



Administrative Policies

Conflict of Interest Policy

POLICY #:	<i>ADM-3006, Rev. 4</i>
EFFECTIVE:	<i>November 22, 2024</i>
SUPERSEDES:	<i>Conflict of Interest Policy #3006, Rev. 3, released May 3, 2023</i>

PURPOSE:

The Pierce County Workforce Development Board (WDB) and WorkForce Central are committed to maintaining the highest ethical standards to prevent real, perceived, or potential conflicts of interest. The purpose of this policy is to ensure individuals or representatives of organizations entrusted with public funds will not personally or professionally benefit from an award, administration, or expenditure of such funds.

Conflicts of interest governing the performance of WorkForce Central employees may be found in the WorkForce Central's Personnel Rules and Regulations.

This policy was revised to:

- Broaden the scope of the policy to all public funds and to all individuals involved in issuing financial awards.
- Add a new Background section providing context for the purpose of this policy.
- Include the requirement for procurement or grant evaluation committee members to complete an Evaluator Conflict of Interest (COI) Statement.
- Add a new Definitions section describing various terms used throughout this policy.
- Formatting and editing updates for clarity purposes.

BACKGROUND:

As a recipient of federal and other public funds, WorkForce Central must ensure policies and procedures are in place to address and report conflicts of interest and align with requirements set forth in 2 CFR 200.112 and 200.328(c) of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and with the Washington State Employment Security Department (ESD) *Conflict of Interest Policy* 5405 (current and future revisions). Codes of conduct, or conflict of interest policies must include the penalties, sanctions,



or other disciplinary actions in accordance with federal, state and local law for conflict of interest violations.

POLICY:

Publicly funded entities must ensure that no individual in a decision-making capacity engages in any activity if a conflict of interest (real, implied, apparent, or potential) is involved. This includes decisions involving the selection, award, or administration of a subgrant or contract supported by public funds. A conflict of interest includes when an employee, officer, agent, board member, any member of their immediate family, their partner, or an organization that employes or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.

Federal Conflict of Interest Requirements

Any organization that has been designated to perform more than one function related to a federal award must develop a written conflict of interest plan that clarifies how the organization will carry out its responsibilities while demonstrating compliance with the federal award, corresponding regulations, relevant Office of Management and Budget circulars, and this conflict of interest policy. This plan must describe firewalls within that single organization performing multiple functions that will limit real or perceived conflict of interest and minimize financial risk. The plan must be agreed to by both the Pierce County WDB and Executive Council.

Workforce Innovation and Opportunity Act (WIOA) funded One-Stop Operators (OSO) must disclose any potential conflicts of interest arising from relationships with training providers and other service providers.

Any organization that has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian Tribe, must maintain written standards of conduct covering “organizational conflicts of interest”.

Pierce County Workforce Development Board (WDB) Conflict of Interest Disclosure

Prior to public discussions regarding any matter related to public funds, members of Pierce County WDB and WDB standing committees must first disclose any real or potential direct or indirect conflicts of interest before the discussion begins. An example of an indirect conflict of interest may include but is not limited to the WDB member intending to apply for or entering into a publicly funded awarded and WorkForce Central issued contract with that member’s business or business owned by a member’s family.

A Pierce County WDB member, or a member of a Pierce County WDB standing committee must abstain from casting a vote or participate in any decision-making process (i.e., selection, award, or



administration of a contract supported by public funds) for any matter that would provide any direct financial benefit to the member or to the member's organization.

Pierce County WDB and WDB committee meeting minutes will document the member's disclosure and abstention.

Membership on the Pierce County WDB or Pierce County WDB standing committee or being a subrecipient of public funds is not by itself a violation of conflict of interest.

Conflict of Interest Disclosure Form

Pierce County WDB 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.

WorkForce Central staff, community members, and other individuals selected to participate on a procurement, grant, or other WorkForce Central-funded selection committee must complete an Evaluator Conflict of Interest (COI) Statement attesting that they and their family members are not employed, or are a Board member, or have any financial interest in any entity or organization submitting a proposal for the evaluation committee for which they are sitting on, that their evaluation of proposals will not be influenced by conversations with individuals outside of the evaluation committee, and they will maintain the confidentiality of all proposals, rating documents, rating scores, and evaluators' discussions at any time during the procurement and evaluation process.

Solicitation and Gratuities

Any individual involved in awarding, issuing or administering awards cannot solicit or accept, directly or indirectly, gratuities, favors, or anything of monetary value (\$50 or more) from awardees, potential awardees, or other parties to agreements if it could be reasonably expected that the gift, gratuity or favor would influence the vote, action, or judgement of the individual, or be considered as a reward for action or inaction.

Applicants and awardees of grants are discouraged from giving individuals involved in awarding, issuing or administering awards unsolicited gifts, even if they are of nominal value (less than \$50).



Disciplinary Actions

Violation of this policy may result in disciplinary actions including but not limited to termination from the Pierce County WDB, removal from WorkForce Central funded evaluation committees, or other disciplinary actions. 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 actions are appropriate.

DEFINITIONS

Conflict of Interest – Conflict between the official responsibilities and the private interests of a person or entity that is in a position of trust. A conflict of interest would arise when an individual or organization has a financial or other interest in or participates in the selection or award of funding for an organization. Financial or other interest can be established either through ownership or employment.

Individual – An individual who is an employee, officer, or agent. Or any member of the individual's immediate family including spouse, partner, child, or sibling. Or the individual's business partner.

Organization – An organized body of people with a particular purpose, especially a business, society, association, etc.

Organizational Conflicts of Interest – Due to relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

REFERENCES:

- Public Law 113-128 Sections 107(h) and 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 Policy 5405 (current and future revisions)

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