

CODE OF CONDUCT / CONFLICT OF INTEREST

Southern 14 Workforce Investment Board, Inc., LWIA #26

Pursuant to 2 CFR Part 200.112, no Southern 14 Workforce Investment Board (LWIA #26) member shall participate in the selection or in the award of a contract supported by Federal funds if a conflict of interest, real or apparent, is involved. Additionally, no employee, officer, or agent of the grantee/subgrantee, or governing body of the grantee shall participate in the selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, is involved. Such a conflict shall arise when the employee, officer or agent; any member of his or her immediate family; his or her partner; or an organization which employs any of the previously identified, has a financial or other interest in the entity selected for any award. This provision does not prohibit a community based organization, education agency, employer, or other service provider represented by a LWIA #26 member from receiving a subgrant for the provision of training and/or services to participants. However, when such a conflict of interest arises, LWIA #26 members must abstain from voting on the award of the subgrant. The grantee is prohibited from awarding a subgrant

- 1) To any LWIA #26 member for performing administrative services (i.e., consultant services, accounting services, etc.); or
- 2) To any LWIA #26 member or entity with which he/she is affiliated which results in direct personal gain to the LWIA #26 member.

In addition the Southern 14 Workforce Investment Board, Inc. and its Service Provider officers, employees or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from service providers, potential service providers (i.e., persons who perform services of type contracted for), or parties to grants.

- 1) No LWIA #26 member shall review or vote on a proposal from a competing organization or entity that is in direct competition for the same dollars.
- 2) Any member, employee, officer or agent of the grantee/sub-grantee which violates the standards within the code of conduct will be subject to a review of each alleged instance by the full council. At this time, the person in question may present information and/or testimony contrary to the allegation. All appropriate corrective action will be decided upon by the full council.

Note: Immediate Family: Immediate family consists of the individuals' parents (including stepparents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an 'in-law').

All proposals submitted will be handled in a confidential manner, in accordance with the Uniform Guidance at 2 CFR 200.318 and 200.319, by the Board, as well as Board staff to ensure that no potential entity that may compete under the procurement has unfair access to any procurement developed or drafted specification, requirements, statement of works, requests for proposals or evaluated proposals.

FOREIGN TRAVEL

Pursuant to WIOA section 191(e), no funds received shall be used for foreign travel.

PUBLICITY

No funds provided under this grant shall be used for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government itself. Nor shall recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulations, administrative actions, or Executive Order proposed or pending before the Congress, or any state government, state legislature, or local legislature body other than for normal and recognized executive-legislative relationships or participation by an agency or officer of as a state, local or tribal government in policymaking and administrative processes within the executive branch of that government.

REPORTING OF WASTE, FRAUD AND ABUSE

Pursuit of P.L. 113-114, Division E, Title VI, Section 743, no entity receiving federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

PROHIBITION OF PROCURING GOODS OBTAINED THROUGH CHILD LABOR

Pursuant to P.L. 113-114, Division H, Title I, Section 103, no funds may be obligated or expending for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forces or indentured child labor in industries and hot countries identified by DOL prior to December 18, 2015. DOL has identified these goods and services here: <http://www.dol.gov/ilab/reports/child-labor/list-of-products/index-country.htm>.

REQUIREMENT FOR BLOCKING PORNOGRAPHY

Pursuant to P.L. 113-114, Division H, Title V, Section 521, no Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading , and exchanging of pornography.

PROHIBITION ON TRAFFICKING IN PERSONS

- I. Trafficking in persons
 - a. Provisions applicable to a recipient that is a private entity.
 1. You are the recipient, your employees, sub-recipients under this award, and sub-recipients' employees may not –
 - i. Engage in sever forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.

References:

- WIOA Public Law 113-128 Section 101(f) - State Board Conflict of Interest
- WIOA Public Law 113-128 Section 102(b)(2)(E) - State Plan Conflict of Interest Assurance WIOA Public Law 113-128 Section 107(h) - Local Board Conflict of Interest
- WIOA Public Law 113-128 Section 121(d)(4) - One-Stop Operators
- WIOA Proposed 20 CFR 697.430
- WIOA Proposed 679.130(f)(1) through (3) - State board must use criteria to certify One Stops to avoid inherent conflict of interest
- WIOA Proposed 20 CFR 679.410(a)(3) and (c) - Local board must avoid inherent conflict of interest
- WIOA Proposed 20 CFR 679.430 - Entities performing multiple functions
- WIOA Proposed 20 CFR 683.200(c)(5) - Administrative Rules, Costs, Limitations – Title I WIOA and Wagner-Peyser
- 29 CFR 97.36(3)
- 2 CFR 899 Part 200 and Part 2900 - Office of Management and Budget Uniform Guidance on administrative, cost, and audit provisions for federal grants