

AREA 2 | SUMMIT & MEDINA
WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)
POLICY LETTER C-01 | CONFLICT OF INTEREST
IDENTIFICATION AND PREVENTION

- I. **SUBJECT:** Conflict of Interest Identification and Prevention
 - II. **PURPOSE:** The purpose of this policy is to outline requirements and procedures that ensure all individuals enrolled in the WIOA program have been determined eligible, assessed, and served in an ethical manner that is free of any real or perceived conflict.
 - III. **EFFECTIVE DATE:** July 1, 2018
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IV. BACKGROUND

The WIOA program, while not an entitlement, should be accessible to any individual who is eligible and suitable for services available in the local area. However, when applicants have a close relationship to any WIOA program staff, management, and other specific stakeholders of the workforce development system, attention must be given to ensure access to program services is not based upon this relationship or political influence. It is possible that even without an intention to misuse WIOA funds, the decision to enroll an individual in the program could be perceived as improper and cause potential non-compliance with state and/or federal law.

The Summit/Medina Workforce Development Board has determined that in no instance shall any person determine eligibility, assess, or directly serve a member of his or her close family member or individual with whom a close relationship exists. Stakeholders within the local workforce system shall not use their position to influence a decision to enroll an individual in the WIOA program.

V. DEFINITIONS

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 i.e. local elected officials, WDB members and subcommittee

members, WIOA executive staff and supervisors, WIOA employees, one-stop center partner staff, WIOA-subrecipients and/or contractors (e.g., career services or youth program vendors), and county employees.

VI. PROCEDURE

1. Prior to enrollment in WIOA, case managers will ask all potential WIOA enrollees whether they have a close relationship with program staff, agency employees, service provider staff, or other stakeholders.
2. Should a potential enrollee disclose a close personal relationship with any of the above, this fact will be brought to the attention of the case manager's WIOA program supervisor. This information will be entered into the enrollee's case file.
 - a. All 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 stakeholder in writing to the WIOA program supervisor. The staff stakeholder will remove themselves from any involvement in the case.
3. The Disclosure of a Close Relationship with a Local Workforce Stakeholder form must be filled out and signed by the WIOA program supervisor. Copies of the signed form must be kept on file with the WDB and provider supervisor.
4. If applicable, the WIOA program supervisor will remove a staff member from any assignment involving a customer with a close relationship 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.
5. If the WIOA program supervisor is the subject of the potential conflict of interest, then this responsibility will lie with Area 2 Executive Director.
6. The WIOA program supervisor will maintain a list of all customers subject to this policy. Any action taken as a result of this policy must be documented within the customer's case file.

VII. REFERENCES

1. Ohio Revised Code 102.01 Public Officers – Ethics Definitions
2. ODJFS WIOA Policy Letter 15-05 Serving Applicants with a Close Relationship to the Workforce Innovation and Opportunity Act Program
3. Ohio Administrative Code 5101:9-31-01
4. WIOA Public Law 113-128
5. 29 U.S.C. 2101 et. seq.
6. USDOL, Training and Employment Guidance Letter No. 35-10, Transparency and Integrity in Workforce Investment Board Decisions

Rescission: Summit/Medina County Workforce Development Policy Letter 04-16 Serving Immediate Family Members, Close Acquaintances, and Other Stakeholders in the Workforce Investment Act (WIA) Program

ADDENDUM TO OHIO WORKFORCE AREA 2 YOUTH POLICY

This Addendum to the Workforce Innovation & Opportunity Act (WIOA), Policy Letter C-01, Conflict of Interest Identification and Prevention Workforce Area 2 Policy (“Policy”) is made by and between the Summit and Medina Workforce Area Council of Governments (“SAMWACOG”), on behalf of the State of Ohio’s Workforce Area 2, comprised of Summit and Medina Counties (“Summit-Medina Workforce Development Board (“SMWDB”), and the County of Summit Department of Job and Family Services (“CSDJFS”).

WHEREAS, the Governor’s office of the State of Ohio has designated Summit and Medina Counties as local workforce Area 2 for the purpose of implementing the Workforce Area Innovation Act (WIOA), establishing the partner driven one-stop employment service delivery system, administering workforce development programs including the management of WIOA funds and development of service delivery policy;

WHEREAS, the State of Ohio’s 2016/2017 budget bill (HB 64) created the Comprehensive Case Management and Employment Program (CCMEP) that integrates WIOA and Temporary Assistance to Needy Families (TANF) funds to serve eligible youth ages 14 to 24 to overcome barriers to educational and employment opportunities;

WHEREAS, the State of Ohio requires that for a local workforce area to participate in CCMEP its Workforce Development Board (WDB) must pass a resolution citing its WIOA youth allocation may be used for CCMEP purposes, integrating WIOA and TANF;

WHEREAS, the State of Ohio requires the County Commissioners or County Executives to designate a CCMEP Lead Agency to implement a CCMEP model and select either the county level department of Job and Family Service or the local workforce area through its WDB;

WHEREAS, the WDB for local workforce Area 2 passed the required resolution allowing the use WIOA youth funds for CCMEP in both of their counties; and the Medina County Commissioners and the Summit County Executive designated their respective local Job and Family Services Departments as the Lead CCMEP Agencies;

WHEREAS, the Ohio Department of Job and Family Services (ODJFS) requires a CCMEP plan is jointly developed between each local workforce Area and CCMEP Lead Agency with the requirement that the plan incorporates policy to support the implementation of CCMEP;

WHEREAS, since a local workforce Area is required under WIOA to develop service delivery policy for all programs it administers including youth services, through this Addendum the SAMWACOG and CSDJFS have determined it is prudent to adopt joint policy created under WIOA youth services for CCMEP and note any differences between WIOA and TANF; and

NOW, THEREFORE, the following additional terms and conditions shall apply to the policy named herein:

The following provisions shall be adopted by the CSDJFS as cited below, to the local workforce Area 2 original policy for Workforce Innovation & Opportunity Act (WIOA), Policy Letter C-01, Conflict of Interest Identification and Prevention:

- Area 2, Summit & Medina, Workforce Innovation & Opportunity Act (WIOA), Policy Letter C-01, Conflict of Interest Identification and Prevention

ADDENDUM TO OHIO WORKFORCE AREA 2 YOUTH POLICY

This Addendum to Workforce Innovation & Opportunity Act (WIOA), Policy Letter C-01, Conflict of Interest Identification and Prevention Workforce Area 2 Policy (“Policy”) is made by and between the Summit and Medina Workforce Area Council of Governments (“SAMWACOG”), on behalf of the State of Ohio’s Workforce Area 2, comprised of Summit and Medina Counties (“Summit-Medina Workforce Development Board and the Medina County Department of Job and Family Services (“MCJFS”).

WHEREAS, the Governor’s office of the State of Ohio has designated Summit and Medina Counties as local workforce Area 2 for the purpose of implementing the Workforce Area Innovation Act (WIOA), establishing the partner driven one-stop employment service delivery system, administering workforce development programs including the management of WIOA funds and development of service delivery policy;

WHEREAS, the State of Ohio’s 2016/2017 budget bill (HB 64) created the Comprehensive Case Management and Employment Program (CCMEP) that integrates WIOA and Temporary Assistance to Needy Families (TANF) funds to serve eligible youth ages 14 to 24 to overcome barriers to educational and employment opportunities;

WHEREAS, the State of Ohio requires that for a local workforce area to participate in CCMEP its Workforce Development Board (WDB) must pass a resolution citing its WIOA youth allocation may be used for CCMEP purposes, integrating WIOA and TANF;

WHEREAS, the State of Ohio requires the County Commissioners or County Executives to designate a CCMEP Lead Agency to implement a CCMEP model and selects either the county level department of Job and Family Service or the local workforce area through its WDB;

WHEREAS, in local workforce area 2 the WDB passed the required resolution allowing the use WIOA youth funds for CCMEP in across both of their counties and the Medina County Commissioner and the Summit County Executive designated their local Job and Family Services Departments as the Lead Agencies in their respective counties;

WHEREAS, the State of Ohio’s Ohio Department of Job and Family Services (ODJFS) requires a CCMEP plan is jointly developed for every county in the State by the local workforce area and the Lead Agency and the plan is required to have policy to support its implementation of CCMEP;

WHEREAS, a local workforce area is required under WIOA to develop service delivery policy for all program it administers with youth services included the SAMWACOG and MCJFS have determined adopting joint policy created under WIOA youth services for CCMEP is prudent and



through an Addendum to such policy will cite where the policy does not apply to TANF programs; and

NOW, THEREFORE, the following additional terms and conditions shall apply to the policy:

The following provisions shall be adopted by the MCJFS as cited below, to the local workforce Area 2 original policy for Workforce Innovation & Opportunity Act (WIOA), Policy Letter C-01, Conflict of Interest Identification and Prevention:

- Area 2, Summit & Medina, Workforce Innovation & Opportunity Act (WIOA), Policy Letter C-01, Conflict of Interest Identification and Prevention