

CODE OF ETHICS

LOCAL WORKFORCE DEVELOPMENT BOARD MAYAGÜEZ – LAS MARÍAS



I. INTRODUCTION

The Local Workforce Development Board (LWDB) is created pursuant to Public Law 113-128, known as the Workforce Innovation and Opportunity Act (WIOA), signed by President Barack Obama on July 22, 2014, under Section 107, and Circular Letter WIOA-2-2015.

II. LEGAL BASIS

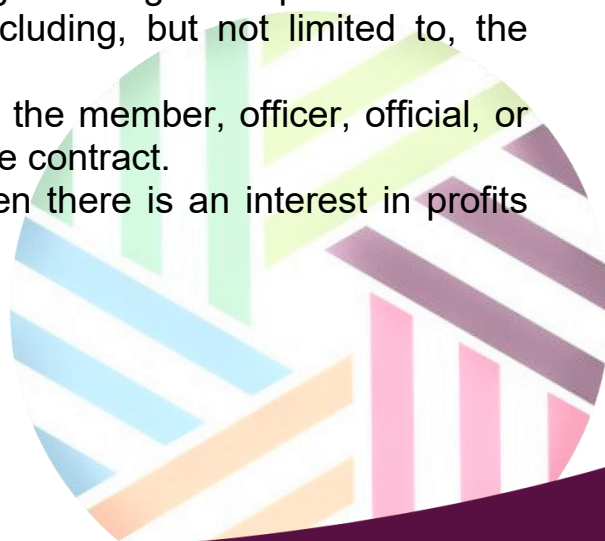
This Code of Ethics is established in compliance with Public Law 113-128, known as the Workforce Innovation and Opportunity Act (WIOA), the WIOA State Plan, and applicable provisions of the Government Ethics Act.

This Code of Ethics shall govern the actions of the members of the Local Workforce Development Board.

III. DEFINITIONS

- **Direct Conflict of Interest:** Occurs when a member of the Mayagüez-Las Marías Local Workforce Development Board, an officer, official, or employee of the Local Board, or any immediate family member thereof, proposes a financial agreement or service proposal between the Local Board and the entity they represent, and votes or actively participates in the Local Board's internal decision-making process regarding the approval of said agreement or proposal.
- **Organizational Conflict:** Occurs when an organization (represented by one or more individuals participating in a bidding process) can benefit financially, directly or indirectly, from the awarding of a contract.
- **Personal Conflict:** Exists when a member, officer, official, or employee of the Local Board has opposing interests.
- **Workforce Development Board Member:** A person appointed by the Chief Elected Official, in accordance with the parameters established in Circular Letter WIOA-2-2015.

- **Contract:** Entering into an agreement or covenant to render a service or execute a physical work. A document containing all essential elements and necessary conditions in accordance with the law.
- **Contribution:** Includes payment, gift, subscription, loan, advance, or any promise or agreement to grant such.
- **Director:** Executive Director of the Local Workforce Development Area.
- **Entity:** Any for-profit or non-profit corporation, or any natural or legal person.
- **Ethics:**
 - Philosophical discipline focused on value judgments applied to distinguishing between good and evil.
 - Branch of philosophy that, based on principles, experiences, attitudes, or influences, seeks to determine the rules or meaning of human action—both individual and social, moral, natural, or philosophical.
- **Immediate Family:** Includes spouses, children, parents, siblings, aunts, uncles, nieces, nephews, and any other person directly dependent on the Local Board Member.
- **Dependent:** An unmarried person under twenty-one (21) years of age who resides under the same roof as the member, officer, official, or employee.
- **Honorarium:** Payment in money or any other form received by a member, officer, official, or employee of the Local Board, or their spouse, for attending an activity, giving a speech or lecture, writing articles, or attending meetings.
- **Confidential Information:** Information available to the member, officer, official, or employee of the Local Board that can only be obtained through affiliation with the Local Board or the Local Workforce Development Area (ALDL), and which is not common knowledge to the general public.
- **Income:** Any income from any source, including, but not limited to, the following categories:
 - **Direct Financial Income:** Exists when the member, officer, official, or employee of the Board is a party to the contract.
 - **Indirect Financial Interest:** Exists when there is an interest in profits derived from a contract.



- Contractual Interest or Participation: Ownership of more than fifty percent (50%) of an entity, business, or asset, or ownership of a sufficient portion to grant control over the effectiveness of decisions.
- Bidding: The act and effect of offering a price for a service or material in an auction or competitive process.
- Direct or Indirect Participation: Active participation in decision-making, approval, denial, recommendation, preparation of purchase requisitions or proposals, influence over bidding specifications or standards, offering advice, auditing, investigating, or serving in any other advisory capacity.
- Private Person: Natural persons.
- Respondent (Querellado): Natural or legal person against whom a complaint is filed.
- Complainant (Querellante): Natural or legal person who files a complaint.
- Reimbursements: Any payment or thing of value received—other than a gift—to cover travel and travel-related expenses.
- Gift: Includes, among others: money, goods, or any object, economic opportunities, tips, discounts, or special favors.
- Official Responsibility: Direct administrative or operational authority—whether intermediate or final—exercised individually or jointly, personally or through subordinates, to approve, deny, or direct programs at local, state, and federal levels.
- Service: Actions performed for the benefit of someone out of courtesy or friendship; utility derived from what another person does on one's behalf.
- Family Unit: Includes the member, officer, official, or employee of the Local Board, their dependent children, or individuals who share their legal residence or whose financial affairs fall under their legal control.

IV. GENERAL ETHICAL PROHIBITIONS

- No member, officer, official, or employee of the Board shall use the duties and powers of their position to directly or indirectly obtain benefits or privileges for an immediate family member that are not permitted by the Workforce Innovation and Opportunity Act (WIOA), the WIOA State Plan, and applicable provisions of the Government Ethics Act.

- No member, officer, official, or employee shall request or accept any item of economic value as payment for performing the duties and responsibilities of their position.
- No member, officer, official, or employee of the Local Board shall accept or request—directly or indirectly for themselves, a member of their family unit, or any other person, business, or entity—any item of economic value, including gifts, loans, promises, favors, or services, in exchange for influencing their official actions in favor of that or any other person.
- No member, officer, official, or employee of the Local Board shall disclose or use confidential information acquired by virtue of their position to obtain, directly or indirectly, an economic advantage or benefit for themselves, a member of their family unit, or any other person, business, or entity.
- No member, officer, official, or employee of the Local Board shall accept or request employment or contractual business relationships with a person, business, or entity that conducts business with the Local Board when they possess the authority to decide or influence the actions of the Local Board or any of its working committees.
- No member, officer, official, or employee may directly or indirectly represent any private person to secure the approval of a proposal or contract if they or an immediate family member has participated, will participate, or will likely participate in an official capacity in the decision-making process to approve said proposal or contract.

V. PROHIBITIONS RELATED TO REPRESENTATION OF INTERESTS AND CONFLICTS WITH LOCAL BOARD FUNCTIONS

- No member of the Local Board may vote or participate in decision-making regarding any matter under consideration that relates to services provided by said member (or by the entity they directly represent) or that provides financial benefits to them or their immediate family member, nor engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State Plan.
- Board members must notify the Local Workforce Development Board of their interest (or that of the entity they represent) regarding any intention to submit a request or proposal to offer services, or regarding any material

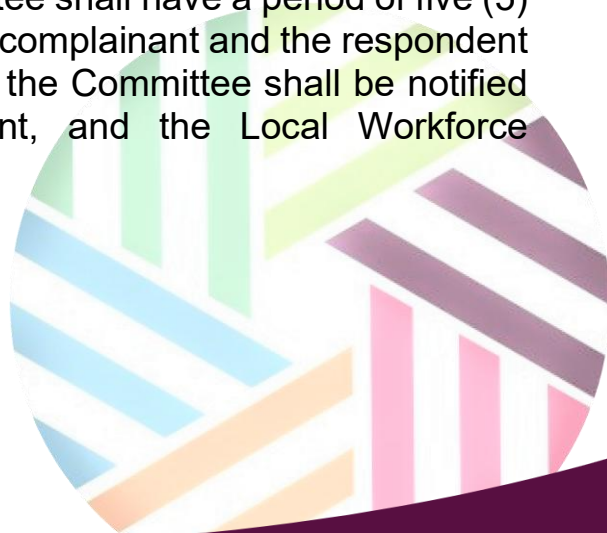
that provides economic benefit to said member or their immediate family member.

- No member, officer, official, employee, or volunteer of the Local Board may disclose the names of bidders.
- No member, officer, official, or employee may disclose confidential information including, but not limited to, technical information (within proposals), unit costs, total proposal costs, personnel data, or any other data that may be interpreted as proprietary and confidential to any specific bidder.
- No member, officer, official, or employee shall disclose details regarding the proposal evaluation and selection process that could limit fair competition among bidders and proposers.
- No member, officer, official, employee, or member of their family unit shall request or accept reimbursements from a current or potential bidder or service provider to cover personal travel and travel-related expenses.

VI. SANCTIONS

Any member, officer, official, or employee of the Local Board who violates this Code of Ethics shall be subject to sanctions. Any private citizen, or any official or employee of the Local Workforce Development Area or the Local Board, may file a written complaint with the Executive Committee of the Local Workforce Development Board through its Chairperson, or with the Office of Government Ethics.

If the first option is chosen, the Executive Committee shall have a period of five (5) business days to address the complaint. Both the complainant and the respondent will be interviewed. The final recommendation of the Committee shall be notified in writing to the complainant, the respondent, and the Local Workforce Development Board.



If the respondent disagrees with the final determination of the Local Board upon conclusion of the investigation, they shall have ten (10) days to notify the corresponding office of the Workforce Development Program (PDL). If a petition for review is filed with the PDL, the respondent agrees to abide by the process established by said agency to address it.

If the respondent is dissatisfied with the investigation and its findings as notified by the Workforce Development Program, they may file a written complaint with the Office of Government Ethics of Puerto Rico.

Once the complaint is resolved, if the investigation demonstrates that the member, officer, official, employee, or any member of their family unit received unauthorized assets, honoraria, gifts, reimbursements, or any other income prohibited by this Code, the Local Workforce Development Board shall impose the sanctions established in Article 4.11 (B) 2 and 3 of the Government Ethics Act:

- Payment to the State of a civil penalty equivalent to three times the value of the economic benefit received.
- Written reprimand.
- Removal from position.
- Dismissal.

In the event of a conflict between the provisions of WIOA laws and the Government Ethics Act, the matter shall be referred to the Workforce Development Program (PDL), where it will be resolved in accordance with the Governor's conflict of interest policy established in the WIOA State Plan.

Approved today, **July 28th, 2025.**



JOSÉ A. JUSTINIANO RODRÍGUEZ

Chairperson, Local Workforce Development Board