



## 1.0 Purpose

The Wyoming Workforce Development Council (WWDC) expects its Members will fulfill the fiduciary and guidance duties applicable to their service as Members of the WWDC with the highest level of integrity. Due to the structure of the WWDC, it is expected that conflicts of interest will arise, and this policy is intended to provide a framework that will allow the work of the WWDC to be achieved without the fact of or appearance of impropriety. Where this document references "Member," it shall mean any agent, staff, WIOA subcontractor employee, officer, and WWDC Member.

## 2.0 Policy

The WWDC shall avoid conflict of interest, real or apparent, by observing the following requirements:

2.1 WWDC Members, staff and One-Stop Operations Staff, Service Providers, and Fiscal Agent must act solely in the best interest of the State of Wyoming without regard to personal interest and must not participate in matters in which they have a disqualifying financial interest. Concerns or issues relating to conflicts of interest shall be reported directly to the WWDC Chair.

2.2 The WWDC is required under the federal Workforce Innovation and Opportunity Act of 2014 (WIOA) to have policies to address conflicts of interest.

2.3 Each Member shall sign an Attestation denoting that the Conflict of Interest and Code of Conduct Policies have been read, are understood, and that the Member pledges to conduct themselves by such policies and procedures during their service to the WWDC.

2.4 Each Member must also provide disclosure of potential conflicts created by their position(s) outside of their service to the WWDC. Such conflicts are detailed on the attached Disclosure of Conflict(s) of Interest form.

2.5 No Member shall use their position, or the knowledge obtained from their position, in such a manner that conflicts with the interest of the WWDC or results in personal gain to the Member, or a third party that the Member is employed by, has a fiduciary relationship with, or to whom the Member provides services.

2.6 Any Member who has, or believes they have, a conflict of interest must disclose such potential conflict according to the procedures established by the WWDC in this policy and shall do so in writing on a prescribed form. In accordance with WIOA Section 107(h), "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 member represents); 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."

2.7 The following are deemed conflicts of interest that create a duty of the Member to disclose such interest immediately fully:



2.7.1 If Member has a significant personal financial interest in a proposed transaction involving the WWDC.

2.7.2 If a Member is employed by, or is Trustee, Director, or Officer of any individual organization or entity that shall have a financial interest in a proposed transaction involving the WWDC.

2.7.3 If a Member represents a third party either through a personal, professional, or confidential relationship, such party shall have a financial interest in a proposed transaction involving the WWDC.

2.7.4 No Member shall solicit or accept gratuities or favors from suppliers or potential suppliers, including subcontractors.

2.7.5 No Member shall participate in the selection, award, or administration of a procurement supported by WIOA funds where, to the individual's knowledge, any of the following has a financial or substantial interest in any organization which may be considered for an award:

2.7.5.1 the Member is a vendor for the goods or services;

2.7.5.2 the Member is a subcontractor of a vendor for the goods or services;

2.7.5.3 the Member serves in a board capacity for any such vendors or subcontractors;

2.7.5.4 the Member is from an organization that employs or is about to employ any of the above.

2.7.6 If a WWDC Member has an interest, directly or indirectly, in a business entity that would have a direct financial effect due to any official action taken by the WWDC, the Member shall declare, before a vote or discussion on the matter, the nature and extent of the interest and shall not voluntarily discuss the proposed WWDC action. A Member shall not be excluded from the meeting following such declaration. Furthermore, this limitation on discussion shall not prohibit the Member from providing factual information in response to direct questions concerning the matter from other Members. The disclosure shall be reflected in the minutes of the meeting of the WWDC.

2.7.7 If an award of funding is made with a Member violating the requirements of this procedure, the WWDC Executive Committee is empowered to suspend the obligation immediately; the suspension is subject to review at the next regular or special meeting of the WWDC. The balance of the WWDC, excluding the Member(s) with potential conflict, will determine what final corrective actions are necessary; actions that could include removal of the Member, suspension of the obligation, termination of the obligation, or civil action to recover any monetary damages.

2.7.8 This policy is not meant to rule out transactions between the WWDC and other persons or entities where interest or relationship between the member and such a person or entity exists which

require proper disclosure and which are documented as being the outcome of established policies, and are determined to be in the best interest of the WWDC.

2.7.9 Nothing in the policy should be construed to prevent any Member's participation in WIOA programs. WWDC membership should not result in an employer receiving more or less consideration for trainees. It is essential to ensure the officer, employee, agent, or WWDC Member does not approve their own training package or contract for services but that the system of approval allows for objective determinations.

### **3.0 Code of Conduct**

A written set of standards governing the performance of the WWDC and its employees, officers, or agents related to real or apparent conflicts of interest is a requirement (29 C.F.R. 95.42). The following standards shall apply for Members.

3.1 Adherence to the Conflict of Interest Policies.

3.2 Adherence to procurement procedures that serve to minimize the appearance of conflicts, in addition to eliminating actual conflicts. Members who represent One-Stop Operators, Partners, or actual or potential Service Providers and who oversee the One-Stop System or the allocation of resources that would potentially be allocated to their programs shall refrain from discussing or voting on any matter that would impact the programs they represent.

3.3 A Member's employer may not participate in any way in a future bid on procurement where the Member helps draft specifications. To avoid potential conflicts as circumstances change, Members whose employers may wish to participate in a future procurement will refrain from involvement in specification development or procurement processes.

3.4 A Member shall not become a recipient, directly or indirectly, of any salary payments or loans or gifts or any free service or discounts or other fees from or on behalf of any person or organization engaged in any transaction with the WWDC except that a disclosed token gift of a value within the applicable Federally allowable maximums may be approved by the Executive Committee.

3.5 When serving in the capacity of a WWDC Member, Members shall put the WWDC's Vision, Mission, & Goals ahead of other roles.

### **4.0 Compliance with Federal and State Law/Regulation/Policy**

4.1 This policy complies with federal and state laws, regulations and policies.

- Workforce Innovation and Opportunity Act (WIOA) Public Law (113-128)
- 2 C.F.R. 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," (Uniform Guidance)
- 2 C.F.R. 2900: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Department of Labor Exceptions)
- 20 CFR WIOA, "Department of Labor; Final Rule."



Policy Number 10  
Issued: February 24, 2022  
Revised:  
By: Wyoming Workforce Development Council

**WYOMING WORKFORCE DEVELOPMENT COUNCIL  
Conflict of Interest Policy and Code of Conduct**

I, \_\_\_\_\_, a Member of the Wyoming Workforce Development Council, hereby attest and affirm that I have read and understand the Conflict of Interest Policy and Code of Conduct duly adopted on February 24, 2022.

I hereby declare and promise to carry out my responsibilities concerning upholding the Conflict of Interest Policy and Code of Conduct during my term as a WWDC Member.

**Member**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Witness**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



WYOMING WORKFORCE DEVELOPMENT COUNCIL
Conflict of Interest Policy and Code of Conduct

I, \_\_\_\_\_, a Member of the Wyoming Workforce Development Council, hereby disclose the following conflict(s) of interest with another position I hold outside the Wyoming Workforce Development Council.

- I have no conflicts to disclose.
I represent a private-sector employer with current business/contractual dealings with the WWDC, the One-Stop Operator, Partners, or other WIOA-funded service providers.
I have a family member employed by a current or potential WIOA-funded service provider or by another organization that provides services directly to the WWDC or One-Stop System.
I serve in a board capacity for a WIOA-funded or potential WIOA-funded services provider/subcontractor.
I represent a WIOA-funded service provider/subcontractor.
I represent the One-Stop Operator.
I represent a One-Stop Partner.
Other: Please describe below

For the reasons stated above, I promise and attest that I hereby declare the conflict's nature and extent before a vote or discussion on the matter. I will hereby voluntarily withhold from participating in any discussions pertaining to this matter and abstain from voting on the subject. I further understand this shall not prohibit me from responding to any direct questions on the matter from other Members.

Member Signature

Witness Signature

Signed: \_\_\_\_\_

\_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

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