



Policy

SECTION: CSTB Board Members	POLICY# 019-C0037	PAGE: 1 of 3
TITLE: CSTB Board of Directors Conflict of Interest	EFFECTIVE DATE: 11.21.19	
REPLACES: N/A	DATED: Revised 9.20.2021	

DISTRIBUTION: CAREERSOURCE TAMPA BAY Board members

PURPOSE: To establish a formal CareerSource Tampa Bay (CSTB) Conflict of Interest policy that provides guidelines to CSTB Board members that promotes an ethical and transparent structure.

BACKGROUND: CSTB Board of Directors promotes an ethical and transparent structure within the public-private corporation. Board members are expected to safeguard their ability to make objective, fair and impartial decisions. Board members may not accept benefits when it could be inferred by a reasonable observer that the benefit was interested to influence a pending or future decision, or to reward a past decision. Board members will not use their powers and resources of CareerSource Tampa Bay (CSTB) for personal benefit or for the benefit of immediate family members.

POLICY:

CSTB contracts are transparent and administered through processes designed to ensure fairness and accountability. CSTB contracts with board members, or with entities with which board members are involved, are approved when a quorum has been established and the contract is approved by two-thirds of the voting members present.

Effective July 1, 2021, the Reimagining Education and Career Help, REACH Act, serves as the authority for related party contract requirements. On July 2, 2021, DEO issued a memorandum to serve to reconcile any differences between current state policy and agreements between the Florida Department of Economic Opportunity (DEO) and local boards regarding related party contracts until applicable policies and agreements are updated to align with the requirements of the Reimagining Education and Career Help (REACH) Act.

Related Parties

A related party includes any:

- Local board member;
- Employee of the local board;
- Relative (see s.112.3143(1)(c), Florida Statutes) of a local board member or employee of the local board; or,
- Organization or individual represented by or employing a local board member.

Contracts under \$10,000 between CSTB and either a relative (as defined in s. 112.3143(1)(c)) of a local board member or of an employee of the local board do not require prior approval by DEO. However, such contracts must be reported to the Department of Economic Development (DEO) and CareerSource Florida (CSF), within 30 days after approval.

For contracts \$10,000 and higher requires approval by CSF unless it meets one of the exclusions as outlined in the CSF 2012.05.24.A.2 State and Local Workforce Development Board Contracting Conflict of Interest Policy.

For each contract equal to or greater than \$10,000, a board must electronically submit, after the board's approval of the contract a completed contract information form certified by the board chair or vice chair as correct and true to WorkforceContract.Review@deo.myflorida.com containing the following information:

- a) Identification of all parties to the contract;
- b) Description of goods and services to be procured;
- c) Value of contract, contract renewals or contract extension;
- d) Contract term including starting date and ending date;
- e) Contract number or identifying information, if any;
- f) Draft copy of the related party contract and amendments, as applicable;
- g) Identification of board member or employee whose conflict of interest required the board's approval of the contract by a two-thirds vote;
- h) The nature of the conflict of interest in the contract;
- i) A certified board membership roster listing all members on the board at the time of the vote on the approval of the contract with the vote tally indicating attendance or absence at the meeting and, for those in attendance, the affirmative and negative votes and abstentions for each member,
- j) A copy of the board meeting and committee meeting minutes that document the discussion and approval of the related party contract;
- k) Dated and executed conflict of interest forms, which are consistent with procedures outlined in sections 112.3143, Florida Statutes, submitted at or before the board meeting in which the vote took place, for board members who have any relationship with the contracting vendor; and
- l) Method of procurement for the goods and/or services being procured and supporting documentation;
- m) Other information as specified on the contract information form.

Board members who may have a conflict of interest relating to a CSTB contract or agreement are compelled to openly disclose a potential, real, or perceived conflict as soon as the issue arises. Board members who could benefit financially from a transaction must abstain from

discussion on the corresponding contract. During the voting process, the board member who has identified a conflict of interest and has abstained will be required to leave the meeting room.

Board members are in a conflict of interest whenever they themselves, or members of their immediate family, place of employment, business partners or close personal associates may personally benefit either directly or indirectly, financially or otherwise, from their position on the CSTB Board of Directors. For the purpose of this policy, "immediate family" is defined as parents, step parents, spouses, domestic partners, children, step-children, full or half siblings, in-laws, sibling in-laws, grandparents, great grandparents, step-great grandparents, aunts, uncles, nieces, nephews and grandchildren. Board members who may have a conflict of interest related to CSTB contract or agreement are compelled to disclose the conflict and abstain from voting on decisions impacting the contract or agreement.

A conflict of interest may be real, potential, or perceived. However, said member is required to adhere to the same requirement to disclose conflicts as it applies to each. Full disclosure does not remove a conflict of interest. Each Board member is responsible for determining whether any potential or actual conflict of interest exists or arises during his/her service on the board. Board members are also responsible for reporting such potential or actual conflict of interest as soon as it is discovered that such a condition exists.

CSTB Board Orientation Manual addresses conflict of interest policy. New board members receive this during orientation and sign an acknowledgement of receipt. In addition, CSTB By-Laws outline conflict of interest requirements.

This policy benefits CSTB board appointees by giving them the opportunity to disclose conflicts of interest and ensure the integrity of business presented before the board. This policy sends a strong message to those doing business with CSTB about the importance of ethics in operations and transparency in public meetings.

Posting Related Party Contracts to Local Board's Website

All related party contracts approved on or after July 1, 2021, must be published on the local board's website within 10 days after approval by the local board or DEO, whichever is later, and must remain published on the local board's website for at least one year after termination of the contract.

REFERENCES:

- WIOA Public Law 113-128 Section 101(f) - State Board Conflict of Interest & Section 107(h) - Local Board Conflict of Interest
- CareerSource Florida Policy – Board of Directors Conflict of Interest Disclosure Policy- [CSF Policy #2017.05.17.C.2](#)
- DEO Memorandum – REACH ACT and Related Party Contracts -7.1.2021

INQUIRIES: Any questions about this policy should be directed to the CEO, Chief Policy and Performance Officer or their designee.