

SOUTHERN WORKFORCE BOARD



Code of Conduct/Conflict of Interest

SWB - #125

Approved December 2, 2015

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SWB is an Equal Opportunity Employer/Program and Activities. Auxiliary aids and services are available upon request to individuals with disabilities.

BABEL NOTICE (29 C.F.R. § 38.9(G) (3)): THIS DOCUMENT CONTAINS VITAL INFORMATION. IF ENGLISH IS NOT YOUR PREFERRED LANGUAGE, CONTACT ONE STOP OPERATOR, OSOSOUTHERN@GMAIL.COM, 1414 E. WADE WATTS AVE. MCALESTER, OK. 74501 (580)634-1853 TTD/TTY: 711 OR 800-722-0353 TO OBTAIN TRANSLATION AND/OR INTERPRETATION SERVICES FOR THE CONTENT OF THIS DOCUMENT

**SOUTHERN WORKFORCE BOARD
CONFLICT OF INTEREST STATEMENT**

POLICY:

It is the policy of the Southern Workforce Board (SWB) that its members or committee members not engage in any activity that may conflict with the interests of the SWB. Members shall conduct themselves and their activities in a manner that is free from unlawful or otherwise inappropriate offers or solicitations of gifts and favors or other improper inducements in exchange for influence or assistance in transactions.

PROCEDURE:

1. Members must at all times seek to promote, enhance, and protect the interests of SWB in every manner possible, and avoid taking any action that may be adverse to those interests. A conflict of interest arises when a member's outside activities influence the performance of that member's responsibilities in a manner that is contrary to the SWB's interests.
2. Board or committee members must be alert to any situation that may involve even the appearance of impropriety and must disclose that situation promptly to the Chair.
3. The following rules address some of the situations in which conflicts of interest may arise and provide guidelines for member conduct:
 - (a) No individual in a decision-making capacity shall engage 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 sub grant or contract supported by WIOA or any other federal funds.
 - (b) A member of a local board, or a member of a standing committee, may not –
 - (1) vote on a matter under consideration by the local board-
 - A. regarding the provision of services by such member (or by an entity that such or the immediate family of such member; or
 - B. 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
 - (c) Before any public discussions regarding the release of a Request for Proposal, or any matter regarding the release of funding or the provision of services, a SWB member or a member of a SWB committee must disclose any real, implied, apparent, or potential conflicts of interest before engaging in the discussion.
 - (d) LWDB members or a member of a LWDB committee or agents of the agencies making awards cannot solicit or accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other parties to agreements.

VIOLATIONS:

If the Board or Executive Committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board or Executive Committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action which may include:

- 1) Disqualification from participation in any discussion or vote on the matter related to the violation;
- 2) Removal of the Board member from one or more Board committees for a specified period of time;
- 3) Permanent removal of the Board member from one or more Board committees;
 - 4) Suspension from all Board of Director actions for a period of time;
 - 5) Any other sanction determined by the Board of Directors to be appropriate and reasonable based upon the nature of the violation.

Any potential party may utilize the SWB Nondiscrimination and Equal Opportunity Policy if they disagree with the decision.

BOARD MEMBER COMPLIANCE

1. Vendor-sponsored entertainment.

At a vendor's invitation, an individual may accept meals or refreshments at the vendor's expense. In most circumstances, a regular business representative of the vendor should be in attendance with the SWB member / Committee Member.

2. Workshops, seminars and training sessions.

Attendance at local or out-of-town vendor-sponsored workshops, seminars and training sessions is permitted.

3. Contracting.

Employees may not utilize "insider" information for any business activity conducted by or on behalf of the SWB. All business relations with contractors must be conducted at arm's length both in fact and in appearance and in compliance with the SWB by-laws, policies and procedures. SWB/Committee members must disclose personal relationships and business activities with contractor personnel who may be construed by an impartial observer as influencing the member's performance or duties. Members have a responsibility to obtain clarification from the Chair or staff about questionable issues that may arise, and how to comply with SWB policy.

4. Business inducements.

SWB/ Committee members shall not seek to gain any advantage through the improper use of payments, business courtesies or other inducements. Offering, giving, soliciting, or receiving any form of bribe or other improper payment is prohibited. Appropriate business relations, commissions, rebates, discounts and allowances are customary as acceptable business inducements provided that they do not constitute unlawful or unethical payments.

5. Voting.

A. A member of a local board, or a member of a standing committee, may not –

(1) vote on a matter under consideration by the local board-

A. regarding the provision of services by such member (or by an entity that such or the immediate family of such member; or

B. 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

B. Neither membership on the State Board, the Local Board, or SWB Committee nor the receipt of WIOA funds to provide training and related services, by itself, violates these conflict of interest provisions.

6. Sanctions:

If the Board or Executive Committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action which may include:

a) Disqualification from participation in any discussion or vote on the matter related to the violation;

- b) Removal of the Board member from one or more Board committees for a specified period of time;
- c) Permanent removal of the Board member from one or more Board committees;
- d) Suspension from all Board of Director actions for a period of time;
- e) Any other sanction determined by the Board of Directors to be appropriate and reasonable based upon the nature of the violation.

I _____ hereby understand and agree with the above Southern Workforce Board Code of Conduct/Conflict of Interest policy.

SWB Board/Committee member signature

Date