
Policy Number: WIOA I-B – 4.4 Updated

Effective Date: August 27, 2018

Nepotism

PURPOSE: The purpose of this policy is to describe and to detail the regulations concerning nepotism, in accordance with the rules and regulations of Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, Arkansas State Law, and policies of the Arkansas Workforce Development Board (AWDB).

REFERENCE:

20 CFR 683.200(g)
A.C.A. § 25-16-1001
ADWS Certification of Local Workforce Development Boards

POLICY:

Local areas must refrain from the appearance of favoritism in decisions made concerning individuals, especially decisions concerning eligibility and services provided. For this reason, this policy contains rules concerning nepotism in WIOA Title I-B activities.

No individual may be placed in a WIOA employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual [20 CFR 683.200(g)]. As related to nepotism, the State of Arkansas defines supervisor as any individual having authority to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, discipline, or exercise other such authority over the individual [A.C.A. § 25-16-1001(5)]. The Arkansas State definition of "immediate family" is (1) a spouse or (2) any other person residing in the same household as the participant, who is a dependent of the participant or of whom the participant is a dependent. For this situation, "dependent" means any person, whether or not related by blood or marriage, which receives from the participant, or provides to the participant, more than one-half of his/her financial support [ADWS Certification of Local Workforce Development Boards]. (This definition is different from the definition of "family" used for eligibility purposes.)

No individual may make decisions involving eligibility or services or otherwise provide case management for a relative. For this rule, "relative" is defined as husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece [A.C.A. § 25-16-1001(3)].