

## Conflict of Interest Policy

The conflict of interest policy for the Northeast Region WIB members, staff and contracted staff to follow is found in Article 5.7 of the NEMO Workforce Investment Board Bylaws. It can also be found in Article III.H of the Northeast Region Chief Local Elected Officials' Bylaws. Both Articles are referenced below:

### **Northeast Missouri WORKFORCE INVESTMENT BOARD, Inc Bylaws**

#### **ARTICLE V.7**

5.7 Each duly appointed member of the Board shall have one vote on all matters before the Board. Proxy voting shall not be permitted. Local Board members, as volunteer citizens and community leaders, must uphold the highest levels of accountability. To ensure that responsible stewardship for and oversight of the workforce programs are accomplished in a way that demonstrates integrity, accountability, and transparency and in order to preserve the public trust. A Board member may not:

- a. Vote on a matter under consideration by the local board—
  1. regarding the provision of services by such member (or by an entity that such member represents; or
  2. that would provide direct financial benefit to such member or the immediate family of such member; or
- b. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State Plan.

If the CLEO Consortium, the local WIB, or the local Youth Council discuss an issue that would impact a member due to their business interests or personal relationships, that member should *refrain from participating in the discussion and from voting on the issue*. This voting abstention should be recorded in the meeting's minutes.

This policy is also extended to cover WIB staff and any local WIB contractors and their staff. They should not participate in any decision-making capacity which would provide a direct financial benefit to that staff person or to a member of his/her immediate family. (Immediate family includes parent, children, sibling, grandparent, aunt, uncle, niece, nephew, cousin, as well as step-family and in-laws.)

**BY LAWS  
CHIEF LOCAL ELECTED OFFICIAL CONSORTIUM**

**Article III**

H. Conflict of Interest

Providing responsible stewardship for and oversight of Federally-funded workforce programs must be accomplished in a way that demonstrates integrity, accountability, and transparency in order to preserve the public trust. Because local workforce programs are largely governed under the Workforce Investment Act by local board members, as volunteer citizens and community leaders, the highest levels of accountability should be upheld.

Chief Local Elected Officials, local Workforce Investment Board members, and Youth Council members shall avoid the appearance of a conflict of interest in compliance with (TEGL 35-10 and WIA 117(g)).

The most commonly referred to “conflict of interest” provision for WIA requires that a member of a local board 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.

If the CLEO Consortium, the local WIB, or the local Youth Council discuss an issue that would impact a member due to their business interests or personal relationships, that member should *refrain from participating in the discussion and from voting on the issue*. This voting abstention should be recorded in the meeting’s minutes.

This policy is also extended to cover WIB staff and any local WIB contractors and their staff. They should not participate in any decision-making capacity which would provide a direct financial benefit to that staff person or to a member of his/her immediate family. (Immediate family includes parent, children, sibling, grandparent, aunt, uncle, niece, nephew, cousin, as well as step-family and in-laws.)

There are, at a minimum, six other significant and interrelated areas of federal and state law aimed at ensuring guidance for integrity, transparency and accountability. They range from additional conflict of interest provisions to restrictions on nepotism (hiring one’s family members). None of these should be considered burdensome or difficult to manage for prospective Board members rather they generally reflect ethical values, honesty and integrity in organizational functions which any Board member would be proud to represent. The Division of Workforce Development will establish, issue and manage changes in these laws and policies using a policy issuance and distribution process. See the citations referenced below:

Workforce Investment Act of 1998, Public Law 105-220: <http://www.doleta.gov/usworkforce/wia/wialaw.pdf>

WIA Final Rule, 20 Code of Federal Regulations (CFR) Part 661, Fed. Reg. 49294, August 11, 2000:  
<http://www.doleta.gov/usworkforce/wia/finalrule.pdf>)

Missouri Conflict of Interest (Ethics) Law, RSMo. 105.450-105.973

Missouri Constitution, Article VII, Section 6

Missouri Sunshine Law, RSMo. 610.10-610.027 (public bodies citation)

Uniform Administrative requirements (29 CFR Part 95 and 97): [http://www.access.gpo.gov/nara/cfr/waisidx\\_09/29cfr95\\_09.html](http://www.access.gpo.gov/nara/cfr/waisidx_09/29cfr95_09.html)  
and [http://www.access.gpo.gov/nara/cfr/waisidx\\_09/29cfr97\\_09.html](http://www.access.gpo.gov/nara/cfr/waisidx_09/29cfr97_09.html).

The Hatch Act (5 United States Code 1501-1508): [http://www.osc.gov/documents/hatchact/ha\\_sta.pdf](http://www.osc.gov/documents/hatchact/ha_sta.pdf)

Training and Employment Guidance Letter (TEGL) 35-10, June 16, 2011 at: <http://wdr.doleta.gov/directives/attach/TEGL/TEGL35-10-Acc.pdf>

The Missouri Attorney General's Office at: <http://www.ago.mo.gov/sunshinelaw/sunshinelaw.htm>