

Career Solutions

Code of Ethics & Conflict of Interest Policy for Board Members

I. Purpose

The purpose of this policy is to engage in Career Solutions business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. Code of Ethics

Career Solutions has adopted the National Association of Workforce Development Professionals Code of Professional Ethics and Practices. As a workforce development professional, each Board Member will:

- Exhibit and uphold the highest standards of professional and ethical conduct in order to ensure the integrity and advancement of the workforce development profession.
- Advance programs and services that are consistent with the public trust and responsive to the public interest.
- Demonstrate commitment to maintaining professional competencies through ongoing professional development.
- Exercise maximum effort in the workplace to ensure optimal benefit to the Board Member's customers—and to the Board Member's Agency and community.
- Promote cooperation and collaboration with partner Agencies in order to maximize the Board Member's customers' opportunities for success.
- Respect the integrity, promote the welfare and maximize the freedom of choice and informed consent of the Board Member's customers.
- Respect and protect the privacy of the Board Member's customers when gathering, recording, storing and sharing confidential information.
- Recognize and respect the unique challenges faced by culturally or ethnically diverse and individuals with disabilities.
- Abstain from using the Board Member's official position to secure personal or political privilege, advantage, gain, or benefit.
- Adopt innovative practices when appropriate and adapt to changes in the industry to create new opportunities.
- Offer the most effective services available in the Board Member's community.

III. Gifts

A "gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

Career Solutions recognizes that businesses and job seekers in the Stearns County and Benton County communities may wish to show appreciation to Board Members. The policy of Career

Solutions, however, is to generally discourage gift-giving to Board Members and prohibit gift-giving to Board Members in certain circumstances as described below.

Board Members will neither solicit, accept, or receive, either by direct or indirect means, a gift from a person or a representative of a person or association that has a direct financial interest in a decision that the Board Member is authorized to make, subject to the exceptions delineated in Minnesota law which include:

- Services of insignificant monetary value;
- A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
- A trinket or memento costing \$5 or less;
- Informational material of unexceptional value;
- Food or a beverage given at a reception, meal, or meeting away from the Board Member's place of work by an organization before whom the Board Member appears to make a speech or answer questions as part of a program; or
- A gift from a family member of the Board Member, unless the gift is given on behalf of someone who is not a member of that family.

IV. Confidential Information

Board Members shall not use confidential information from Career Solutions to further their private interest, and shall not accept outside employment or involvement in a business or activity that will require the Board Member to disclose or use confidential information from Career Solutions.

V. Use of Property

A Board Member shall not use or allow the use of Career Solutions supplies, property (owned or leased) or equipment for the private interest of any other individual or any other use not in the interest of Career Solutions.

VI. General Conflicts of Interest

Board Members will not participate in selection, or in the award or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when, any of the below, has a financial or other interest in the firm selected for award:

- The Board Member,
- Any member of his or her immediate family,
- His or her partner, or
- An organization which employs, or is about to employ to Board Member.

A Board Member will not cast a vote on, nor participate in any decision-making capacity, on the provision of services by such Board Member (or any organization which that Board Member directly represents), nor on any matter which would provide any direct financial benefit to that

Board Member, a member of the Board Member's immediate family, the Board Member's employer or any organization where the Board Member serves as an officer or director.

VII. Statutory Conflicts of Interest

It is the policy of Career Solutions to contract for goods and services in conformity with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, Board Members will contract under the statutory exceptions provision only when it is clearly in the best interest of Career Solutions because of limitations that may exist on goods or services otherwise available to Career Solutions.

A Board Member who is authorized to take part in any manner in making any sale, lease, or contract in official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.

In the following circumstances, however, the Career Solutions Board may make an exception, by unanimous vote, contract for goods or services with a Board Member:

- (1) In the designation of a bank or savings association, in which the Board Member is interested as an authorized depository for public funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minn. Stat. Ch. 118A. Any Board Member having said interest shall disclose that interest and the interest shall be entered upon the minutes of the Board. Disclosure must be made when such bank or savings association is first designated as a depository or source of borrowing, or when such Board Member is appointed, whichever is later. Disclosure serves as notice of the interest and must only be made once;
- (2) A contract with a cooperative association of which the Board Member is a shareholder or stockholder but not an officer or manager.
- (3) A contract for which competitive bids are not required by law, but only after following the statutory process.
- (4) A Board Member may rent space in a public facility at a rate commensurate with that paid by other members of the public.

VIII. Conflicts Prior to Becoming a Board Member

A Board Member with personal financial interest in a sale, lease, or contract with Career Solutions which was entered before the Board Member took office and presents an actual or potential conflict of interest, shall immediately notify the Board and the Executive Director of such interest. It shall thereafter be the responsibility of the Board Member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the Board may enter into or renew such sale, lease, or contract

only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided in Section V above and if the procedures provided in this policy are followed.

IX. Business with the Federal or State Government

Board Members shall immediately disclose any debarment, proposed debarment, suspension, ineligibility, voluntary exclusion, or other matters which could have any potential impact on doing business with the state or federal government.

X. Determination as to Whether a Conflict of Interest Exists

The determination as to whether a conflict of interest exists is to be made by the Career Solutions Board. Any Board Member who has an actual, apparent, or potential conflict shall notify the Career Solutions Board immediately. The Board Member shall thereafter cooperate with the Career Solutions Board as necessary for the Career Solutions Board to make its determination.

Each Board Member may be asked to complete a new Code of Ethics & Conflict of Interest Disclosure Form on an annual basis by the Agency.

Legal References: 20 C.F.R. § 667.200
29 C.F.R. § 97.36
Minn. Stat. § 471.895
Minn. Stat. § 471.87
Minn. Stat. § 471.88
Minn. Stat. § 471.89

Effective Date: April 9, 2020 (*Approved by the Joint Powers Board & Local Workforce Development Board-Executive Committee on April 9, 2020*)

Contact Person: Executive Director