

SOUTHWESTERN AREA WORKFORCE DEVELOPMENT BOARD

Conflict of Interest Policy 17-22.1

Effective Date

August 14, 2025

Applicability

This applies to Southwestern Area Workforce Development Board (SAWDB), Adult and Dislocated Workers service providers of Workforce Innovation and Opportunity Act (WIOA).

Background

A conflict-of-interest policy is required to ensure that individuals or representatives of organizations entrusted with WIOA funds will not personally or professionally benefit from the award or expenditure of such funds. This policy is established for sub-recipients, contractors, staff, and board members of the Southwestern Area Workforce Development Board (SAWDB).

Definitions

Conflict of Interest: Conflict between the official responsibilities and the private interests of a person or entity that is in a position of trust. A conflict of interest would arise when an individual or organization has a financial or other interest in or participates in the selection or award of funding for an organization. Financial or other interests can be established either through ownership or employment.

Immediate Family: "Immediate family" means a spouse, children, parents, brothers, and sisters. NM Statue 13-1-62. Definition: immediate family.

Individual: An employee, officer, board member, SAWDB committee member, sub-recipient, subcontractor or agent of the SAWDB.

Organization: A for-profit or not-for-profit entity that employs, or has offered a job to, an individual defined above. An entity can be a partnership, association, trust, estate, joint stock company, insurance company, corporation, domestic or foreign, or sole proprietor.

Partner: A business associate of an individual, whether an equal participant in a business with the individual, a supervisor, or a subordinate.

Action

- A. Before any matter is brought before any committee or the board of the SAWDB for action, individuals who believe they may have a conflict of interest must announce the nature and extent of the conflict of interest or relationship fact to the voting body and excuse themselves from any further discussion and/or vote on the matter in question. Any abstentions will be recorded in the meeting minutes.

- B. Any person with a conflict of interest should notify the SAWDB before taking office. Local board members must provide the board chair with a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the SAWDB. Such declarations must be updated annually or within 30 days to reflect changes in business interests or relationships. The SAWDB Administrative Entity will review this.
- C. The SAWDB is responsible for monitoring potential conflicts of interest and bringing it to the board members' attention in the event a member does not make a self-declaration.
- D. To avoid a conflict of interest, the SAWDB must ensure that the service providers do not employ or otherwise compensate a current or former local board member or local board employee who was employed or compensated by the local board or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.
- E. SAWDB members or their organizations may receive services as a customer of the local service provider or workforce system partner. To avoid conflict of interest, the SAWDB must ensure that the board members or its administrative staff do not directly control the daily activities of its workforce service providers, workforce system partners, or contractors.
- F. One-stop operators must disclose any potential conflicts of interest arising from relationships with training providers and other service providers.

Inquiries

Questions related to this policy should be directed to the Administrative Entity at (575) 744-4857.

Attested

This policy was reviewed and approved by the SAWDB on August 14, 2025.

SAWDB Chair