

# Southwest Arkansas Workforce Development Board Workforce Innovation and Opportunity Act (WIOA)

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Title: Conflict of Interest Policy
Reference: WIOA Section 107 (c)(3)(A)(i); 20 CFR Part 683.400(c); 20 CFR Part 679.430; 20 CFR 679.410(a)(3) and 20 CFR 679.410(c)
Effective Date:

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## **PURPOSE:**

The Southwest Arkansas Workforce Development Board (SWAWDB) and Southwest Arkansas Workforce Development Area are committed to maintaining the highest of standards of ethical conduct and to guard against problems arising from real, perceived, or potential conflict of interest. This applies to CEOs, Southwest Arkansas Workforce Development Board members, and Southwest Arkansas Planning and Development District (SWAPDD), Inc., staff, contractors, and subrecipients having relatives or a substantial interest in program participation, contracts, purchases, services, decisions, and other matters involving Workforce Innovation and Opportunity Act (WIOA) funds. All are expected to read, understand, and apply this policy to ensure system integrity and effective oversight.

## **BACKGROUND:**

Per 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.

## **POLICY:**

1. 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 the Workforce Innovation and Opportunity Act (WIOA) or any other federal funds.
2. A board member of Southwest Arkansas Workforce Development Board or Southwest Arkansas Planning and Development District (SWAPDD) board member or staff cannot 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.

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3. Before any public discussions regarding the release of a Request for Proposal (RFP), or any matter regarding the release of funding or the provision of services, a SWAWDB board member, a SWAPDD board member or staff must disclose any real, implied, apparent, or potential conflicts of interest before engaging in the discussion. The minutes of the meeting must reflect the disclosure.
4. SWAWDB board members, SWAPDD board members and staff, 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.
5. 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 SWAWDB or SWAPDD where that information is not available to the public at large or divulge such information in advance of the time decided by the SWAWDB or SWAPDD for its release.
6. One Stop Operators must disclose any potential conflicts of interest arising from relationships with training providers and other service providers.
7. Any organization that has been selected or otherwise designated to perform more than one function related to WIOA must develop a written plan that clarifies how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and this Conflict-of-Interest Policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within that single entity performing multiple functions. The plan must be agreed to by both SWAPDD and the SWAWDB.

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SWAWDB Chairman

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Date