



## Policies and Procedures

<b>SECTION: Administrative</b>	<b>POLICY # ADM 02</b>	<b>PAGE 1 of 10</b>
<b>TITLE: Code of Conduct, Ethics, and Conflict of Interest Policy</b>	<b>EFFECTIVE DATE: 11/01/2024</b> REPLACES: Policy 01/01/2024	

**DISTRIBUTION:** North Central Florida Workforce Development Board and CSNCFL Staff

**PURPOSE:** To establish a unified set of principles and standards for the ethical conduct of grants management concerning Conflict of Interest, Disclosure, Voting, Abstention, Reporting and Lobbying.

### **POLICY**

*Disclosure of Potential Conflicts and Certification/Code of Conduct/Ethics Forms, Form 8B Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers Completion:*

All NCFWDB members and will receive an orientation on an as needed basis about their responsibilities under the Disclosure of Potential Conflicts and Certification/Code of Conduct/Ethics Forms and Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers.

All newly hired Staff and NCFWDB members will be given a Disclosure of Potential Conflicts and Certification/Code of Conduct/Ethics Form (see attachment-ADM-2) asking that they complete and return the form to the Chief Executive Officer (CEO) within 10 days of receipt (thereafter to be completed on a yearly basis by July 1st and a copy forwarded to the CEO at if additional potential conflicts of interest arise, employee/member agrees to amend this form immediately).

*Disclosure of Form BB Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers:*

During any NCFWDB or Committee Meetings, when any member realizes that the topic of discussion is a potential conflict of interest to them, Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (see attachment) must immediately be completed and given to the Administrative Coordinator and must immediately disclose their conflict of interest for the record, refrain from making any comments concerning the subject, and then when the vote comes, restate the conflict of interest and state that they are abstaining from the vote. Effective July 1, 2020, the



member or staff must leave the room before the item where a conflict exists will be discussed and remain out of the room until action on the item has been taken.

When any employee realizes that the conduct of his/her business exposes them to a potential conflict of interest to them, based upon their previously completed Disclosure of Potential Conflicts and Certification/Code of Conduct/ Ethics Form (to be completed by the employee once every year by July 1st; if additional potential conflicts of interest arise, employee agrees to amend this form, immediately disclose their conflict of interest to the CEO, for the record, and remove themselves from whatever business activities they were involved in with the involved agency, allowing another individual, as designated by the CEO to continue or conclude all business activities with the involved agency.

### *Lobbying and Advocacy Activities*

Federal funds may not be used to support political activities, including but not limited to, lobbying, campaigning on behalf of a candidate and/or hosting campaign events. WIOA grant recipients, subrecipients, contractors and service providers, including workforce board members and staff of these organizations whose positions are funded with federal funds shall comply with the restrictions on lobbying specified in WIOA Sec. 195 and in 29 CFR Part 93 and are prohibited from using these funds for political activities or from receiving reimbursements from federal grants or contracts for costs of such activities.

Prohibited activities include but are not limited to:

- a. Attempts to influence the outcomes of any federal, state, or local election, referendum, initiative, or similar activity through in-kind or cash contributions, endorsements, or publicity; or
- b. Attempting to influence the passage or defeat of any legislation; or
- c. Establishing, administering, or contributing to, or paying the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcomes of elections.

However, workforce development board members, and entities receiving federal funds from grants, contracts or cooperative agreements are not precluded from using their own private, non-federal resources for “political” activities. Further, nothing in this policy precludes workforce development board members or entities receiving federal funds from responding to inquiries made by State or Federal elected officials in connection with the programs or services funded with federal funds.



## **CODE OF CONDUCT/ETHICS ADOPTED BY CSNCFL GOVERNING BODIES AND EMPLOYEES**

1. The Governing Bodies' Officers, Members, Employees or Agents shall not solicit gratuities nor accept favors or anything of monetary value in excess of \$25.00 from each other or from vendors/contractors or potential vendors/- contractors. Violations of this standard will result in disciplinary actions being taken. Appropriate disciplinary actions will be determined by a specially constituted committee of Governing Body whose members will be devoid of any conflict of interest related to the party or parties involved.
2. Any Contractor or Board Officer, Member, Employee or Agent that develops or drafts specifications, requirements, statements of work, invitations for bids, and/or requests for proposals shall be excluded from competing for such procurements. Further; Persons, Organizations, and Employers of such Officers, Members, Employees or Agents shall be excluded from competing for such procurements when a conflict-of-interest situation would be created by such competition.
3. No Board Officer, Member, Employee or Agent shall participate in the selection, award, or administration of a contract where, to his knowledge, he or his immediate family, partners or organizations in which he or his immediate family has a financial interest, or with whom he is negotiating or has any arrangement concerning prospective employment.
4. No Board Officer or Member shall discuss or vote on a proposal(s) which is in competition with a proposal submitted by any party with whom the member, or his immediate family, has business, organizational or family ties.
5. Arm's length relationships will be maintained between contractors and Board Officers, Members, Employees or Agents in the award and administration of contracts.
6. Meetings of the Board, its committees, and between members, will comply with the Florida Government in the Sunshine Act, Florida Statutes, Section 286.011.
7. Employees shall maintain on file at the CSNCFL Administrative Office, at all times, a current Conflict of Interest Disclosure Form on which they will certify abidance with the standards of this Code, with a signed copy of this Code of Conduct and Ethics attached.
8. Upon discovery of an actual or potential conflict of interest, a Board Officer, Member, Employee or Agent shall promptly file a written statement of



disqualification (Ethics Commission Form 8B) and shall withdraw from further participation in the transaction involved. The Officer, Member, Employee or Agent may, at the same time, apply to Legal Counsel for an advisory opinion as to what further participation, if any, the Officer, Member, Employee or Agent may have in the transaction.

No Employee shall:

- a. Accept any direct or indirect financial benefit from any source other than the CSNCFL as a result of the performance of official duties.
- b. Accept any position, whether compensated or uncompensated, which will impair independence of judgment in the exercise of official duties.
- c. Accept any position or engage in any business which will require disclosure of information that could provide a competitive advantage to one party over another in procurement matters.
- d. Improperly disclose information acquired in the performance of official duties that could result in personal gain or provide a party a competitive advantage over another party in procurement matters.
- e. Use or attempt to use official position to secure unwarranted privileges or exemptions personally or on behalf of others or give the appearance of such action.
- f. By conduct, give reasonable basis for the impression that any person or organization can improperly influence the performance of official duties.
- g. Pursue a course of conduct which will raise suspicion among citizens that acts engaged in are in violation of public trust.
- h. Pursue a course of conduct which will give rise to a violation of conflict-of-interest standards.
- i. Take part in any prohibited political activities.
- j. Take part in any religious or anti-religious activity in the discharge of official responsibilities.
- k. Promote or oppose unionization in the discharge of official duties.
- l. Participate in any effort to violate any other applicable Federal, State and Local Laws and Regulations.

#### 9. Fraud and Abuse, Whistleblower Protection

- a. Management is expressly prohibited from overriding any of the internal controls established by the Board.
- b. "Whistleblowers" are protected from reprisals by the Board or management.



- c. Persons who have identified fraud, abuse or other errors or misrepresentations by management or the Board may use any of the following options, as they deem appropriate:
- I. Report any violations by other employees to the Chief Executive Officer for action. This may be done anonymously through the Intranet portal or directly.
  - II. Report any violations by management to the Board Chair. This may be done anonymously through the Intranet portal or directly.
  - III. Report any violations to the Board's Attorney.
  - IV. Report any violations to the Office of the Inspector General, Department of Economic Opportunity.

<http://floridajobs.org/officedirectory/office-ofthe-inspector-general>

Violations of any provision of this Code may be cause for immediate dismissal or other disciplinary actions provided for under the CSNCFL's Personnel Rules and Policies.

## **OFFICIAL SIGNATURE**

**Phyllis Marty**

**Chief Executive Officer**

**CSNCFL GOVERNING BODIES AND STAFF  
DISCLOSURE OF POTENTIAL CONFLICTS AND CERTIFICATION/CODE OF CONDUCT/  
ETHICS**

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** (\_\_\_\_) - \_\_\_\_\_

(Attach continuation sheets as necessary)

**Employment Relationships:** (List any business, profit or non-profit, which employs you)

**Organizational Memberships:** (List any organization for which you serve as an officer or director)

**Business Associations:** (List any business which you own, directly or indirectly more than a 5% interest)

**Family Business Interests:** (List any business which your spouse or child owns, directly or indirectly, more than a 5% interest)

**CERTIFICATION**

I hereby certify that I have received, read and understand the Policy on Conflicts of Interest Procedures/Statement of Financial Interests (Policy ADM02) and will comply with the same. Should any additional potential conflicts of interest arise, I agree to amend this form immediately.

**Witness Signature:**

(Only required for Employees)

**Employee/Member Signature:**

**DISCLOSURE OF BOARD MEMBER'S OR EMPLOYEE'S CONFLICT  
OF INTEREST IN THE CONTRACT**

I, \_\_\_\_\_, am a board member/an employee of the board (circle one).  
I hereby disclose that:

I could benefit financially from the following contract (provide name of parties to contract and description of the contract):

\_\_\_\_\_

\_\_\_\_\_

I could benefit financially from the contract in the following manner:

\_\_\_\_\_

“Benefit financially from a contract” means the special private financial gain to a member, a special private financial gain to any principal which retains the member, the special private financial gain of the parent organization or subsidiary of a corporate principal which retains the member, other than an agency as defined in s. 112.312(2), or the special private financial gain to any member’s relative or business associate or to a board employee and such benefit is not remote or speculative.

\_\_\_\_\_  
Date Filed

\_\_\_\_\_  
Signature of Board Member/Employee

**NOTICE: CONFLICTS OF INTEREST REGARDING BOARD MEMBERS AND BOARD EMPLOYEES MUST BE DISCLOSED PRIOR TO THE BOARD’S VOTING TO APPROVE THE CONTRACT; BOARD MEMBERS WHO BENEFIT FINANCIALLY OR WHO HAVE A RELATIONSHIP WITH THE CONTRACTING VENDOR MUST ABSTAIN FROM THE VOTE, AND THE CONTRACT MUST BE APPROVED BY A 2/3 VOTE OF THE ENTIRE BOARD. COMPLETION OF THIS FORM, DOES NOT IN ANY WAY SUPERCEDE OR SUBSTITUTE FOR COMPLIANCE WITH CONFLICT OF INTEREST DISCLOSURE REQUIREMENTS OF SECTION 112.3143, FLA. STAT.**

<b>FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS</b>	
LAST NAME-FIRST NAME-MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE  Governing Body
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:  CITY <input checked="" type="radio"/> COUNTY <input type="radio"/> OTHER LOCAL AGENCY
CITY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED	MY POSITION IS:  ELECTIVE <input checked="" type="radio"/> APPOINTIVE

**WHO MUST FILE FORM 8B**

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form

**INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES**

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

**ELECTED OFFICERS:**  
In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

**APPOINTED OFFICERS:**  
Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.



IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

#### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, \_\_\_\_\_, hereby disclose that on \_\_\_\_\_, 2010

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;  
\_\_\_\_\_ inured to the special gain or loss for my business associate.
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_
- ☐ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Date Filed \_\_\_\_\_

Signature \_\_\_\_\_

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

Governing Body is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711. Programs funded by CareerSource NCFL as a grantee of the U.S. Department of Labor. A proud partner of the American Job Center Network.



## CONTRACTOR DISCLOSURE AND CERTIFICATION

For the purposes of the contract between the CSNCFL GOVERNING BODIES and

\_\_\_\_\_, the following disclosure is made:  
(Contractor)

**The principals\* and owners\* of the contracting entity:**

- ☐ have no relative\*\* who is a member of the board;
- ☐ have a relative\*\* who is a member of the board, whose name is \_\_\_\_\_

There **is / is not** (*circle one*) a principal or owner who is a member of the board.  
If applicable, the principal's or owner's name is \_\_\_\_\_

There **is / is not** (*circle one*) a principal or owner who is an employee of the board.  
If applicable, the principal's or owner's name is \_\_\_\_\_

\*"Principal" means an owner or high-level management employee with decision-making authority.

\*"Owner" means a person having any ownership interest in the contractor.

\*\*"Relative" means father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law. 112.3143(1)(b), Fla. Stat.

**I hereby certify that the information above is true and correct.**

**Date Filed:** \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_