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| **Conflict of Interest Policy** | Policy No. | 9 |
| **Greater Nebraska Workforce Development Area**  550 South 16th Street  Lincoln, NE 68508  402.471.9878  [ndol.greaternebraska@nebraska.gov](mailto:ndol.greaternebraska@nebraska.gov) | Effective Date | 7/1/2017 |
| Supersedes |  |
| Revision Date |  |
| Revision No. |  |
| Approval | GNWDB |

**Reference**

Workforce Innovation and Opportunity Act (WIOA) Sec. 101, 102, and 107; Workforce Innovation and Opportunity Act – Notice of Proposed Rulemaking, 20 CFR §§ 679.430, 683.200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Final Rule (Uniform Guidance), 2 CFR 200, Nebraska Department of Labor (NDOL) Interim Policy on Conflict of Interest

**Purpose**

This conflict of interest policy ensures that individuals employed by or representatives of organizations entrusted with WIOA Title 1b funds and their immediate family members will not personally or professionally benefit from the award or expenditure of such funds.

**Background**

The regional plan requires that local’s areas have a conflict of interest policy.

**Action**

All staff and partners at all levels of participation in the Greater Nebraska Workforce Development Area (GNWDA) funded by the Workforce Innovation and Opportunity Act (WIOA) Title 1b are expected to read, understand and apply this policy to ensure system integrity and effective oversight of the local area. Questions and comments should be submitted in writing to the Greater Nebraska WIOA Mailbox: [ndol.greaternebraska@nebraska.gov](mailto:ndol.greaternebraska@nebraska.gov).

**Policy**

Workforce Coordinators

Workforce coordinators cannot enroll, provide career planning services, or otherwise directly work with family members as participants, applicants, or registrants. When a family member of a workforce coordinator is in need of services, that person must be assigned to a different workforce coordinator in order to avoid a real or apparent conflict of interest.**[[1]](#footnote-1)**

Managers & Administrative Entity Staff

Managers and administrative entity staff must report any real or apparent conflicts of interest to their supervisor.

Workforce Board & Chief Elected Officials Board

All members shall comply with the provisions of §§49-1499 through 49-14,103.03 Nebraska Revised Statutes.

No member may receive anything of value as a result of a benefit conferred by the GNWDB/CEOB upon any person, business or organization.

A Local Board member must disclose with particularity the nature and extent of any financial interest in or affiliation with any person, business or organization that is seeking anything of value from the GNWDB/CEOB prior to consideration of the request by the Local Board. A disclosure period will be provided to the members.

When a potential conflict exists, the Local Board Member must prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict, and if he or she will not abstain from voting, deliberating, or taking other action on the matter, the statement shall state why, despite the potential conflict, he or she intends to vote or otherwise participate; and deliver a copy of the statement to the Board Chair, who shall cause the statement to be filed as a matter of public record.

No member shall vote on a question in which he or she has a direct or indirect personal or pecuniary interest not common to other members of the GNWDB/CEOB. The member of the Board may abstain from voting, deliberating, or taking other action on the matter on which the potential conflict exists. The minutes of the meeting shall record compliance with this requirement. The interested member may briefly state his or her position regarding the subject or may answer questions of other members, since his or her knowledge may be of assistance. [[2]](#footnote-2)

Entities Performing Multiple Functions

The Nebraska Department of Labor functions simultaneously in a variety of roles, including One-Stop operator, service provider for adult, dislocated worker, and youth programs, administrative entity, and as the governing body for State WIOA policy.

Steps have been taken, when possible to, silo these roles. The Office of Employment and Training (E&T) is divided into three branches; Program Support/Quality Assurance, Operations/Service Delivery, and Policy/Technology. Each branch has its own administrator and acts independently to a great extent. All administrators report to the Director of E&T. Program Support/Quality Assurance provides administrative entity services, Operations/Service Delivery delivers One-Stop operator and WIOA Title 1 programs (adult, DLW, & youth), and Policy/Technology is responsible for State WIOA Title 1 policy.

Procurement Process

The local area follows the procurements policies and procedures of the Nebraska Department of Administrative Services. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the grant recipient and subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. [[3]](#footnote-3)

**Disclaimer**

This policy is based on Greater Nebraska’s reading of the applicable statutes, regulations, rules and guidance released by the U.S. Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.

1. NDOL Interim Policy on Conflict of Interest [↑](#footnote-ref-1)
2. Attachment 5. GNWDB Bylaws [↑](#footnote-ref-2)
3. 2 CFR § 200.318(c)(1) [↑](#footnote-ref-3)