



**MID-CAROLINA
WORKFORCE & TALENT
DEVELOPMENT**

Policy Letter #21

TO: All Mid-Carolina Workforce Development Board Members,
Staff, and Participants

FROM: Matthew Fowler, Director

SUBJECT: Transparency and Integrity (Hatch Act)

PURPOSE

To communicate expectations about integrity and transparency in decisions made by state and local workforce investment boards and officials, and requirements regarding conflict of interest, as stated in the Training and Employment Guidance Letter (TEGL 35-10).

BACKGROUND

Providing responsible stewardship for and oversight of public funding for federally funded workforce programs must be accomplished in a way that demonstrates strong integrity, accountability, and transparency in order to preserve the public trust. The responsibility for this stewardship and oversight is shared in the devolved public workforce system by federal, state and local entities.

Workforce programs are largely governed under the Workforce Innovative Opportunity Act (WIOA) by state and local workforce development boards (WDBs) which are composed of individuals from the business community, educational community, government agencies, organized labor, legislators, community service organizations, and others.

The WDBs are responsible for multiple functions, including procurement decisions. Local WDBs select One-Stop Career Center operators and youth service providers and develop a budget for carrying out the duties of the local WDB. These decisions often have significant implications for service providers and participants they serve, and thus must be made in a transparent and ethical manner. Members of state and local WDBs should be aware of the federal, state and local laws and regulations that guide their conduct while serving on the WDB.

The Hatch Act and its regulations, for individuals paid with federal funds (5 CFR 151).
The Hatch Act restricts the political activity of individuals principally employed by state or

local executive agencies and who work in connection with programs financed in whole or in part by federal loans or grants.

Covered state and local employees may not, among other things, use their official authority or influence to interfere with or affect the results of an election or nomination; or directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

More information about how the Hatch Act applies to state and local officials is available at http://www.osc.gov/documents/hatchact/ha_sta.pdf.

ACTION

The Employment and Training Administration (ETA) encourages state and local boards to regularly review and be aware of the relevant federal, state and local rules guiding procurement decisions and other board responsibilities.

States should include in their monitoring of local areas a review of local adherence to the requirements described in this guidance (refer to Policy Letter#10). ETA requests that states review this information with local boards, and all boards should consider including this guidance in orientations for new board members.

Attachment A: Hatch Act form

Creation Date

July 2022



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THE HATCH ACT IN FEDERALLY GRANT-AIDED PROGRAMS

Participant Name: _____

The Hatch Act applies to all individuals whose employment is in a federally grant-aided program.

YOU MAY NOT:

- 1) Use your official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- 2) Directly or indirectly coerce, attempt to coerce, command, or advise a state or local office or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes or
- 3) Be a candidate for partisan elective office.

The Hatch Act and its regulations, for individuals paid with federal funds (5 CFR 151).

The Hatch Act restricts the political activity of individuals principally employed by state or local executive agencies and who work in connection with programs financed in whole or in part by federal loans or grants.

For purposes of administering the **HATCH ACT**, a partisan election has been defined as one in which any of the candidates represents a political party that had a presidential candidate running in the last (preceding) Presidential Election.

Participant Signature

Date

Parent/Guardian Signature
(If Participant is under the age of 18)

Date