

Date Established: 07/01/1998
Date Last Revised: 04/13/2017
Date Posted to Website: 04/17/2017
Status: Final
Supersedes: Conflict of Interest #110 R2

Purpose

This policy provides guidance on conducting business in an open, sensitive manner, which avoids any conflict of interest issues and provides a written code of standards in accordance with State and Federal guidance. All staff, partners, subrecipients, Board members and any other organization funded with Federal dollars are expected to read, understand and apply this policy to ensure system integrity.

Policy

In accordance with the Workforce Innovation and Opportunity Act (WIOA) and the standards of honorable business practice, Workforce Development Council members (WDC), as well as members of WDC Committees and Task Forces, who directly represent, are employed by, or act as consultants to organizations or agencies having business before the Council shall not vote on any matter or issue regarding said organization or agency. Any member having a conflict of interest will declare the conflict prior to any discussion on the matter.

The above statement will be attached to Board and pertinent committee agendas. Prior to any applicable action the Members should consider any real or potential conflicts and take appropriate action to notify and recuse.

Guidelines

The Council is a collaborative of interested parties and it is acknowledged that Council members will have organizational and/or sector-specific self-interests. Conflicts of interest, sometimes referred to as duality of interest, can occur often and may be inevitable if you are working with community, business and labor leaders who are active in critical matters affecting the region. The proper and transparent management of conflict of interest is therefore the Council's primary goal.

Business transactions between the WDC and any Member in which that member or officer has an interest shall not be prohibited, but they shall be subject to close scrutiny. Scrutiny of such proposed transactions shall be raised by any Member and reviewed carefully to determine that they are in the best interests of the WDC and that they will not lead to conflict of interest. A potential conflict exists with an action or transaction if a member or officer:

- has a substantial financial interest in it, or
- has a substantial financial interest in any organization involved in the proposed transaction, or
- holds a position as trustee, member of the board of directors, general manager, or

principal officer in any organization directly tied to the transaction.

Prior to the start of any Council formal action, vote, discussion, negotiation, or consideration of a grant request by the organization, members and officers are expected to make full disclosure to the best of their knowledge of any dual interest in a proposed transaction by notifying the CEO or Board Chair. In matters requiring prior approval of the WDC or one of its committees, the CEO or other officer shall ensure that the WDC or committee is informed of the potential for conflict of interest before a vote is taken. A WDC member or officer with a dual interest in a proposed transaction shall not vote on or participate in any decision making on the matter and shall declare this conflict of interest before entering any discussion of the matter as described in our conflict of interest statement.

Workforce Development Council members (WDC), as well as members of WDC Committees and Task Forces, making awards cannot solicit or accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other parties to agreements. Exception may be permissible for unsolicited items of nominal value worth \$50.00 or less.

Disciplinary actions may be taken up to and including termination board membership for violation of this policy. The Executive Finance Committee may evaluate violations on a case-by-case basis and recommend appropriate actions as necessary.

CONFLICT of INTEREST and DUTY to LOYALTY

A WDC member or officer shall not use inside information of the WDC for his/her personal benefit or to unfairly advantage and thereby create a biased benefit for his/her business or organization; or use such inside information or his/her position as a WDC member or officer to the detriment of the WDC. Inside information is information obtained through the individual's position as a WDC board member that has not become public information.

If, due to a member's affiliation (Labor, education, CBO, private sector, etc.), there is a conflicting opinion by that affiliation, not in agreement with the WDC's publicly articulated stance on a particular issue, it is incumbent on the board member to bring that conflicting opinion to the attention of the CEO or Board Chair prior to it becoming a public stance.

Each member and officer has a "standard of loyalty" duty to place the interests of the WDC foremost in any dealings involving the organization and has a continuing responsibility to comply with the requirements of this Policy. Upon appointment to the WDC, each member is required to read and sign a copy of this Policy. Annually each member will declare affiliations, members and board positions and shall update them as that status changes.

References

Employment Security Department-Policy 5405 Conflict of Interest
Workforce Innovation and Opportunity Act
OMB 2 CFR Part 200.318
PacMtn Policy 125 Procurement

Attachments

PMWDC Members' Affiliation with Other Organizations and Associations Form

DATE APPROVED: April 14, 2017

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Pacific Mountain Workforce Development Council Members' Affiliation with Other Organizations and Associations Form

POLICY: CONFLICT OF INTEREST & CODE OF CONDUCT

CONFLICT OF INTEREST STATEMENT

In accordance with the Workforce Innovation and Opportunity Act and the standards of honorable business practice, Workforce Development Council members (WDC), as well as members of WDC Committees and Task Forces, who directly represent, are employed by, or act as consultants to organizations or agencies having business before the Council shall not vote on any matter or issue regarding said organization or agency. Any member having a conflict of interest will declare the conflict prior to any discussion on the matter.

The above statement will be attached to Board and pertinent committee agendas. Prior to any applicable action Members should consider any real or potential conflicts and take appropriate action to notify and recuse.

CONFLICT OF INTEREST

The Council is a collaborative of interested parties and it is acknowledged that Council members will have organizational and/or sector-specific self-interests. Conflicts of interest, sometimes referred to as duality of interest, happen all the time and may be inevitable if you are working with community, business and labor leaders who are active in critical matters affecting the region. The proper and transparent management of conflict of interest is therefore the Council's primary goal.

Business transactions between the WDC and any Member in which that member or officer has an interest shall not be prohibited, but they shall be subject to close scrutiny. Scrutiny of such proposed transactions shall be raised by any Member and reviewed carefully to determine that they are in the best interests of the WDC and that they will not lead to conflict of interest. A potential conflict exists with an action or transaction if a member or officer:

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- has a substantial financial interest in any organization involved in the proposed transaction, or
- holds a position as trustee, member of the board of directors, general manager, or principal officer in any organization directly tied to the transaction.

Prior to the start of any Council formal action, vote, discussion, negotiation, or consideration of a grant request by the organization, members and officers are expected to make full disclosure to the best of their knowledge of any dual interest in a proposed transaction by notifying the CEO or Board Chair. In matters requiring prior approval of the WDC or one of its committees, the CEO or other officer shall ensure that the WDC or committee is informed of the potential for conflict of interest before a vote is taken. A WDC member or officer with a dual interest in a proposed transaction shall not vote on the matter and shall declare this conflict of interest before entering any discussion of the matter as described in our conflict of interest statement.

CONFLICT OF INTEREST and DUTY to LOYALTY

A WDC member or officer shall not use inside information of the WDC for his/her personal benefit or to unfairly advantage and thereby create a biased benefit for his/her business or organization; or use such inside information or his/her position as a WDC member or officer to the detriment of the WDC. Inside information is information obtained through the individual's position as a WDC board member that has not become public information. If, due to a member's affiliation (Labor, education, CBO, private sector, etc.), there is a conflicting opinion by that affiliation, not in agreement with the WDC's publicly articulated stance on a particular issue, it is incumbent on the board member to bring that conflicting opinion to the attention of the CEO or Board Chair prior to it becoming a public stance. Each member and officer has a "standard of loyalty" duty to place the interests of the WDC foremost in any dealings involving the organization and has a continuing responsibility to comply with the requirements of this Policy. Upon appointment to the WDC, each member is required to read and sign a copy of this Policy. Annually each member will declare affiliations, members and board positions and shall update them as that status changes.

I agree to the conditions set forth by this policy. I declare the following organizations and associations with which I am affiliated:

	Organization/Association	Role
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____

Using the back of this form, in the last 12 months please describe any direct personal and business transactions between yourself and/or members of your family and the WDC:

PRINT NAME

SIGNATURE

DATE