Commission for the purpose of establishing uniformity and standardization and confirming compliance with respect to non-discrimination and equal employment opportunity in employment and subcontracting by contractors, subcontractors, consultants and suppliers bidding and being awarded contracts for work projects of the Port of Seattle.

NON-DISCRIMINATION POLICY.

It is the basic policy of the Port of Seattle to provide equal opportunity to the users of all Port services and facilities and all contracting entities. Specifically, the Port will not tolerate discrimination against any persons on grounds of age, race, color, national origin/ancestry, ethnicity, religion, disability, Family Medical Leave Act (FMLA) use, pregnancy, sex/gender, sexual orientation, whistleblower status, military affiliation, marital status, workers' compensation use, transgender status, political beliefs, or any other protected status, as guaranteed by local, state and federal laws. The equal opportunity principles in employment

and subcontracting described in this policy shall apply to the Port's employees, customers, consultants, contractors, subcontractors, and suppliers to the extent possible as required by law.

### CONTRACT REQUIREMENTS.

1. Non-Discrimination Policy. The Port's policy as stated above requiring non-discrimination and equal opportunity in employment and subcontracting for contractors, subcontractors, consultants, and suppliers shall be included in all Port contracts.
2. Submission of a properly executed contract constitutes a contractual commitment to the terms of this Resolution.

### EQUAL OPPORTUNITY ASPIRATIONAL GOALS.

Contractors, subcontractors, consultants and suppliers are encouraged to create a workplace that reflects the diverse communities in which we live and work and to ensure non-discrimination and equal opportunity in employment and subcontracting through application of the following guidelines:

Recruiting. Recruitment efforts, both oral and written, will ensure non-discrimination and equal opportunity in application and hiring practices, policies and procedures. An official may be designated to monitor employment related activity to ensure non-discrimination and equal employment opportunities.

Self-Assessment. Employment policies and procedures may be reviewed, including review of hiring and training practices and policies, performance evaluations, seniority policies and practices, job classifications, and job assignments, to assure that they provide for non-discrimination and equal employment opportunities.

Training. On-the-job training opportunities and/or participation in training programs that include non-discrimination and equal opportunity in employment and subcontracting may be developed.

Workforce Composition. Workforce composition statistics may be provided to the Port on a voluntary basis to corroborate compliance with this Resolution.

Union Cooperation. Contractors, subcontractors, consultants, suppliers and tenants are encouraged to work with union representatives, including, but not limited to representatives from maritime and transportation unions, to meet the goals of this resolution.

### VIOLATIONS.

Any violation of this Resolution shall be deemed a breach of a material provision of the contract between the Port and the contractor, consultant or supplier. Such breach shall be

grounds for cancellation, termination, or suspension, in whole or in part, of the contract by the Port.

ADOPTED by the Port Commission of the Port of Seattle this \_\_\_\_\_ day of \_\_\_\_\_, 2012, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission duly affixed.

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PORT COMMISSION