

Joint Workforce Investment Board

Serving Regions 5, 8, 9, and 11

Conflicts of Interest Statement and Disclosure of Certain Interests

This conflict of interest policy is designed to help members of the Joint Investment Board identify situations that present potential conflicts of interest and to provide a procedure that allows a transaction to be treated as valid and binding even though a board member has or may have a conflict of interest with respect to the transaction. In the event there is an inconsistency between the requirements and procedures prescribed and those in federal or state law or Indiana Department of Workforce Development policy, the law or policy shall control. All capitalized terms are defined in Part 2 of this policy.

1. Conflict of Interest Defined. For purposes of this policy, the following circumstances shall be deemed to create Conflicts of Interest:
 - A. Outside Interests.
 - I. A Contract or Transaction between the Joint Workforce Investment Board and a Responsible Person or Family Member of a board member.
 - II. A Contract or Transaction between the Joint Workforce Investment Board and an entity in which a Responsible Person or Family Member of a board member has a Material Financial Interest or of which such person is a director, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator, or other legal representative.
 - B. Outside Activities. Joint Workforce Investment Board
 - I. A Responsible Person competing with the in the rendering of services or in any other Contract or Transaction with a third party.
 - II. A Responsible Person's having a Material Financial Interest in; or serving as a director, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator, or other legal representative of, or consultant to; an entity or individual that competes with the Joint Workforce Investment Board in the provision of services or in any other Contract or Transaction with a third party.
 - C. Gifts, Gratuities and Entertainment. A Responsible Person accepting gifts, entertainment, or other favors from any individual or entity that:

- I. does or is seeking to do business with, or is a competitor of the Joint Workforce Investment Board; or
- II. has received, is receiving, or is seeking to receive a loan or grant, or to secure other financial commitments from the Joint Workforce Investment Board;
- III. is a charitable organization; under circumstances where it might be inferred that such action was intended to influence or possibly would influence the Responsible Person in the performance of his or her duties. This does not preclude the acceptance of items of nominal or insignificant value or entertainment of nominal or insignificant value that are not related to any particular transaction or activity of the Joint Workforce Investment Board.

2. Definitions.

- A. A *Conflict of Interest* is any circumstance described in Part 1 of this Policy.
- B. A *Responsible Person* is any person serving as a member of the Joint Workforce Investment Board.
- C. A *Family Member* is a spouse, domestic partner, parent, child, or spouse of a child, brother, sister, or spouse of a brother or sister, of a Responsible Person.
- D. *Material Financial Interest* in an entity is a financial interest of any kind that, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person's or Family Member's judgment with respect to transactions to which the entity is a party. This includes all forms of compensation.
- E. A *Contract or Transaction* is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by the Joint Workforce Investment Board. The making of a gift to the Joint Workforce Investment Board is not a Contract or Transaction.

3. Procedures.

- A. Before board or committee action on a Contract or Transaction involving a Conflict of Interest, a board member or committee member having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest. Such disclosure shall be

reflected in the minutes of the meeting.

- B. A director or committee member who plans not to attend a meeting at which he or she has reason to believe that the board or committee will act on a matter in which the person has a Conflict of Interest shall disclose to the chair of the meeting all facts material to the Conflict of Interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.
- C. A person who has a Conflict of Interest shall not participate in the board's or committee's discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.
- D. Responsible Persons who have a Conflict of Interest with respect to a Contract or Transaction that is not the subject of board or committee action, shall disclose to the Chair or the Chair's designee any Conflict of Interest that such Responsible Person has with respect to a Contract or Transaction. Such disclosure shall be made as soon as the Conflict of Interest is known to the Responsible Person. The Responsible Person shall refrain from any action that may affect RWB's participation in such Contract or Transaction.

In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the Chair or the Chair's designee, who shall determine whether there exists a Conflict of Interest that is subject to this policy.

- 4. Confidentiality. Each Responsible Person shall exercise care not to disclose confidential information acquired in connection with such status or information the disclosure of which might be adverse to the interests of the Joint Workforce Investment Board. Furthermore, a Responsible Person shall not disclose or use information relating to the business of the Joint Investment Board for the personal profit or advantage of the Responsible Person or a Family Member.
- 5. Review of Policy.
 - A. Each new Responsible Person shall be required to review a copy of this Policy and to acknowledge in writing that he or she has done so.
 - B. Each Responsible Person shall annually complete a disclosure form identifying any relationships, positions, or circumstances in which the Responsible Person is involved that he or she believes could contribute to a Conflict of Interest arising. Such relationships, positions, or

circumstances might include service as a director of or consultant to a nonprofit organization, or ownership of a business that might provide goods or services to the Joint Workforce Investment Board. Any such information regarding business interests of a Responsible Person or a Family Member shall be treated as confidential and shall generally be made available only to the Chair, the Executive Director, and any committee appointed to address Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this Policy.

- C. This policy shall be reviewed annually by each member of the board. Any changes to the policy shall be communicated immediately to all Responsible Persons.

My spouse and/or immediate family member, _____, currently serves (or served in the last 5 years) as a member, director, officer, or agent of or for the following corporations, partnerships, firms, associations, or other entities, for which compensation other than per diem and expenses is paid:

1. _____
2. _____
3. _____

My spouse and/or immediate family member, has (or had in the last 5 years) a "material financial interest" in the following corporations, partnerships, firms, associations, or other entities:

1. _____
2. _____
3. _____

For each entity listed in response to the item above, the following describes any benefits or services that such entity has provided to the Joint Workforce Investment Board for any of its programs for a fee or any benefits or services that Joint Workforce Investment Board has provided to such entity for a fee, within the last 5 program years:

1. _____
2. _____
3. _____

Please describe below any additional disclosures as required by the Workforce Investment Board Bylaws and policies:

These statements are true and complete to the best of my knowledge.

Date: _____ Signed: _____

Title: _____

Member of the Joint Workforce Investment Board