

ARTICLE XIV – CONFLICT OF INTEREST AND CODE OF CONDUCT POLICY

- (1) A Board Member/Standing Committee Member shall not:
- a. vote on a matter under consideration by a Board/Standing Committee if such vote:
    - i. Involves the provision of services by such Board Member/Standing Committee Member (or any entity or organization the Board Member/Standing Committee Member represents, or in which he or she holds an ownership or pecuniary interest) or a Board Member/Standing Committee Member's Immediate Relative; or
    - ii. would provide a direct or indirect financial benefit to the Board Member/Standing Committee Member (or any entity or organization the Board Member/Standing Committee Member represents, or in which he or she holds an ownership or pecuniary interest) or a Board Member/Standing Committee Member's Immediate Relative; or
    - iii. involves any other conduct or activity determined to constitute a Conflict of Interest.
  - b. directly or indirectly accept or solicit any gratuities, favors, or anything involving more than de minimis monetary value from any person with whom the Board Member interacts in his or her capacity as a recipient of federal funds. This section includes, without limitation, any potential or actual supplier, contractor, subcontractor, grant recipient or other service provider;
  - c. participate in the selection, award or administration of a procurement supported by federal funds in any case where the Board Member/Standing Committee Member is aware that any member of his or her immediate family, business partner, or any organization that employs or is about to employ any of those persons, has any financial or material interest in any organization that may be considered for an award of federal funds;
  - d. advocate for or cause the advancement, appointment, employment, promotion, or transfer of an Immediate Relative to any office or position administering or handling federal funds under Public Law 113-128, including without limitation, any potential or actual supplier, contractor, subcontractor, grant recipient or other service provider.
- (2) A Board Member/Standing Committee Member shall disclose and divulge the existence of an actual or potential Conflict of Interest prior to any vote or participation in the decision making process and such disclosure shall be expressly noted in the Board/Standing Committee's minutes.

- (3) In the event that an actual or potential Conflict of Interest exists, the affected Board Member/Standing Committee Member shall recuse himself or herself from voting on the impacted topic and shall also refrain from participating in any discourse involving the impacted topic other than bringing the actual or potential Conflict of Interest to the Board/Standing Committee's attention.  
Additionally, in the meeting minutes, the Board shall recite the nature of the actual or potential Conflict of Interest and the recusal of the impacted Board Member/Standing Committee Member with respect to the vote and discussion of the impacted topic.
- (4) In the event that a Board Member/Standing Committee Member is uncertain as to whether an actual or potential Conflict of Interest exists, the Board Member/Standing Committee Member shall notify the Board/Standing Committee and the remainder of the Board shall vote to determine whether an actual or potential Conflict of Interest exists.
  - a. In the event that the Board/Standing Committee determines that an actual or potential Conflict of Interest exists, the impacted Board Member/Standing Committee Member shall follow 159-2-4.04(3) and recuse himself or herself from voting and participating in the decision making process.
  - b. In the event that the Board/Standing Committee determines that no actual or potential Conflict of Interest exists, the impacted Board Member/Standing Committee Member shall be entitled to vote and participate in the decision making process. The Board/Standing Committee shall recite in the meeting minutes the nature of the perceived Conflict of Interest and the reasons for determining why a Conflict of Interest did not exist.
- (5) The Chairman of the Board/Standing Committee shall inquire as to whether a Conflict of Interest exists among Board Member/Standing Committee Members prior to any vote involving the following:
  - a. the awarding or modification of a contract; or
  - b. the provision of services; or
  - c. a pecuniary interest.

#### **ARTICLE XV –OPEN MEETINGS AND OPEN RECORDS**

The WDB shall make available to the public, on a regular basis, through electronic means and open meetings, information regarding the activities of the WDB, including information regarding the local plan, prior to submission of same, and regarding the selection and appointment of the Directors of the WDB, and the officers, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and on request, minutes of formal meetings of the WDB, all as required under local, state and federal open record and open meetings laws, and WIOA Section 107(e).



## Conflict of Interest Provision

Name: \_\_\_\_\_

Public Office or Position: \_\_\_\_\_

Local Workforce Development Area: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

I hereby affirm and attest that I have read and understand the duties, obligations and restrictions imposed upon me by the Conflict of Interest and Code of Conduct Policy contained at Ga. Comp. R. & Regs. r. 159-2-1-.06, and that to date, I have not engaged in any conduct that would constitute a violation of the Conflict of Interest and Code of Conduct Policy. I hereby further affirm and attest that I will adhere to the duties, obligations, and restrictions identified in the Conflict of Interest and Code of Conduct Policy, and that I will not engage in any conduct which violates that policy so long as I hold the Public Office or Position identified above.

This \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Signature: \_\_\_\_\_