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## **Conflict of Interest Policy**

**Policy Number:** 3006, Rev. 2

**Release Date:** August 31, 2022

**Supersedes:** Code of Conduct and Conflict of Interest Policy # 3006, Rev. 1, released 9-6-20

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### **PURPOSE**

The Pierce County Workforce Development Board (WDB), Executive Council, and WorkForce Central are committed to maintaining the highest of standards of ethical conduct and to guard against problems arising from real, perceived, or potential conflict of interest. All partners at all levels of participation in the WorkSource System are expected to apply this policy to ensure system integrity and effective oversight of the WorkSource System.

Standards of conduct covering conflicts of interest governing the performance of WorkForce Central employees may be found in WorkForce Central's Personnel Rules and Regulations.

This policy is revised to:

- Shorten the name of the policy from "Code of Conduct and Conflict of Interest Policy" to "Conflict of Interest Policy"
- Include the Executive Council
- Provide definition for "indirect conflicts of interest"
- Reduce duplicative policy standards throughout
- Non-substantive formatting for clarity purposes

### **POLICY**

#### **1. Conflict of Interest Policy Requirement**

Grantees, subrecipients, and contractors funded under WIOA Title I must implement conflict of interest policies and procedures as stipulated in WIOA law and regulations, Office of Management and Budget (OMB) Circulars, state regulations, and state WIOA Title I policies. A conflict of interest policy is required to ensure that individuals or representatives of organizations entrusted with public funds will not improperly benefit from the award, administration, or expenditure of such funds.

Membership on the Pierce County WDB, Executive Council and WDB committees and being a recipient of WIOA Title I or other federal funds to provide training or other services, is not itself a violation of conflict of interest.

#### **2. Ethical Principles**

It is the Pierce County WDB's and Executive Council's policy to be knowledgeable of and comply with applicable laws and regulations of the United States and the State of Washington in a manner that will reflect a high standard of ethics. Compliance does not comprise one's entire ethical responsibility; rather it is a minimum, and an essential condition for adherence to mission and duties.

It is the Pierce County WDB's policy that its members, and the Executive Council, be knowledgeable of emerging issues and professional standards in the field and conduct themselves with professional competence, fairness, efficiency, and effectiveness.

### **3. Areas of Concern**

The Pierce County WDB recognizes that by its very composition, conflicts of interest and issues concerning the appearance of fairness may arise. Areas of concern are those actions or lack of actions which may lead to conflict of interest, or the appearance of conflict of interest, or to a perception of unfairness related to Pierce County WDB and Executive Council business outside council and committee meetings. Specific areas which may pose problems include but are not limited to untimely comments made in public or information sharing, and lack of disclosure of associations. Therefore, it is essential for the Pierce County WDB members to err on the side of caution when potential, perceived, or real conflicts of interest occur.

### **4. Information Sharing**

Pierce County WDB, Executive Council, and WDB committee members are encouraged to share information with the community about Pierce County WDB activities. To the extent possible, access to information regarding competitive procurement of services should be available at the same time and under the same circumstances to all parties. Additional information to be shared with the community includes the strategic plans, requests for proposals, meeting notices and minutes, and policies.

Pierce County WDB, Executive Council, and WDB committee members shall not use for their personal gain, for the gain of others, or for other than officially designated purposes, any information obtained as a result of their committee, council, or working relationships with the Pierce County WDB where that information is not available to the public at large or divulge such information in advance of the time decided by the Pierce County WDB for its release.

### **5. Disclosure of Associations**

Pierce County WDB, Executive Council, and WDB committee members have professional and personal associations throughout the community. Such associations have been and will continue to be of significant benefit to the Pierce County WDB.

Prior to public discussions regarding the release of a Request for Proposals (RFP), or any matter regarding the provision of WIOA Title I or federally funded services, a Pierce County WDB, Executive Council, or WDB committee member must first disclose any real, implied, apparent, or potential direct or indirect conflicts of interest before engaging in the discussion. Indirect conflicts of interest may include but are not limited to entering into a contract with a member's business or business owned by member's family.

A Pierce County WDB member, Executive Council member, or WDB committee member shall abstain from voting and making decisions involving the selection or award of a subrecipient or contractor for which they may directly or indirectly benefit. This includes serving on a competitive procurement evaluation committee for which they, their business, or their family members may directly or indirectly benefit.

Minutes of the WDB, Executive Council, and WDB committee meetings will reflect the member's disclosure and abstention.

The WorkForce Central Chief Executive Officer (CEO) will report occasions when WorkForce Central enters into a contract on behalf of the Pierce County WDB through a non-competitive

procurement (i.e., micro and small purchase procurement where WDB vote is not required) with a Pierce County WDB member, Executive Council member, or WDB committee member, their business, or their family member who directly or indirectly benefits from the contract. This statement will be captured in meeting minutes.

## **6. Solicitation and Gratuities**

Pierce County WDB, Executive Council, committee members, and WorkForce Central staff are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value (\$50 or more) from awardees, potential awardees, or other parties to agreements.

Applicants and awardees of grants are discouraged from giving Pierce County WDB, Executive Council, committee members, and WorkForce Central staff unsolicited gifts, even if they are of nominal value (\$50 or less).

## **7. Conflict of Interest Disclosure Form**

Pierce County WDB, Executive Council and WDB committee members will receive a copy of this policy and a [Conflict of Interest \(COI\) Disclosure Form](#) during their new member orientation and on an annual basis. By signing the COI Disclosure Form, members acknowledge their understanding of this policy and disclose the existence of any financial or competing interests that may rise to an actual or potential conflict of interest.

If at any time following the submission of the COI Disclosure Form, the member becomes aware of any actual or potential conflicts of interest, or if the information provided on the COI Disclosure Form becomes inaccurate or incomplete, they shall promptly notify the Pierce County WDB Chair and WorkForce Central CEO in writing.

## **8. COI Requirement for Organizations That Perform More Than One WIOA Related Function**

Any organization that has been selected or otherwise designated to perform more than one function related to WIOA Title I must develop a written plan that clarifies how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and this Conflict of Interest Policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within that single entity performing multiple functions. The plan must be agreed to by both the Pierce County WDB and the Executive Council.

## **9. One Stop Operators**

One Stop Operators must disclose any potential conflicts of interest arising from relationships with training providers and other service providers through the WorkSource Pierce One-Stop Operator Conflict of Interest Agreement.

## **10. Disciplinary Actions**

Disciplinary actions may be taken up to and including termination of Pierce County WDB and Executive Council membership for violation of this policy. The Pierce County WDB may evaluate violations of these provisions on a case-by-case basis and recommend to the Executive Council, if and what penalties, sanctions or other disciplinary action are appropriate.

**REFERENCES**

- Public Law 113-128 Section 107(h)
- Public Law 113-128 Section 121(d) (4)
- 20 CFR 679.430
- 20 CFR 683.200(c)(5) -
- 29 CFR 97.36(3)
- 2 CFR 200.318(c)(1) and (2)
- RCW 42.20.070
- RCW 42.20.080
- RCW 42.52.160
- ESD WIOA Policy #5405, Rev. 1

**ATTACHMENT**

[Conflict of Interest Disclosure Form](#)

**APPROVED**

  
Katie Condit (Aug 31, 2022 14:04 PDT)

WorkForce Central CEO

Aug 31, 2022  
Date

**EQUAL OPPORTUNITY - EQUAL ACCESS**

WorkForce Central is an equal opportunity employer/program.  
Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.