



Orange County Workforce Development Board
**Conflict of Interest Policy – Serving
 Applicants/Participants with a Close Relationship**

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Effective:
 January 28, 2026

SUBJECT:

Information Notice No. 26-OCWDB-02
 Supersedes Information Notice No. 20-OCWDB 20

APPROVED:

Nancy Cook, 
 Director of Workforce and Economic Development

PURPOSE

This policy outlines the requirements and procedures that ensure all individuals enrolled in the Workforce Innovation and Opportunity Act (WIOA) program have been determined eligible, assessed, and served in an ethical manner that is free from any real or perceived conflict of interest.

EFFECTIVE DATE

This policy is effective on the date of issuance.

REFERENCES

- Workforce Innovation and Opportunity Act of 2014 (Public Law 113–128)
- Workforce Innovation and Opportunity Act (WIOA) Section 107(h), 29 United States Code (U.S.C.) § 3241
- Title 2 Code of Federal Regulations (CFR) Part 200.112 - 200.113 and 200.318(c)(1)
- Title 20 Code of Federal Regulations (CFR) Part 679.430 and 683.200
- Title 29 Code of Federal Regulations (CFR) Part 38
- 29 U.S.C 2832 (g)
- California Government Code §§ 1090 and 1091.2
- California Political Reform Act of 1974, Government Code §§ 81000–91014
- Training and Employment Guidance Letter (TEGL) No. 27-14, WIOA Transition Authority and Governance Provisions
- Training and Employment Guidance Letter (TEGL) No. 08-19, WIOA Title I Monitoring and Oversight Responsibilities
- Training and Employment Guidance Letter (TEGL) No. 15-16, Change 1, Program Integrity and Performance Accountability under WIOA

BACKGROUND

WIOA programs must remain accessible to all eligible and suitable individuals, in accordance with Orange County Workforce Development Board (OCWDB) policies and 29 CFR Part 38 (Nondiscrimination and Equal Opportunity provisions). When individuals have close ties to WIOA staff, management, OCWDB members, or other stakeholders of the workforce development system, specific policies must be in place to ensure that eligibility and enrollment decisions are merit-based and not influenced by personal, familial, or political connections, as this may create the appearance of impropriety or non-compliance with state and/or federal law

All WIOA service providers must uphold program integrity and avoid both real and perceived conflicts of interest, as required by 29 U.S.C. 3122(h), the California Ethics law, and other applicable regulations. Local elected officials, Workforce Development Boards (WDB), fiscal agents, and administrative entities must implement effective safeguards and procedures to ensure services are delivered fairly and without bias.

DEFINITIONS

Social/Business 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.

Family member – parents, stepparents, spouse, domestic partner, children, stepchildren, 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 who are not family members but have direct or indirect management or responsibility for managing the WIOA workforce system. This includes WIOA executive staff, supervisors, local elected officials, contractors (e.g., adult, dislocated worker, or youth program vendors), WDB and subcommittee members, WIOA employees, and American Job Center (AJCC) partner staff.

POLICY

Board Recusal and Meeting Procedures

OCWDB and committee members shall not participate in any decision, including voting, on matters that would provide direct financial benefit to the member, the entity the member represents, or the member's immediate family. Members must fully recuse by leaving the room during discussion and any vote and will not count toward quorum. The disclosure and recusal shall be recorded in the meeting minutes.

Prohibitions and Procurement Safeguards

No interested party may solicit or accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other parties to WIOA agreements. The awarding of any contract or subcontract must be through a competitive or standard application process unless the OCWDB determines a sole-source exception. Costs billed must be equal to or less than prices charged to others for comparable services. Lobbying of OCWDB members or County staff regarding approval of contracts or purchase orders is prohibited.

Service providers are expected to uphold the highest standards of professional ethical conduct. Therefore, all staff shall:

- Review this "Conflict of Interest Policy";
- Complete and submit the Conflict of Interest Disclosure Form to Contract Manager to acknowledge they have reviewed the policy and agree to comply with its provisions; and
- Understand that failure to comply with the policy may result in disciplinary action.

Staff and stakeholders must avoid the appearance of impropriety by abstaining from directly assisting or influencing the application process of family members or person with whom they have a close relationship with. Such relationships must be disclosed and managed in accordance with this policy.

Mandatory disclosure applies to relationships involving:

- WDB members;
- Local Elected Officials;
- AJCC partner staff, including co-located and non-co-located partners and contractors
- WIOA subrecipients;
- Eligible Training Providers;
- County employees.

Applicants will be asked to disclose any such relationships during the initial intake process using the Conflict of Interest Disclosure Form. Staff are responsible for immediately notifying their supervisor of any identified conflict and uploading the signed disclosure form into CalJOBS.

Disclosure Responsibilities

If staff become aware that a family member or close associate is seeking any WIOA services, other than basic career services, or minimally staff assisted basic career services, they must immediately notify their supervisor and submit the Conflict of Interest Disclosure Form as follows:

AJCC staff and WIOA service provider staff: Disclosure must be reported to the Service Provider Program Manager, who will be responsible for submitting the form to the Contract Manager for further review and guidance.

County Staff, OCWDB members, and local elected officials: Disclosures must be submitted directly to the Orange County Workforce Development Board (OCWDB) Director.

OCWDB Director: If the Director has a disclosure to make, they must submit the required information to the designated authority - Orange County Community Services (OCCS) Director.

Once a potential conflict of interest is known, staff must cease all professional interaction with that individual's case file until a determination is issued.

Disclosure Frequency and Change Reporting

Conflict disclosures are required at onboarding, annually thereafter, and within 10 working days of any change that could create a potential, real, or apparent conflict.

Disclosure Review and Determinations

The Contract Manager forwards disclosures to the OCWDB Senior Manager for review and written determination. Determinations may include: no conflict, conditions, or conflict requiring mitigation or recusal. Where a conflict exists, the employee or contractor has 30 days from receipt of the determination to implement corrective action. When appropriate, a written waiver may be issued after review.

Arms-Length Eligibility Determination Protocol

- Eligibility determination must be conducted by a staff member who has no real or apparent conflict of interest with the applicant.
- A Conflict of Interest Provisional Plan Form must be submitted to the OCWDB Senior Manager via the Contract Manager for review and approval prior to enrollment and provision of services.
- Any changes to the service plan require prior approval.
- Under no circumstance may a staff member access the records of an immediate family member, partner or close associate.

If the applicant is already enrolled, their file and a signed Conflict of Interest Disclosure Form must be submitted to the Contract Manager promptly after disclosure of relationship for review and further guidance.

Monitoring and Tracking

Each Service Provider is responsible for maintaining an up-to-date log of all disclosed relationships. In accordance with 2 CFR § 200.112, any potential conflict must be disclosed in writing to the OCWDB immediately upon discovery. The log is available to state or local program monitors/auditors at the commencement of every monitoring visit.

Escalation Process

- If a real or perceived conflict of interest cannot be resolved internally, eligibility determination must be referred to another AJCC.
- If a conflict still cannot be resolved, the eligibility determination will be referred to designated third party reviewer.

ACTION

Bring this policy to the attention of all relevant parties.

INQUIRIES

If you have any questions regarding this policy, please email info@ocworkforcesolutions.com.

ATTACHMENTS

Attachment I: Conflict of Interest Disclosure Form

Attachment II: Conflict of Interest Provisional Plan Form