

Oklahoma Employment Security Commission

Jon Brock, Executive Director



Frank Keating, Governor

Representing Employers

George Ollie, Jr., Commissioner
Ted Weber, Commissioner

Representing the Public
Rev. W. B. Parker, Chairman

Representing Employees

Mary Lowe, Commissioner
DeWayne Goodman, Commissioner

Oklahoma Employment and Training Issuance #13-2000

TO: WIA Board Staff

FROM: Eddie Foreman, Director

DATE: May 17, 2000

SUBJECT: Oklahoma's Interim Final Policy on Code of Conduct

PURPOSE: To transmit policy regarding WIA Code of Conduct effective on July 1, 2000

ACTION: Please distribute this issuance to appropriate staff and include it as part of your permanent records.

INQUIRIES: Questions and comments may be directed to your Planning Coordinator or Mike Clark at 405/557-539.

MF/jyg

CODE OF CONDUCT

In addition to the requirements at 29 CFR 95.42 or 29 CFR 97.36(b)(3) that address codes of conduct and conflict of interest issues related to employees the following apply:

- A. A State Board member, a Local Board member, or Youth Council 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 a member of his immediate family.
- B. Neither membership on the State Board, the Local Board, or the Youth Council nor the receipt of WIA funds to provide training and related services, by itself, violates these conflict of interest provisions.

29 CFR 95.42 — Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profits

The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to subagreements. However, recipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for [Page 462] disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient.

29 CFR 97.36(b)(3) — Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

(3) Grantees and subgrantees will maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: (i) The employee, officer or agent, (ii) Any member of his immediate family, (iii) His or her partner, or (iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The grantee's or subgrantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements. Grantee and subgrantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

To the extent permitted by State or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the grantee's and subgrantee's officers, employees, or agents, or by contractors or their agents. The awarding agency may in regulation provide additional prohibitions relative to real, apparent, or potential conflicts of interest.

