

	NCWorks Commission
	NCWorks Commission Policy Statement Number: CPS 05-2022
	Date: May 11, 2022
	Subject: Conflict of Interest Requirements for Workforce Development Boards (WDBs) and Staff
	From: Draft

Tom B. Rabon, Jr.
Chair, NCWorks Commission

Purpose: To inform WDBs of the requirement to develop a Conflict of Interest Policy and provide a Conflict of Interest policy template.

This Commission Policy Statement (CPS) rescinds Policy Statement PS 18-2017, and the procedures herein supersede all previous policy, procedures, and guidelines regarding Conflict of Interest.

Updates to this policy include an added DWS Note to the Potential Conflict Scenarios, updated North Carolina General Statute (NCGS) §§ 14.234 – 14.234.3, and updates to the Code of Conduct Example Template.

Background: Consistent with Workforce Innovation and Opportunity Act (WIOA) Section 121(d)(4)(A) and (C), any organization or entity that has been selected to perform multiple functions in a Local Area must develop a written agreement with the Local Area WDB and the Chief Local Elected Official (CLEO) to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, the Uniform Guidance, and Conflict of Interest policies of both the state and the organization or entity performing multiple functions.

This Commission Policy Statement includes guidance on North Carolina’s General Statute that prohibits public officers or employees from benefitting from public contracts. In addition, potential scenarios have been crafted that relate to Local Area WDB Members and NCGS § 14-234 and are included as a guide.

Guidance for procurements and conflicts of interest can be found in the following documents: 2 CFR § 200.318, Public Law 113-128 Workforce Innovation and Opportunity Act Section 107(h), and NCGS §§ 14-234 - 14-234.3.

Action: All CLEOs, WDBs, and contractors must follow and be aware of all applicable federal, state, and local conflict of interest requirements when providing services

(directly or indirectly) funded by WIOA resources. CLEOs, WDB Members, and staff must be committed to maintaining the highest standards of ethical conduct and to guard against problems arising from real, perceived, or potential conflicts of interest.

All CLEOs, WDB members, and staff must sign and attest to the Local Area WDB Conflict of Interest Policy. Signed Conflict of Interest Policies must be maintained at the Local Area office.

Local Area WDBs may use this guidance and template to develop a Conflict of Interest Policy. Policies must include, at a minimum, the seven elements outlined in the attached template.

Effective Date: Immediately

Expiration: Indefinite

Contact: DWS Planner

Attachments:

1. Conflict of Interest Policy Template
2. North Carolina General Statute §§14-234 – 14-234.3
3. Potential Conflict Scenarios
4. Code of Conduct Example Template