

The Code of Standards of Conduct Policy for the Oakland County Michigan Works! Agency and its Subrecipients

Policy Effective Date	9/19/2023	Board Approval Date	9/19/2023
To	Workforce Development Board (WDB), Chief Elected Official (CEO), Grant Recipient, Administrative Entity, and the Michigan Works! Agency (MWA) Subrecipients		
Programs Affected	All programs and grants administered by the Oakland County Michigan Works! Agency		
Purpose	To govern the performance of WDB members, grantee officers, employees, subrecipients, or agents in the award and administration of workforce development contracts and funds.		
References	<p>2 CFR, Part 200, Subpart D: Post Federal Award Requirements;</p> <p>Michigan Department of Labor and Economic Opportunity, Workforce Development (LEO-WD) Policy Issuance #20-12, Change 1: Nepotism and Potential Conflict of Interest for MWA Employees, Subrecipient Staff, and Workforce Development Board (WDB) Members; and</p> <p>Michigan Department of Labor and Economic Opportunity, Workforce Development (LEO-WD) Policy Issuance #23-11: Local Workforce Development Board (WDB) Workforce Innovation and Opportunity Act (WIOA) Membership Recertification</p>		
Policy Category	Administrative		

Background

In accordance with 2 CFR, Part 200, Subpart D, and LEO-WD PI #20-12, Change 1, the Oakland County Michigan Works! Agency (MWA) has promulgated this Code of Standards of Conduct to govern the performance of employees and policymakers in the award and administration of contracts that are funded through federal dollars the MWA receives from the LEO-WD and other funding sources.

Accordingly, the MWA's Code of Standards of Conduct shall apply to the following:

- The Oakland County MWA's Workforce Development Board and standing committee members, including their officers, employees, or agents.
- The Oakland County MWA's officers and their employees or agents.
- The Oakland County MWA's Grantee, subgrantees, and their officers, employees, or agents.
- Administrators and staff members of the Oakland County MWA's Administrative Entity.
- Administrators and staff members of the Oakland County MWA's subrecipients, contractors, and subcontractors.

Policy

- I. No MWA employee, employee of a subrecipient, WDB board or standing committee member, officer, or agent may participate in the selection, award, or administration of a contract that is supported by a Federal award, if he/she has a real or apparent conflict of interest with the employee's job responsibilities or board member duties. A conflict of interest is a situation where the individual's conduct or the personal or financial interests of an individual or a member of the individual's immediate family may tend to impair the individual's independence of judgement or action in the performance of official duties or responsibilities. Such a conflict would arise when 1.) the employee, WDB board or standing committee member, officer, or agent; 2.) any member of the individual's immediate family; 3.) the individual's partner; or 4.) an organization that employs, or that is about to employ, any of the parties indicated herein, has a financial or other interest in, or a tangible personal benefit from, a firm that is considered for a contract.

A WDB board or standing committee member must neither cast a vote on, nor participate in any decision-making capacity, on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member or that member's immediate family. Neither membership on the WDB board or standing committees, nor the receipt of funds to provide training and related services, by itself, violates these conflict of interest provisions.

For the purposes of this Code of Standards of Conduct, "immediate family" shall be defined as:

- A. Spouse, and parents thereof;
 - B. Children, and spouses thereof;
 - C. Parents, and spouses thereof;
 - D. Siblings, and spouses thereof;
 - E. Grandparents and grandchildren, and spouses thereof;
 - F. Domestic partner and parents, thereof, including domestic partners of any individual included in b. through e. of this definition; and
 - G. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- II. No MWA employee, employee of a subrecipient, WDB board or standing committee member, officer, or agent who are in an administrative capacity shall use their position for a purpose that is, or gives the appearance of, being motivated by favoritism for themselves or others with whom they have a family relationship. There should not be even the slightest appearance of favoritism on the part of WDB board members.

For purposes of this policy, a person in administrative capacity is someone who has overall administrative responsibility for a program including all elected and appointed officials, such as WDB board or standing committee members, and local elected officials who have any responsibility for the obtaining of and/or approval of any WDB administered grant or contract, as well as other officials who have influence or control over the administration of the program, such as the project

director, deputy director, and unit chiefs, and the persons who have selection, hiring, or supervisory responsibilities for participants.

No individual may be placed in an employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual. To the extent that an applicable State or local legal requirement regarding nepotism is more restrictive than this provision, such state or local requirement will be followed.

- III. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial, or in which the gift is an unsolicited item of nominal value. The Oakland County Michigan Works! Agency has not established such standards.
- IV. The following disciplinary actions shall be applied for violations of the Oakland County MWA's Code of Standards of Conduct:
 - A. An Oakland County Workforce Development Board or standing committee member, including his/her agents and employees, who violates this Code of Standards of Conduct shall be notified, in writing, of the violation; this notice shall state that future violations may result in the member's immediate and automatic dismissal from the Board or committee.
 - B. Oakland County officers, agents, and employees who violate this Code of Standards of Conduct shall be subject to the disciplinary actions delineated in Rule 8 of the "Oakland County Michigan Merit System Rules".
 - C. The contracts or subcontracts of Oakland County subrecipients and other contractors or subcontractors, including their officers, agents, and employees, who violate this Code of Standards of Conduct may be immediately terminated.

Action

- ☐ All MWA employees, officers, employees of the MWA subrecipients, and other contractors must disclose, annually, in writing, any potential conflict of interest to the Oakland County MWA.
- ☐ All MWA Workforce Development Board Members must disclose, every two years, in writing, any potential conflict of interest to the Oakland County MWA.

Inquiries

Questions shall be directed to Kristina Arnone, Workforce Development Administrator, Oakland County MWA, at arnonek@oakgov.com or (248) 858-5207.

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Oakland County Workforce Development Board and/or Standing Committee Code of Standards of Conduct Disclosure

As a member of the Oakland County Workforce Development Board and/or standing committee, I acknowledge receipt of, and agree to abide by, the Oakland County Michigan Works! Agency's Code of Standards of Conduct.

I confirm that no apparent conflict of interest exists, except as noted below:

Description of apparent conflict of interest	
Resolution of apparent conflict of interest	

Signature	
Printed Name	
Organization	
Title	
Date	

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**MWA Employee or Subrecipient
Code of Standards of Conduct Disclosure**

As an employee of the MWA or subrecipient, I acknowledge receipt of, and agree to abide by, the Oakland County Michigan Works! Agency's Code of Standards of Conduct.

I confirm that no apparent conflict of interest exists, except as noted below:

Description of apparent conflict of interest	
Resolution of apparent conflict of interest	

Signature	
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Oakland County Career and Educational Advisory Council
Code of Standards of Conduct Disclosure

As a member of the Oakland County Career and Educational Advisory Council, I acknowledge receipt of, and agree to abide by, the Oakland County Michigan Works! Agency's Code of Standards of Conduct.

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Resolution of apparent conflict of interest	

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