



Policy Number: 2017-06.08.0 SIMFP

Effective Date

This policy will go into effect immediately upon passage.

Purpose

The purpose of this policy and procedure is to set forth the necessary guidelines and implementation steps for the avoidance of a conflict of interest or the appearance of a conflict of interest by the Area 9 Workforce Development Board (WDB), Lucas County Department of Planning and Development (LCDPD) staff, contracted One-Stop operator, or youth service providers, in their official dealings with immediate family, close family members, agency employees' family, elected officials, WDB members, OhioMeansJobs Lucas County and WIOA stakeholders.

This will ensure all individuals enrolled in the WIOA program have been determined eligible, assessed, and served in an ethical manner that is free from any real or perceived conflict of interest.

Background

Although WIOA is not an entitlement program, access to needed services by eligible and suitable individuals is essential in order to fulfill the goals and objectives of the legislation. Local elected officials, Workforce Development Boards, designated fiscal agents, and administrative entities meet these objectives through effective policies, procedures, and safeguards that ensure the integrity of these public funds. Safeguards must be in place throughout the State that ensure all individuals served in the program are not only eligible and suitable, but also served in a manner that is free from the perception of any impropriety or conflict of interest.

Standard

LCDPD personnel will avoid a conflict of interest or the appearance of a conflict of interest in conducting their official duties. In no instance shall any person determine eligibility, assess, or directly serve a member of his or her immediate family member or an individual with whom a close personal relationship exists. Likewise, stakeholders identified in this issuance shall not use his or her position to influence a decision to enroll an individual in the WIOA program.

Procedures

1. Prior to enrollment in WIOA, case managers will ask all potential WIOA enrollees by questionnaire, whether they have a close relationship with WIOA staff or management,



Serving Immediate Family Members and Others Policy

agency employees or other OhioMeansJobs Lucas County stakeholders (including WDB members, One- Stop partners, contractors, local elected officials).

2. Should a potential enrollee disclose a close personal relationship with any of these, this fact will be brought to the attention of the Supervisor by the WIOA case manager. This information will be entered into the enrollee's case file.
3. In addition, should a WIOA participant choose to enroll with a training provider in which there is a personal relationship between a representative of the training provider and WIOA staff or management, agency employees or other OhioMeansJobs Lucas County stakeholders, this information should be reported to the Supervisor as well and entered into the enrollee's case file. In the case of on-the-job or customized training contracts with employers, any relationship between the trainee and company ownership or management or the contracted training provider (if applicable) will also be reported.
4. All LCDPD staff, management, and stakeholders have a duty to inform the Supervisor when a person with whom they have a close personal relationship is applying for services. This information is to be communicated by the involved staff member or stakeholder in writing to the Supervisor. The staff member or stakeholder will remove themselves from any involvement in the case and the Supervisor will ensure that the case will be reassigned to another WIOA case manager.
5. The Supervisor will remove the staff member from any assignment involving the customer and will ensure that the customer is assigned to a staff member having no potential conflict of interest. Decisions related to approval of training, supportive services, or other service needs must be made by staff having no potential conflict of interest.
6. If the local Supervisor are absent or is the subject of the potential conflict of interest, then this responsibility will lie with remaining LCDPD Managers, Directors or designated official. This process will go up the chain of command as needed to eliminate the potential conflict of interest and in all cases the action will be noted in the customer's case file.
7. The local Supervisor will maintain a list of all WIOA customers subject to this policy and will make this list available to ODJFS program monitors and auditors at the onset of all monitoring visits.
8. This policy will be distributed to all OhioMeansJobs Lucas County staff and partners and will be made available to all interested parties. The WIOA case managers, Supervisors and all other related OhioMeansJobs Lucas County staff and partners will be trained on this policy.



Definitions

Bright-line test: an objective rule that resolves a legal issue in a straightforward, predictable manner.

Close relationship: the applicant's prior and/or present social interactions and/or business dealings with stakeholders of the workforce development system gives a reasonable observer cause to believe that the applicant's access to WIOA program services would be based upon this relationship, as opposed to demonstrated need.

Close family member: parents, step parents, spouse, domestic partner, children, step-children, foster children, siblings, grandchildren, grandparents, and any immediate relatives by blood or marriage (i.e., in-laws, cousins, nieces, nephews, aunts, and uncles).

Stakeholders: individuals not related but have direct or indirect management or responsibility for managing the WIOA workforce system (including WIOA executive staff, supervisors, local elected officials, contractors (e.g., adult, dislocated worker, or youth program vendors), WDB and subcommittee members, WIOA employees, and OhioMeansJobs center partner staff).