



Workforce Development Board Policy ☒ X

Standard Operating Procedures ☒ X

Topic: Code of Conduct

Date: September 1, 2026

☐ New

☒ Revised

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Purpose

The purpose of this Code of Conduct is to establish clear standards of ethical behavior, professional integrity, transparency, and accountability for all individuals and entities involved in the governance, administration, procurement, oversight, monitoring, and delivery of services under the Workforce Innovation and Opportunity Act (WIOA) and other funds administered by Worksystems and the Portland Metro Workforce Development Board (Workforce Board).

This policy is intended to ensure compliance with federal and state laws and regulations; preserve public trust in the workforce development system; prevent actual, potential, apparent, perceived and organizational conflicts of interest; prevent fraud, waste, abuse, favoritism, and preferential treatment; and ensure that workforce services are delivered in a fair, respectful, accessible, and nondiscriminatory manner.

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Scope

This policy applies to all Portland Metro Workforce Development Board members (Workforce Board); committee members; Worksystems employees, officers, agents; volunteers authorized to act on behalf of the Workforce Board or Worksystems; contractors; subrecipients; vendors; workforce system partners; and any other individuals or entities participating in Workforce Board or Worksystems decision-making, program administration, procurement, contracting, monitoring, oversight, or service delivery activities.

This policy applies to policy decisions; procurement planning, solicitation development, proposal review, selection and awards; grant or fund obligation; contract administration and contract development, amendment and renewal; monitoring; service delivery decisions; personnel decisions; board actions and committee actions; and any other matter in which an Official acts on behalf of the Workforce Board or Worksystems.

Definitions

Official: Any Workforce Board member, committee member, Worksystems employee, officer, agent, volunteer, or other person authorized to act on behalf of the Workforce Board or Worksystems. The term includes, but is not limited to, any individual who participates in policy, procurement, fund obligation, contract management, monitoring, oversight, service delivery, or personnel decisions.

Immediate family: A spouse, domestic partner, parent, in-law, guardian, child, sibling, foster child, grandchild, grandparent, or other person to whom the Official is not related but who resides in the same household. Relatives listed in this definition need not reside in the same household to be considered immediate family.

Preferential treatment: Any action that provides an unwarranted advantage, opportunity, benefit, access, influence, or favorable consideration not available to similarly situated individuals or entities.

Nepotism: The practice of using one's official position or influence to favor or provide an unfair advantage to a family member, household member, or other closely related individual in employment, contracting, procurement, funding, service delivery, oversight, or other official decisions.

Conflict of interest: An actual, potential, perceived, or apparent circumstance in which an Official's financial interests, personal interests, family relationships, employment relationships, business relationships, organizational affiliations, or other relationships could impair, influence, or appear to impair the Official's objectivity or ability to act in the best interest of the Workforce Board, Worksystems, the workforce system, or the public.

Recusal: The act of disclosing a conflict and withdrawing from participation in discussion, deliberation, recommendation, evaluation, decision-making, voting, contract administration, monitoring, oversight, or any other action affected by the conflict.

Trust and Professional Conduct

Officials shall treat their position as a public trust. The Workforce Board and Worksystems funds, property, information, and other resources shall be used for public benefit and authorized workforce system purposes rather than for personal benefit, private advantage, or preferential treatment.



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- Officials shall establish and implement policies and procedures in good faith, as equitably, transparently, and economically as possible, regardless of personal views or preferences.
- Officials shall provide services and carry out their duties in a nondiscriminatory, professional, respectful, impartial, and accessible manner.
- Officials shall not use the Workforce Board or Worksystems letterhead, title, position, facilities, systems, information, or resources to request personal benefits, resolve personal disputes, obtain preferential treatment, or imply endorsement of a personal matter.
- Worksystems resources, including paid time (paid time does not include holiday and PTO pay), equipment, computers, supplies, technology, facilities, and capital assets, shall be used for authorized Worksystems or Workforce Board business.
- Officials shall not give or create the appearance of giving preferential treatment to any person or entity based on friendship, family relationship, business association, political relationship, organizational affiliation, or other personal connection.
- Officials shall not retaliate against any person who files a complaint, reports a concern, participates in an investigation, requests reasonable accommodation, seeks language assistance, or otherwise exercises rights protected under WIOA, 29 CFR Part 38, Oregon law, or this policy.

Equal Opportunity, Accessibility, and Respectful Conduct

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, political affiliation or belief, an individual's citizenship status or, against any beneficiary of, applicant to, or participant in programs or activities financially assisted under Title I of the Workforce Innovation and Opportunity Act. This prohibition applies to applicants, participants, beneficiaries, employees, contractors, subrecipients, partners, and members of the public.

Officials shall take affirmative steps to ensure equal and meaningful access to programs, services, activities, meetings, communications, and decision-making processes. Such steps include reasonable accommodations for individuals with disabilities and reasonable language assistance for individuals with limited English proficiency, as required by applicable law and policy.

Harassment includes unwelcome verbal, physical, visual, or electronic conduct that has the purpose or effect of unreasonably interfering with access to, participation in, or benefit from WIOA-funded programs, services, employment, or activities.

Gifts, Gratuities, Meals, and Entertainment

Officials shall not solicit or accept gratuities, favors, gifts, meals, entertainment, or anything of monetary value from contractors, subrecipients, vendors, applicants, participants, or other parties that have or seek to have business with Worksystems or the Workforce Board. In no event shall an Official accept a personal gift, meal, entertainment, or other item of value with an individual value of \$30 or more. Regardless of value, an Official shall decline any item if its acceptance could create an actual or perceived conflict of interest, preferential treatment, impaired objectivity, or an



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appearance of impropriety. Gifts accepted on behalf of Worksystems or a Worksystems program shall become the property of Worksystems.

Political Activities

- Worksystems employees supported in whole or in part with federal resources are subject to applicable restrictions on political activity, including the Hatch Act.
- Political activities shall not be conducted on Worksystems time, property, equipment, systems, or resources. No Worksystems employee shall promote or oppose a political committee, candidate, initiative, referendum, recall petition, ballot measure, or public office holder while on the job during working hours.
- Employees shall not solicit, collect, receive, direct, or coordinate political contributions or other things of value for the benefit of a partisan political candidate, political party, political committee, or partisan political group in any manner prohibited by the Hatch Act. Employees covered by the Hatch Act are prohibited from knowingly soliciting, accepting, or receiving political contributions, including through electronic communications, social media, fundraising events, or similar activities, regardless of whether such activities occur during working hours or personal time.
- This section does not restrict employees' rights to express personal political views on personal time and using personal resources, except as otherwise restricted by the Hatch Act or other applicable law.
- The Workforce Board or Worksystems may take positions on pending local, state, or federal legislation or rulemaking when authorized through appropriate governance processes. Federal and state grant funds shall not be used for prohibited lobbying activities.
- Workforce Board members may not express personal or political views as official positions of Worksystems or the Workforce Board unless expressly authorized to do so.

Conflict of Interest

Officials shall avoid actual, potential, apparent, perceived, and organizational conflicts of interest and shall conduct all Workforce Board and Worksystems business in a manner that protects public trust, promotes objective decision-making, and complies with WIOA, Uniform Guidance, Oregon ethics laws and applicable local requirements.

Actual and Potential Conflicts

State law distinguishes between an actual conflict of interest, where the effect on the Official is certain, and a potential conflict of interest, where the effect is possible but not certain. When a potential conflict arises, the Official must disclose the conflict and may request a formal or informal opinion before participating in the matter. If an actual conflict exists, the Official shall not participate unless participation is expressly permitted by applicable law and the appropriate authority.

General Standards

- An Official may not participate in any decision, recommendation, vote, discussion, deliberation, evaluation, award, procurement panels, monitoring activity, oversight activity, or administrative action if the Official has an actual conflict of interest. If an Official's financial or personal interests will be specifically affected by a decision, the Official must disclose the conflict and withdraw from participation in the Workforce Board or Worksystems decision.
- An Official with a potential or apparent conflict of interest shall disclose the conflict to the *Compliance and Procurement Manager* before participating in the matter and shall follow any determination or direction issued by the appropriate authority.
- Officials shall disclose relationships or circumstances that may create an appearance of bias, favoritism, preferential treatment, impaired objectivity, or divided loyalty.
- Conflict disclosures, recusals, determinations, and approvals shall be documented in meeting minutes, procurement files, monitoring files, contract files, personnel files, or other appropriate administrative records. Recusal and disqualification should be documented through a clear statement, such as: "My immediate family member has a financial interest in the matter under discussion. Therefore, I will not participate in discussion, deliberation, recommendation, or voting on this matter."

Workforce Board Conflict Standards

Workforce Board members, standing committee members, subcommittee members, workgroup members, and other individuals participating in Workforce Board governance may not vote on or participate in a matter under consideration by the local board or committee that concerns the procurement or provision of services by the member, the entity the member represents, or an entity with which the member is affiliated. Members may also not participate in matters that would provide a direct or perceived financial benefit to the member or the member's immediate family.

Procurement Conflict Standards

No employee, Officer, agent, or board member with a real or apparent conflict of interest may participate in the planning, selection, evaluation, recommendation, award, administration, monitoring, oversight, amendment, renewal, or closeout of a contract or procurement. A procurement conflict of interest includes circumstances in which the employee, Officer, agent, board member, any member of the individual's immediate family, the individual's partner, or an organization that employs or is about to employ any of the parties has a financial or other interest in, or a tangible personal benefit from, an entity considered for a contract.



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In procurement matters, conflict disclosures, recusals, determinations, and approvals shall be retained in the procurement file. Procurement panels and evaluators must complete a required conflict-of-interest and confidentiality statement before reviewing proposals, applications, bids, quotes, or other procurement materials.

Organizational Conflicts of Interest

Worksystems and other workforce system entities shall avoid organizational conflicts of interest. An organizational conflict may exist when, because of relationships with a parent, affiliate, subsidiary, partner, contractor, subrecipient, service provider, board member's organization, or related entity, the organization is unable or appears unable to be impartial in conducting a procurement, oversight, monitoring, service delivery, board action, or other decision-making activity.

If Worksystems, a subrecipient, contractor, or partner organization performs multiple workforce system functions, appropriate safeguards shall be implemented to preserve independence and objectivity. Safeguards may include written agreements, separation of duties, independent review, documented firewalls, separate staff assignments, recusal procedures, oversight by a disinterested party, or other internal controls appropriate to the risk.

Employees shall not be assigned responsibility for the administration, monitoring, oversight, evaluation, corrective action review, procurement, contract management, or performance management of any contractor, subrecipient, or partner organization that previously employed the individual where such assignment could create an actual, potential, or perceived conflict of interest. A waiver to this requirement may be requested from the Worksystems Compliance and Procurement Manager.

Nepotism and Preferential Treatment

- No Official's immediate family shall receive preferential treatment in employment, contracting, procurement, monitoring, funding, or the receipt of Worksystems-funded services.
- Officials shall disclose familial, household, business, employment, or organizational relationships that may influence or reasonably appear to influence employment, contracting, procurement, monitoring, funding, service delivery, or oversight decisions.
- 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 Workforce Board 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.
- A member of the Workforce Board Executive Committee, which also serves 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.



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Objectivity and Fairness

The Workforce Board and Worksystems decisions shall be based on the merits of each issue. Judgment shall be independent, objective, transparent, and supported by appropriate records. Officials shall avoid bias, favoritism, preferential treatment, and the appearance of impropriety.

- Officials shall respect cultural differences and ensure that decision-making, communications, and service delivery are conducted fairly and respectfully.
- Intervention on behalf of constituents, participants, partners, friends, relatives, or affiliated organizations is limited to assuring fairness, clarifying policy, improving service quality, or correcting procedural issues. Officials shall not give any person or entity reason to believe that a personal connection will result in better or different treatment.
- Program monitors shall not monitor a contract, subrecipient, service provider, participant file, or other matter involving an immediate family member, household member, business associate, former employer, prospective employer, or affiliated organization where impartiality could reasonably be questioned.

Leadership

- Officials shall obey both the letter and the spirit of all applicable laws, regulations, grant terms, contract provisions, state policies, and Worksystems policies.
- Leadership shall facilitate open, respectful, and timely discussion. Officials have an ethical obligation to avoid conduct that blocks appropriate communication, strains procedural rules, delays decisions without justification, or undermines fair access to Workforce Board or Worksystems processes.
- Officials may be required to review this policy, complete training, disclose conflicts, and acknowledge compliance with this Code of Conduct at onboarding, appointment, contract execution, procurement participation, monitoring assignment, or other intervals established by Worksystems.

Informal or Formal Opinions

An informal or formal opinion concerning a conflict of interest, organizational conflict, ethical question, procurement integrity issue, or other Code of Conduct matter may be requested. Requests should be directed to Worksystems' Chief Executive Officer or designee. If the situation involves the Chief Executive Officer, the request should be directed to the Worksystems Board Chair or the Chair of the Governing Board.

Reporting, Non-Retaliation, and Corrective Action

Officials who observe or become aware of unlawful, unethical, improper, discriminatory, retaliatory, fraudulent, wasteful, or abusive conduct are expected to report the concern through appropriate supervisory, management, board, governance, complaint, or oversight channels.

- Reports may be made to the Official's supervisor, a higher-level manager, Worksystems' Chief Executive Officer, the Worksystems/Workforce Board Chair, the Governing Board Chair, or another appropriate authority depending on the nature of the concern and the individuals involved.



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- If the concern involves the person who would ordinarily receive the report, the report must be made to a higher-level or alternative authority.
- Retaliation against any person who reports a concern, files a complaint, participates in an investigation, provides information, requests accommodation or language assistance, or exercises protected rights is prohibited and constitutes a violation of this policy.
- Corrective action may include training, disclosure and recusal, reassignment of duties, independent review, amendment of procedures, contract remedies, personnel action, referral to an oversight body, or other action appropriate to the nature and severity of the violation.

Sanctions

Officials are subject to sanctioning by vote of the Workforce Board, Worksystems Board, or Governing Board, as applicable, up to and including removal from participation in a matter, removal from committee or board service, dismissal, termination of employment, termination of contract, repayment, referral to an oversight authority, or being barred from doing business with Worksystems.

Worksystems employees, contractors, subrecipients, and partners are also subject to sanctions under Worksystems procurement policies, personnel policies, contract provisions, grant terms, federal award requirements, and applicable law. To the extent this Code of Conduct, Worksystems policies, procurement requirements, contract provisions, or grant conditions overlap or are perceived to conflict, the most restrictive applicable requirement shall apply.

Violations involving conflicts of interest, procurement integrity, nondiscrimination requirements, misuse of public resources, confidentiality violations, retaliation, failure to disclose conflicts, or failure to follow required recusal procedures may result in sanctions.

References

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