



Workforce Development Board Policy ☒

Standard Operating Procedures ☒

Topic: Code of Conduct

Date: July 1, 2025

☐ New

☒ Revised

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Purpose

The purpose of this Code of Conduct is to establish clear standards of ethical behavior, professional integrity, and accountability for all individuals and entities involved in the administration and delivery of services under the Workforce Innovation and Opportunity Act (WIOA). This policy is intended to ensure compliance with federal and state laws and regulations; promote public trust in the workforce development system; prevent conflicts of interest, fraud, waste, and abuse; and ensure that workforce services are delivered in a fair, respectful, and nondiscriminatory manner.

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Definitions

- The term “official” means any LWDB member or Worksystems employee or agent, or any citizen volunteer authorized to act on behalf of the LWDB or Worksystems. The term includes, but is not limited to, all individuals who participate in the making of LWDB or Worksystems policy, procurement, fund obligation, contract management or personnel decisions.
- The term “immediate family” means a spouse, parent, in-law, guardian, child, brother, sister, foster child, grandchild, grandparent, or other person to whom the official is not related but who resides in the same household. The relatives listed above need not reside in the same household to be included as immediate family.

Trust

Officials shall treat their position as a public trust.

- LWDB and Worksystems powers and resources are to be used for the benefit of the public rather than for personal benefit.
- Officials shall establish and implement policies in good faith, as equitably and economically as possible, regardless of their personal views.



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- Whistle-blowing is appropriate in the event of unlawful or improper actions. Anyone who observes significant unlawful or improper actions by an official is expected to report them. Customarily, the actions are reported to the official's supervisor. If the supervisor appears to be involved in the improper actions, the report can be made to a higher level, to Worksystems' Executive Director or to the Worksystems/LWDB Chair or the Governing Board Chair.

"Whistle-blowing" differs from "leaking" because leakers act covertly and are essentially unaccountable for the consequences of their actions. It is improper to harass or punish officials who seek accountability through whistle-blowing. Leakers are not similarly protected.

- Officials shall provide services and carry out their duties in a manner that is nondiscriminatory, professional, and respectful. Discrimination, harassment, intimidation, or retaliation against any individual based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I—financially assisted program or activity is strictly prohibited.
- Harassment includes unwelcome verbal, physical, visual, or electronic conduct that has the purpose or effect of unreasonably interfering with an individual's participation in, or access to, WIOA-funded programs, services, or employment.
- Individuals have the right to file complaints alleging discrimination or violations of equal opportunity requirements without fear of retaliation, in accordance with applicable federal and state procedures.
- Officials shall take affirmative steps to ensure equal and meaningful access to programs, services, and activities, including the provision of reasonable accommodations for individuals with disabilities and reasonable language assistance for individuals with limited English proficiency.
- Citizens shall have a fair and equal opportunity to express their views to officials. Often it is impossible for an official to talk personally with every concerned citizen, but obtaining an appointment or a chance to speak at a LWDB or Worksystems meeting should not appear to depend upon friendship or animosity.
- Officials shall not give the appearance of impropriety. Officials should not accept any personal gift, meal or entertainment valued at \$30.00 or more. The official should consider the decisions he or she may have to make and shall exercise conservative judgment. The key question for an individual official is, "By accepting this gift/meal/entertainment am I giving preferential treatment to the gift giver, or am I giving the appearance to reasonable people of giving favor to the individual?" If the answer is "yes" to either question, then the official should not even accept a gift below the \$30.00 threshold.

Officials, as representatives of the LWDB or Worksystems or while conducting business on behalf of the LWDB or Worksystems, may accept gifts for the benefit of Worksystems, and may be guests at meals or entertainment activities. For example, gifts as part of a company grant or giving program should be accepted, and shall become the property of Worksystems. Gifts for employee awards, volunteers, and community cooperation are allowed. Donations to Worksystems programs are also allowed.



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- Officials shall devote Worksystems resources, including paid time, equipment, computers, supplies, and capital assets, to public benefit. Time paid for by Worksystems is intended for Worksystems business. Supervisors should not ask subordinates to perform personal services. Office supplies are for Worksystems use only.

Worksystems may adopt procedures allowing for limited personal fax transmissions, photocopies and telephone calls to be made under specified circumstances. This procedure may also permit limited completion of personal tasks on computers.

Officials should not use LWDB or Worksystems letterhead or refer to their public position when requesting personal benefits or resolving personal disputes.

- Retaliation against any person who files a complaint, participates in an investigation, or otherwise exercises rights protected under WIOA is prohibited and constitutes a violation of this Code of Conduct.

Political Activities

Worksystems employees are subject to the Hatch Act since they are supported in whole or in part with Federal resources.

Political activities shall not be engaged in on Worksystems time or property. No Worksystems employee shall promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours.

At no time, while on the job or on personal time, shall employees solicit any money, influence, service or other thing of value for benefit of political candidates or political activity. This includes engagement in social media platforms soliciting financial support for a political candidate or cause.

This section does not restrict the right of Worksystems employees to express personal political views, so long as these views do not adversely impact the quality or content of LWDB or Worksystems services or policy making. For example, a Worksystems employee while on Worksystems' premises or during work hours can express personal political views to co-workers but may not distribute flyers for a political campaign.

The LWDB or Worksystems may take a position on pending Local, State or Federal legislation or rulemaking. Officials may then provide information or otherwise act as directed on that position. Federal and State grant funds may not support lobbying activities.

LWDB members are not paid and so therefore do not fall under the Act. However, LWDB members may not express their personal or political views as representative of Worksystems or through their position as a member of the LWDB.

Objectivity

LWDB and Worksystems decisions shall be based on the merits of each issue. Judgment shall be independent and objective.

- If an individual official's financial or personal interests will be specifically affected by a decision, the official is to withdraw from participating in the LWDB and Worksystems decision. This prohibition applies to all LWDB and Worksystems meetings, standing Committees, task group or ad hoc work group meetings, and discussions before or during meetings which involve lobbying for or against a LWDB or Worksystems action or agenda item or which deliberate towards a decision. This includes the personal or financial interests of the official's immediate family and household. Refusal and disqualification involves a statement such as, "My brother-in-law is part owner of the property under discussion. Therefore, I will not be speaking or voting on this lease."

State law distinguishes between actual conflict of interest, which definitely would affect the official, and potential conflict, where the effect is not certain. In the case of a potential conflict, the official must disclose the conflict but may be permitted to participate in the decision. A formal or informal opinion should be requested when a potential conflict arises.

No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the procurement or selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that 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 an entity considered for a contract. An employee, officer, agent, and board member of the recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. However, the recipient or subrecipient may set standards for situations where the financial interest is not substantial or a gift is an unsolicited item of nominal value. The recipient's or subrecipient's standards of conduct must also provide for disciplinary actions to be applied for violations by its employees, officers, agents, or board members. The law also makes an exception where the official's financial interests are included with a whole class of citizens. In this case an informational disclosure may be appropriate, such as, "We will be voting on the Northeast Career Center. My sister's family is receiving training from the Center along with the rest of the community."

State law focuses on elected officials and appointees to boards and commissions, but the ethical principle extends to all officials. For example, a Worksystems program monitor should not monitor an on-the-job-training contract at a business owned by his sister. The relationship should be disclosed and a different, disinterested Worksystems employee should conduct the monitoring.

- Officials shall avoid bias or favoritism, and shall respect cultural differences as part of decision-making and the conduct of LWDB and Worksystems business.
- Intervention on behalf of constituents or friends is limited to assuring fairness and clarifying policies or improving service to citizens. Officials should avoid giving citizens any reason to believe they would receive better or different services if they had a personal connection with the official.

Accountability

Open government allows citizens to make informed judgments and to hold officials accountable.

- Officials shall exercise their authority in open meetings supported by public records subject to the normal and usual exceptions, including but not limited to: 1) Pending or threatened litigation; 2) Personnel decisions; 3) Contract negotiations where disclosure of Worksystems' position may inflate costs or prevent Worksystems from carrying out its mission as effectively as possible; and 4) A decision to sanction a LWDB member or Worksystems Director where that member or Director wishes to contest the facts supporting the sanction in a confidential meeting and the Board concurs with the confidentiality request.
- Each official is encouraged to improve LWDB and Worksystems methods by identifying problems and proposing improvements. Worksystems employees who believe a policy or practice is not achieving its stated purpose, is creating unintended harm, or is inefficient, should express such concerns to their supervisor and should suggest possible improvements. Worksystems managers should share strategic information with their subordinates and reward suggestions for improvement.
- Worksystems structure shall be self-monitoring, with procedures in place to ensure appropriate actions. Managers should make sure their practices for purchasing, contracting, and hiring include routines that elicit fair choices and assure protection of Worksystems assets. Such routines include checklists, separation of duties, bank account reconciliations, and reports to management.
- Any official's immediate family shall not receive preferential treatment in employment or in the receipt of Worksystems funded services. Worksystems' service providers shall adopt and comply with nepotism provisions no less restrictive than this paragraph.
- No official shall also be a Worksystems subrecipient or contractor without full disclosure and authorization from the Worksystems Board. This section shall not apply to LWDB members who 1) are salaried officials for public or nonprofit entities, or who serve on the boards of such entities, and 2) who provide contractor services to Worksystems' clients utilizing the same rates as for the general public. For example, the Worksystems Board need not approve Community College tuition arrangements merely because a Community College President sits on the Board.
- The LWDB's Executive Committee, who also serve as the Board of Directors for Worksystems, may not represent, serve on the board of, or work for a public, private for profit or nonprofit Worksystems subrecipient or contractor. Worksystems' Directors should be especially careful to disclose and avoid conflict of interest situations.

Leadership

- Officials shall obey both the letter and the spirit of all laws and regulations.
- Leadership shall facilitate, rather than block, open discussion. Officials have an ethical obligation to avoid behavior such as strained interpretation of rules, refusal to return telephone calls to a specific person, or arbitrarily delaying a decision.
- Worksystems units and work teams are encouraged to develop Code of Conduct training, and enforcement procedures.



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Informal or Formal Opinions

An informal or formal opinion concerning a given conflict of interest or ethical situation may be requested. Such requests should be directed to Worksystems' Executive Director or, if the situation involves the Executive Director, to Worksystems' Board Chair or the Chair of the Governing Board.

Sanctions

Officials are subject to sanctioning by vote of the LWDB, Worksystems' Board or Governing Board, up to and including dismissal. Individuals and entities may also be barred from doing business with Worksystems.

Worksystems employees and contractors are also subject to sanctions under Worksystems' procurement and personnel policies and contract provisions. To the extent that this Code of Conduct and Worksystems' procurement and personnel policies or contract provisions overlap or are perceived to conflict, the most restrictive interpretation shall apply.

References

WIOA Sections 107(h), 121(d)(3), 134, and 188
20 CFR 679
20 CFR 680.200 – 680.220
2 CFR 200
29 CFR Part 38