



IMPERIAL COUNTY WORKFORCE DEVELOPMENT BOARD

2799 S. Fourth Street - El Centro, CA 92243 - Tel: (442) 265-4974 - Fax: (760) 337-5005

POLICY	ORIGINAL DATE	LAST REVISION
ICWDB CONFLICT OF INTEREST POLICY	FISCAL YEAR 2018-2019	SEPTEMBER 26, 2018

POLICY OVERVIEW:

The purpose of this policy is to provide guidelines to maintain the highest standards of ethical conduct to be used by the Imperial County Workforce Development Board (ICWDB), ICWDB Standing Committees, Imperial County Workforce and Economic Development Office (ICWED) and staff, ICWDB, Service Providers and any vendors funded under the Workforce Innovation and Opportunity Act (WIOA). These procedures are intended to provide a framework that will allow the work of the ICWDB to be achieved without the fact of or appearance of impropriety.

REFERENCES:

- Public Law 113-128 Section 107(h) Local Board Conflict of Interest
- 20 CFR 679.410(a)(3) and (c) Local Board must avoid inherent Conflict of Interest
- WIOA (Public Law 113-128) Section 121(d)4
- 2 CFR Part 200.112, 200.318 and Part 2900 - Office of Management and Budget Uniform Guidance on Administrative, Cost, and Audit Provisions for Federal Grants
- County of Imperial Boards of Supervisors Rules for the Conduct of Board of Supervisors

BACKGROUND

A written Conflict of Interest Policy is required to ensure that individuals or representatives of organizations entrusted with public funds will not personally or professionally benefit from the award of expenditure of such funds. Grantees, sub-recipients, and contractors funded under WIOA, whether in whole or in part, must abide by WIOA Regulations, all applicable Office of Management and Budget (OMB) circulars, and the State of California policies regarding conflict of interest.

POLICY AND PROCEDURES:

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 Workforce Innovation Opportunity Act (WIOA) or any other state or federal funds.

ICWDB members, ICWDB committees, and staff shall adhere to procurement procedures that serve to minimize the appearance of conflicts, in addition to elimination of actual conflicts prior to the release of a Request for Proposal, or any matter regarding the release of funding or the provision of services. ICWDB members, Committee members must disclose any real, implied, apparent, or potential conflicts of interest before engaging in the discussion.

ICWDB or ICWDB Committee Members shall not cast a vote or participate in any decision-making about providing services by such member (or by any organization that member directly represents) or on any matter that would provide any direct financial benefit to the member or to the member's organization. In addition, ICWDB Members or Committee Members making awards cannot solicit or accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other

This WIOA Title I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

parties to agreements.

Individuals 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, board or working relationships with the ICWDB where that information is not available to the general public or divulge such information in advance of the time decided by the ICWDB for the release of WIOA related training funds.

Disciplinary actions may be taken for violation of this policy by any individual.

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.

Immediate Family – Immediate Family consists of the individuals’ parents (including step-parents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an “in-law).

Individual – An individual; i.e., officer, or agent, or any member of the individual’s immediate family (spouse, partner, child, or sibling), or the individual’s business partner.

Organization – A for-profit or not-for-profit entity that employs, or has offered a job to, an individual defined above. An entity can be a partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or a sole proprietor.

ACTION:

Please bring this policy to the attention of ICWED, AJCC system staff and appropriate WIOA funded service providers and sub-recipients. This policy is effective immediately. Once the exhibits pertaining to this policy are approved by the ICWDB, they will not require board approval if other changes occur, unless the change affects protocols. Should you have any questions, please feel free to contact ICWDB staff at (442) 265-4974, (442) 265-4959 or the Program and Compliance Manager (442) 265-4963.