

Attachment 8

**WORKFORCE DEVELOPMENT BOARD INC.
CODE OF CONDUCT / CONFLICT OF INTEREST / CONFIDENTIALITY
ESTABLISHED JULY 1, 2015**

The following code of conduct governs the performance of persons involved in the award and administration of contracts and sub-grants awarded to and contracted through the Workforce Development Board of Southeast Missouri (WDB), including WDB members.

GENERAL STATEMENT

Board members awarding and administering public monies must be concerned about standard of conduct in carrying out their responsibilities. Every reasonable course of action must be taken in order to maintain the integrity of expenditure of public funds and to avoid any favoritism and questionable or improper conduct.

Those governed by this policy are required to act in good faith and in a manner he or she reasonably believed to be in, the best interests of the WDB which must always be foremost and superior to one's personal or financial interests. Information obtained by virtue of public service to the WDB cannot be used for personal, family, or associated business interest gains. The WDB relies on the public's trust in carrying out its mission.

The policies expressed in this document must not replace or otherwise supplant specific state or federal law governing these matters, but rather must be considered in conjunction with such laws.

MATERIAL FINANCIAL OR OTHER INTERESTS

No individual subject to this policy in a decision-making capacity may participate in the selection or award of a contract or subcontract supported by WDB funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the individual
- any member of the individual's family (or step-family), either by blood or marriage, which includes the employee's spouse, children, grandchildren, nephews, nieces, brothers, sisters, parents, grandparents, uncles, and aunts,
- the individual's business partner,
- any organization which employs, or is about to employ, any of the above,

has a material financial or other interest in the firm or organization selected for the award. For the purpose of this Code of Conduct, a material financial or other interest is defined as "any ownership singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or of any understood interest, or the receipt, singularly or collectively, of a salary, gratuity, or other compensation or remuneration. Those subject to this policy must publicly declare and make known to the WDB Chairperson all potential conflicts of interests prior to the awarding of funds by contracts or subcontracts or addenda to contracts or subcontracts.

WDB members having a potential real or apparent conflict of interest, in any contract or subcontract or addendum awarded by the WDB must (i) absent themselves physically from the committee or board meeting during the discussion and voting process in which their perceived real or apparent conflict of interest could influence decision making, and (ii) abstain from voting on any and all such issues. All such absences and abstentions will be noted in the meeting minutes. The meeting chairperson shall have the right and responsibility to require such members to absent themselves from the meeting.

"Vended" purchases from those governed by this policy as defined above using public funds administered through the WDB are discouraged. Such purchases may be made, but only after competitively advertising the purchase in the manner directed by the WDB's procurement procedures.

BOARD MEMBER COMPENSATION

Board members shall receive no compensation for their services on the WDB; however members will be reimbursed for their direct expenses incurred while participating in WDB and/or committee activities in accordance with WDB policies. Indirect expenses, including lost wages, are not compensated or reimbursed. Board members are not allowed to accept honoraria for speaking engagements on behalf of the WDB if offered.

PERSONAL BENEFITS

Those subject to this policy are not allowed to accept gifts, gratuities, services, favors, loans, fee, compensation, or anything of monetary value, from persons or organizations doing business with the WDB unless such personal benefits are of an obvious nominal value (\$25 or less), and the benefits are considered normal and otherwise acceptable in the course of conducting business.

POLITICAL ACTIVITIES

Those subject to this policy are prohibited from using official authority to represent the WDB or its subcontractors in partisan political activities, which includes influence for purpose of interfering with or affecting the result of an election or nomination for office. Further, the use of the WDB's or its subcontractor's name, property, or facilities in connection with any partisan political activity is prohibited. This policy does not prohibit those governed by the policy from being a candidate for elective office.

IMPLEMENTATION

The WDB Chair may appoint an Ad-Hoc Ethics Task Force at his/her discretion. The Ad-Hoc Ethics Task Force would have the expressed responsibility to hear and review allegations of violations of any part of this policy. They will recommend corrective action to the full WDB.

The Ad-Hoc Ethics Task Force would educate the WDB and staff about conflict of interest and take an active role in preventing it from occurring. The Ad-Hoc Ethics Task Force would develop procedures, which will include appeals procedures, for receiving and resolving complaints of perceived or alleged violations. All recommendations of the Ad-Hoc Ethics Task Force would be acted upon by the full WDB.

WIOA prohibits a member of the WDB from voting on a matter under consideration by the WDB when:

- a. the matter concerns the provision of services by the member or by an entity that the member represents;
- b. the matter would provide direct financial benefit to the member or the immediate family;

Members of the WDB are expected to avoid unethical behavior in the course of performing their official duties. The WDB not only expects its members to avoid impropriety, but also to avoid the appearance of impropriety whether or not any actually exists. Members must avoid:

- a. using their position for private gain or influence;
- b. giving preferential treatment to any person or entity;
- c. losing their independence or impartiality in making decisions; or
- d. acting in any way that might erode public confidence in the integrity of the WDB.

WDB members shall individually abstain from voting on issues and matters that will result in a direct, indirect conflict of interest, or perceived conflict of interest. Abstentions and the general reasons therefore, should be duly recorded in the minutes of the meeting.

All information, whether transmitted orally or in writing, that is of such a nature that it is not, at that time, a matter of public record or public knowledge is deemed confidential by the WDB. Members shall not disclose confidential information obtained in the course of or by reason of his or her membership on the WDB to any person or entity not directly involved with the business of the WDB, Further:

- a. no member shall use confidential information obtained in the course of or by reason of his or her membership on the WDB in any matter intent to obtain financial gain for the member, the member's immediate family or any business with which the member is associated.
- b. no member shall disclose confidential information obtained in the course of or by reason of his or her membership on the WDB in any manner with the intent to obtain financial gain for any other person.

Each member of the Board, by signing prior to taking Board seat and then annually, acknowledges that they have read and understand the Code of Conduct and Confidentiality Agreement.

**WORKFORCE DEVELOPMENT BOARD of SOUTHEAST MISSOURI
MEMBER AND EMPLOYEE POTENTIAL CONFLICT OF INTEREST DISCLOSURE**

The Code of Conduct adopted by the Workforce Development Board of Southeast Missouri (WDB) as part of these by-laws requires board members and employees to publicly declare and make known to the WDB Chairperson all potential conflicts of interest prior to the awarding of funds by contracts or subcontracts or addenda to contracts or subcontracts.

No individual subject to this policy in a decision-making capacity may participate in the selection or award of a contract or subcontract supported by WDB funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the individual,
- any member of the individual’s family (or step-family), either by blood or marriage, which includes the employee’s spouse, children, grandchildren, nephews, nieces, brothers, sisters, parents, grandparents, uncles, and aunts,
- the individual’s business partner.
- an organization which employs, or is about to employ, any of the above,

has a material financial or other interest in the firm or organization selected for the award. A material financial or other interest is defined as “any ownership singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or the receipt, singularly or collectively, of a salary, gratuity, or other compensation or remuneration.

WDB members having a potential real, apparent, or perceived conflict of interest in any contract or subcontract or addendum awarded by the WDB must (i) absent themselves physically from the committee or board meeting during the discussion and voting process in which their perceived real or apparent conflict of interest could influence decision making, and (ii) abstain from voting on any and all such issues. All such absences and abstentions will be noted in the meeting minutes. The meeting chairperson shall have the right and responsibility to require such members to absent themselves from the meeting.

“Vended” purchases from those governed by this policy as defined above using public funds administered through the WDB are discouraged. Such purchases may be made, but only after competitively advertising the purchase in the manner directed by the WDB’s procurement procedures.

SIGNATURE

I, in my capacity as a WDB member or employee of the Workforce Development Board of Southeast Missouri, hereby publicly declare and make known the following potential conflicts of interests, real, apparent, or perceived, known by me. By signing this statement, I am indicating that I have read and understand the WDB’s Code of Conduct as it applies to the conditions described below. Each member of the Board, by signing prior to taking Board seat and then annually, acknowledges that they have read and understand the Code of Conduct and Confidentiality Agreement.

The following potential conflicts of interests, real, apparent, or perceived, described as to their nature and conditions, may exist as of the date of my signature:

Signature	Date
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