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POLICY # 27

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| Title: | Conflict of Interest | | |
| Program: | Workforce Innovation and Opportunity Act | | |
| Effective: | May 1, 2017 | | |
| Revision #: | | Original policy date: April 28, 2017 | |

Purpose: To provide conflict of interest guidance for the Workforce Development Board Mid-Ohio Valley, staff and committees.

References: WIOA 2014 Section 104(f), 102(b)(2)(E)(i), 107 (h), WV Code 6-B-2-5 and 61-10-15; WorkForce WV Guidance Notice No. 1-16

Background: Workforce Innovation and Opportunity Act requires that members of the Workforce Development Board, all committees, contracted staff and board staff as public servants, have a clear obligation to conduct all affairs in a manner consistent with the concept of public trust. All decisions of the WDBMOV, its committees and staff should be based on promoting the best interest of the public good. The following policy provides identification and resolution of conflicts of interest.

Policy: It is the policy of the WDB-MOV that all members of the WDB-MOV, its committees, contractor staff, and board staff sign a conflict of interest form each program year. (See attached form.) Specifically:

- 1) A member of a local board, or a member of a standing committee, may not:
 - a. Vote on a matter under consideration by the local board;
 - b. Regarding the provision of services by such member (or by an entity that such member represents or
 - c. That would provide direct financial benefit to such member or the immediate family of such member or;
- 2) Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State Plan.

The WDB-MOV will follow WorkForce WV Guidance Notice 1-16 in areas not covered by this policy.

Action: Conflict of Interest forms will signed and returned to staff at the beginning of the program year, or as a new board/committee member/staff/contractor becomes part of the Workforce system in Workforce Development Board Mid-Ohio Valley. Signed copies of the Conflict of Interest will be kept on file in the WDBMOV office.

Expiration Date: This policy shall be in effect until revised or canceled by the Workforce Development Board Mid-Ohio Valley.

Conflict of Interest Form

No member, officer, employee or agent of the Workforce Development Board Mid-Ohio Valley shall:

- A. cast a vote on the provision of service under the WIOA Title I plan by that member, by any member of his or her family, or by any organization of which that member or any member of his or her family is an officer, owner, or employee, or
- B. vote on any matter which would provide direct financial benefit to that member, participate in the award or administration of any grant contract that is funded through the WIOA Title I plan where he or she knows that any of the following has a financial interest in the person or organization that will receive or has received the grant or contract: (a) the officer, employee, or agent; (b) any family member of the officer, employee, or agent; (c) any partner of the officer, employee, or agent or (d) any person or organization that employs, or is about to employ, any person described in (a), (b), or (c).
- C. Any member of the WDBMOV or any committee, council or other subservient body thereto who would be forbidden from voting on a particular contract of the provision of goods or services or the operation of programs under this Conflict of Interest policy shall, if he/she or the organization represented by such member intends to submit a bid to become the operator of any program or the provider of goods or services under any contract, recuse himself/herself completely from the process of development or drafting of specifications, statements of work, invitations for bids, and/or requests for proposals.

Where there is a conflict of interest on the part of a member, such member shall disclose the material facts as to his or her interest or benefit from the proposed board action, and, in the event the measure required approval by the WDB, the proposed board action may then be approved upon the affirmative vote of a majority of the disinterested members, even though the disinterested members be less than a quorum. Such interested members may be counted in determining the presence of a quorum at the meeting at which issue is considered.

For purposes of this conflict of interest provision, no “direct financial benefit” arises from a WDB director’s employment, employment by an organization that a WDB member represents, from time-to-time of persons participating in a WDB program that is administered by a contractor that is controlled by or related to the member or the organization that he or she represents.

No member, officer, employee or agent of the WDB shall: (1) solicit or accept gratuities, favors, or anything of monetary value from contractors or suppliers or potential contractors or suppliers, or (2) solicit, accept or agree to accept any benefits for exercising WIOA authority and performing their duties which conflicts with the rules of the State of West Virginia Ethics Commission.

For purposes of this section, immediate family is defined as: spouse, ancestor, descendant, sibling and the spouse or child of the foregoing (including “step” relationships).

Name (Printed)

Name (Signature)

Date