

You should note, however, that the Commission may exempt some EIGs from these requirements or the Commission may grant a waiver of the requirements in a particular context in order to protect the integrity of an investigation. In any case, so long as you make a good faith assertion of a privilege, you have not failed to cooperate in the investigation.

● ● ● YOUR ETHICS OFFICER

You have a right to seek advice from your Ethics Officer on the interpretation and implementation of the Ethics Act. You also have the right to seek advice from private legal counsel. No EIG may infringe upon these rights.

Your cooperation in investigations, which is required of you as a State employee, helps improve the ethical climate in State government. If you believe, however, that an EIG or EIG employee has violated the law, including the rules of the Executive Ethics Commission, you may contact your agency Ethics Officer or complain, in writing, to the Commission.

Know
your
rights.

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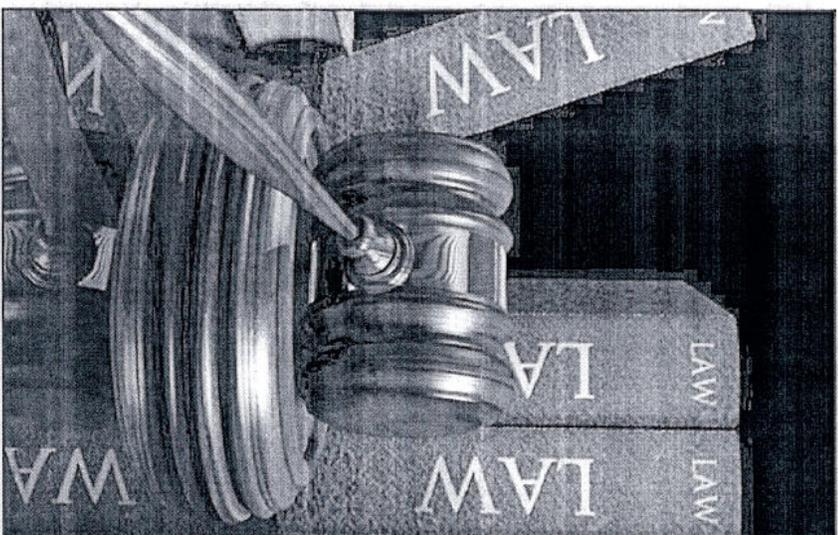


EXECUTIVE ETHICS COMMISSION

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www.eec.illinois.gov
Chad Formoff, Executive Director

EXECUTIVE ETHICS COMMISSION

● ● ●
**EXECUTIVE
INSPECTOR
GENERAL
INVESTIGATIONS:
YOUR DUTIES AND RIGHTS**



An Executive Inspector General (EIG) and his or her staff have a duty to respond appropriately to the complaints they receive. Their investigative work is essential to creating a positive ethical climate in the workplace. State officers and employees have a duty to cooperate in these investigations and a person who intentionally obstructs or interferes with an investigation is subject to an administrative fine of up to \$5,000.

This guide outlines the rights and responsibilities that State executive branch officers and employees have when they are involved in an EIG's investigation. For more information, you should contact your Ethics Officer or the Executive Ethics Commission.

INTERVIEWS

An EIG investigator might decide to gather information by interviewing you about certain events. Being the subject of an interview does not always mean that you are accused of wrongdoing or face any discipline. But if you are the subject of an investigation and the EIG reasonably believes that you will likely face discipline, you are entitled to be told at the interview whether the investigation is criminal or administrative in nature and be presented with a form that describes your rights during the interview.

If the investigation is criminal in nature, the form identifies your right to the presence of an attorney, union representative, or uninvolved co-worker.

If the investigation is administrative in nature, the form identifies your right to the presence of a union representative or uninvolved co-worker.

You must sign the form, acknowledging only that it was presented to you and you were given the

opportunity to read it. At any time during an interview, you may request the presence of an attorney, union representative, or uninvolved co-worker and the interview will be suspended and a new date and time scheduled.



INTERVIEW BEHAVIOR

Interviews must be conducted in a businesslike manner and interviewees must be treated with respect. The interviewer may not unduly embarrass, inconvenience or intimidate the interviewee. Personality clashes, acts of undue familiarity, abuse and profanity should be avoided. Firearms may not be used to intimidate an interviewee.

If you believe that an EIG employee violated your rights related to an interview, you may object in writing to the Executive Ethics Commission. Within 30 days the Commission will sustain or overrule the objection, appoint a Special Executive Inspector General or refer the matter to law enforcement.

RECORDING OF INTERVIEWS

If you are the subject of an investigation and the EIG reasonably believes you will likely face discipline, you also have rights related to the recording of the interview.

At such interviews, you must be presented with a form that describes your right at any time to refuse the interviewer's request to record the interview, require that the EIG record your interview (upon executing a request to record form), or stop the recording of the interview. You do not have the right to receive a copy of the recording, but it must be preserved by the EIG in the investigation file.

REQUESTS FOR DOCUMENTS

An EIG investigator may also request in writing that you give him or her copies of, or access to, certain documents or other items in your possession. In most cases, you should comply with these requests as soon as possible.

If, however, you are concerned about releasing documents because you are uncertain whether the release is permitted by law, you may request, in writing, a determination from the Commission. The Commission will make a determination within five business days. In the meantime, you should maintain the confidentiality of the request and an EIG may take reasonable steps to seal or otherwise insure the integrity of the requested items.

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INFORMING EMPLOYEES ABOUT THEIR RESOURCES

Employees who face an ethics-related crisis often feel isolated, with nowhere to turn. A sense of isolation, in fact, is a primary reason why employees don't speak up at all. It is thus of vital importance that, during ethics training, employees learn that they are not alone. Whether employees turn to an ethics commission, an ethics officer, an executive inspector general, or elsewhere, the important thing is that they know that they can and should tell someone. If employees come out of ethics training with an understanding that help is available, half the battle is won.

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WE'RE ALL IN THIS TOGETHER

Regardless of our individual jobs, State employees have the common desire to do the right thing. Ethics training turns like-minded State employees into a community of common intent dedicated to serving the public good rather than private interests. It gives employees the knowledge to go about their jobs in the right way and the support to do so, even when it involves making difficult choices.

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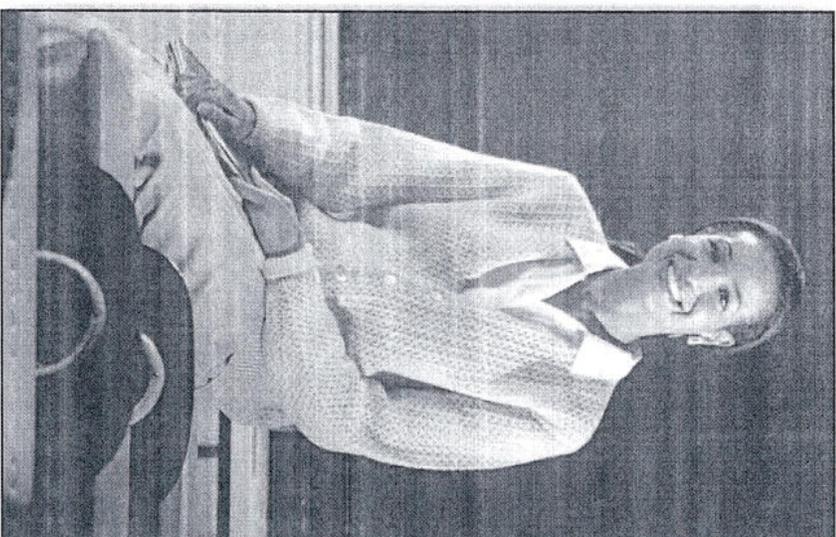
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EXECUTIVE ETHICS COMMISSION

● ● ●

WHY ETHICS TRAINING?



Adapted from

"Why Do We Have Ethics Training, Anyway?"

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WHY ETHICS TRAINING?

I would never take a bribe or rig bids or cheat on my time sheets. Weren't we supposed to learn this stuff in kindergarten?

Have you heard other employees say similar things? Have you thought them yourself? It is true that we are supposed to learn right from wrong before joining the workforce. But ethics training is not about teaching employees what it means to be a good person. What, then, is it about?

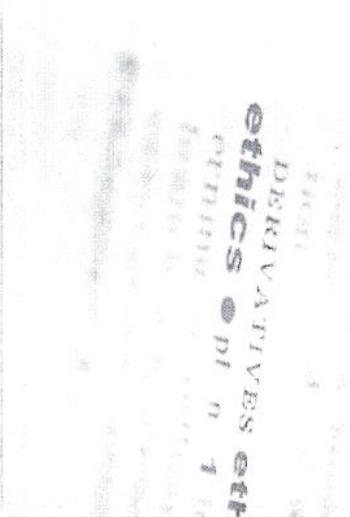
POSTING THE SPEED LIMIT

Just because we learned right from wrong as children, that does not mean that as adults we automatically know the speed limit everywhere we drive. We still need speed limit signs. Similarly, the fact that an employee is a good person does not mean she intuitively knows the laws that apply to her work. She needs and deserves to hear what those laws are. It's a matter of fairness: just as it would be unfair for a town to reduce a speed limit from 45 to 15 m.p.h. without posting a sign, so it would be unfair not to let employees know the ethical standards to which they will be held.



MAKING THE LAW COME ALIVE

The text of the Ethics Act sets forth our obligations. But it may seem at times to be overly abstract and confusing. It is written in "legalese" and interpreted by lawyers. Furthermore, simply reading the Ethics Act won't turn an unethical employee into an ethical employee any more than reading an exercise book would turn a couch potato into an athlete. Without effective ethics training, the Ethics Act is a piece of paper—nothing more.



Good ethics training brings life to the paper document that is the Ethics Act. It cuts through the legalese and shows employees how to live those standards in real, concrete workplace situations. By offering examples and case studies, good ethics training helps employees internalize and live the goal of the Ethics Act, which is to improve the ethical climate in the State of Illinois.

SHOWING THAT THE STATE MEANS WHAT IT SAYS

Knowledge of ethics rules is meaningless unless employees believe that the State really wants them to follow these rules. The pressure in the workplace to conform to a boss's or coworkers' expectations can lead to a certain cynicism about the seemingly abstract messages contained in the Ethics Act.

The Ethics Act tells employees what they should do in challenging situations. Questionable practices often persist as a matter of habit, not a conscious intention to break the rules. New employees—and even not-so-new employees—may wonder whether the State tacitly approves of "the way things are done." Ethics training makes it clear that the resounding answer is, "No," and gives employees a reason to insist on more appropriate conduct.

Effective ethics training helps reinforce the message that the State does not approve of ethics violations in any workplace. It allows the ethics commissions, ethics officers and inspectors general to show that they are serious about enforcing the Ethics Act. Such training is thus a critical element in creating and maintaining an ethical culture.

Employees who learn of activity that makes them uncomfortable are often relieved to find, through training, that what is happening in their area is unacceptable—they're not crazy after all! Such persons frequently find the courage, after training, to report what is going on, and to help fix the problem before it grows too large.

RETURNING A GIFT

If you receive a prohibited gift that you did not ask for, promptly return it to the giver, or donate an amount equal to the value of the gift to an appropriate 501(c)(3) charity. If you take one of these steps, there is no violation of the Gift Ban. In such an instance, though, make sure you carefully document what happened, and disclose it to your supervisor as soon as reasonably possible.

APPEARANCES

The purpose of the Gift Ban is not only to ensure that employees act in the public's interest, but also to ensure that employees appear to be acting in the public's interest. Some gifts may seem to fit within an exception, but still give the appearance of having undue influence over the employee or agency.

WHEN IN DOUBT, GET HELP!

If you receive any gift that seems inappropriate, or have any questions about how the Gift Ban applies to you, contact your agency's Ethics Officer.

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EXECUTIVE ETHICS COMMISSION

THE GIFT BAN



THE GIFT BAN

As State of Illinois employees, we are paid to serve the public interest. No additional compensation, gifts or favors are needed to ensure that we do our jobs. In fact, accepting a gift may lead others to believe that State employees are not serving the public interest but rather, their own private interest. It may also be a violation of the law.

Example: A construction company sent Ted, a State employee, four baseball tickets. The following month Ted approved a contract amendment that increased the construction company's contract by several thousand dollars.

Did Ted's approval of the amendment serve the public's interest or his own private interest?

The Illinois Ethics Act prohibits various gifts. Specifically, State employees may not accept gifts from prohibited sources. As always, if you have any questions about how the law applies to you, contact your Ethics Officer.

WHAT'S A GIFT?

The Gift Ban defines "gift" more broadly than some might expect. Generally speaking, a gift is anything worth money.

The term "gift" includes not only tangible items (such as cash, food or drink) but also intangibles including discounts, loans, hospitality and entertainment. It also includes payment for giving a speech if your invitation to speak stems from the fact that you are a State employee.

PROHIBITED SOURCES

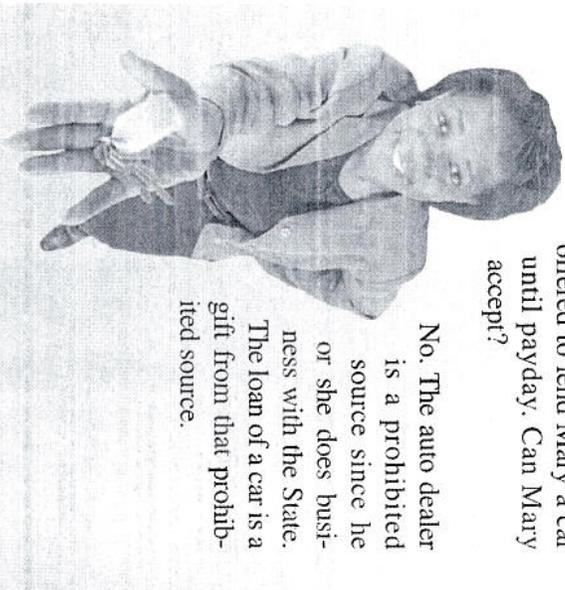
Though the definition of "gift" is very broad, the Gift Ban prohibits State employees from receiving gifts from only certain givers, called prohibited sources. Prohibited sources are people or entities that fit one or more of the following categories:

- 1) do or seek to do State business with the recipient or the recipient's agency;
- 2) conduct activities regulated by the recipient or the recipient's agency;
- 3) have interests that may be substantially affected by the recipient's official duties; or
- 4) are registered or required to be registered as lobbyists.

Example: Mary monitors contracts for a State agency, including a contract with an auto dealership. When Mary mentioned that her car needed expensive repairs, the dealer offered to lend Mary a car until payday. Can Mary accept?

No. The auto dealer is a prohibited source since he or she does business with the State.

The loan of a car is a gift from that prohibited source.



EXCEPTIONS

Gifts from prohibited sources do not violate the Gift Ban if they fall under one or more of the following exceptions:

- gifts available to the public under the same conditions;
- gifts for which the recipient paid market value;
- lawful campaign contributions or a fundraising event;
- educational materials or missions;
- travel expenses for a meeting to discuss State business;
- gifts received from a relative;
- gifts provided by an individual on the basis of personal friendship;
- food or refreshments not exceeding \$75 per day;
- benefits related to outside business or employment activities;
- intra-governmental and inter-governmental gifts
- bequests, inheritances and other transfers at death
- gifts from one prohibited source with a cumulative value of less than \$100 during any calendar year.

Individual State offices and agencies may have more restrictive policies than those contained in the Gift Ban. You should consult your Ethics Officer if you have any questions.

PENALTIES

If Mary or Ray's son knowingly receives compensation from these prohibited employers, he or she may be found guilty of a Class A misdemeanor.



WAIVER

Former or current executive branch employees may seek a waiver of the revolving door prohibition from the Executive Ethics Commission. The Commission requires the person requesting a waiver to file a petition and two letters supporting the petition. One letter must be from the ethics officer of the State agency. The second letter must be from the prospective employer. For further information, contact your ethics officer or the Executive Ethics Commission at (217) 558-1393.

OTHER PROHIBITIONS

In addition to these revolving door prohibitions that apply to every State employee and officer, other prohibitions specific to your agency or position may affect your ability to accept employment after leaving the State. Contact your ethics officer for further information.

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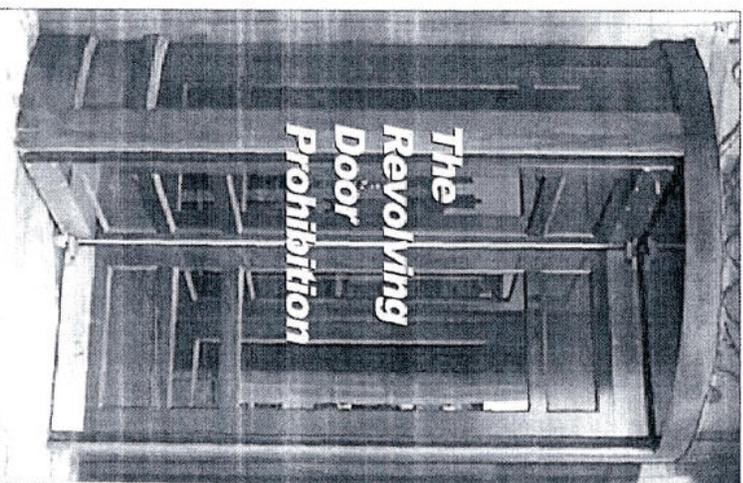
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EXECUTIVE ETHICS COMMISSION

SO, YOU'RE
LEAVING STATE
EMPLOYMENT...



SO, YOU'RE LEAVING STATE EMPLOYMENT

While working for the State, you may have gained knowledge, experience and contacts that are valuable to employers in the private sector. There's nothing wrong with that. But state law strictly limits the kind of work situations you and family members living with you can accept in the private world for a year after you make certain decisions as a state employee.

Consider the following hypothetical case:

Mary, a manager at a State agency, approved a contract for her agency to purchase \$300,000 of office furniture from FurnCo. FurnCo was one of three bidders on the contract, and while FurnCo's bid was not the lowest, it was close and Mary explained that she preferred the styles and colors offered by FurnCo. Six weeks after the contract was signed, Mary quit her job at the State agency and was hired as a vice-president at FurnCo.

Perhaps Mary truly believed that FurnCo's product was best for her agency. On the other hand, Mary may have awarded the contract to FurnCo in order to secure a future job with FurnCo.

In order to avoid even the appearance of impropriety in cases like Mary's, the General Assembly enacted two "revolving door" prohibitions.

THE REVOLVING DOOR PROHIBITIONS

These prohibitions forbid state officers or employees, or their spouses or immediate families living with them, from accepting compensation for one year from any person or company directly affected by certain decisions made by the state officer or employee.

These prohibitions apply when state officers or employees, in the year prior to termination of State service:

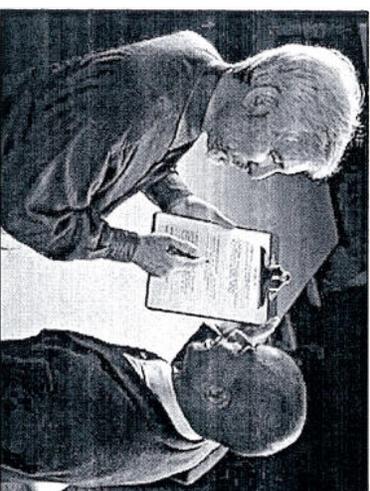
- 1) participate "personally and substantially in the decision to award State contracts with a cumulative value of over \$25,000"; or
- 2) make regulatory or licensing decisions.

In Mary's case, for one year after Mary quit her job with the State of Illinois, neither she nor her spouse nor immediate family members living at home may accept employment from FurnCo (or its parent or subsidiary).

Consider a second hypothetical case:

Ray is a State officer who voted to approve the construction of XYZ Hospital. Three months after this vote, Ray's appointment expired and then his 19 year-old son, who lives with him, accepted a job as an analyst at ABC, Inc., parent company of XYZ Hospital.

The revolving door ban does not permit Ray, Ray's spouse or Ray's immediate family members living at home to receive compensation from XYZ Hospital or ABC, Inc. for one year after Ray left State service.



OTHER
PROTECTIONS

In addition to the whistle blower protection, other provisions of the Ethics Act protect employees who report violations. For example, the identity of any individual providing information or reporting alleged misconduct to an Executive Inspector

General or the Executive Ethics Commission shall be kept confidential and may not be disclosed unless the individual consents to disclosure or disclosure is otherwise required by law.



Also, allegations and related documents submitted to an Executive Inspector General are exempt from the provisions of the Freedom of Information Act unless and until the Executive Ethics Commission finds that a violation has occurred.

For more information, contact your Ethics Officer.

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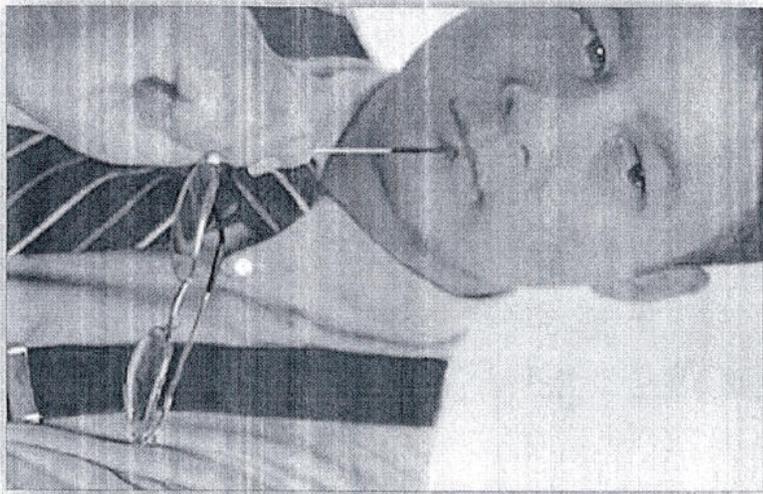


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EXECUTIVE ETHICS COMMISSION

BLOWING
THE
WHISTLE





WHISTLE BLOWER PROTECTION

Those of us who work in government know that our jobs carry a reward we wouldn't get in the private sector. Each day, we know that what we do is for the benefit of all the citizens of our state, rather than a narrow private interest. But working in the public's interest carries special responsibilities, too, especially when we see other employees working against the public interest.

Conscientious employees who witness unethical activity in the workplace know that they should report it to the authorities, but they may feel confronted with a dilemma. Consider the following hypothetical case:

Deborah's boss routinely asks her to prepare travel vouchers to reimburse him for travel she knows he has not done. Deborah considers filing a complaint with her Executive Inspector General, but hesitates: what if my boss finds out that I turned him in? He could make my life miserable and I have a family to support.

Employees in this position often worry about what might happen if they report the unethical activity. They may worry that reporting the activity will draw unwanted attention to themselves and their coworkers. They may fear that

reporting the activity will destroy friendships and careers. They may fear "payback," especially by their supervisors in the form of discipline and even, termination.



REPORTING MISCONDUCT IS PROTECTED

In order to provide support for State employees in Deborah's position, however, the General Assembly enacted laws to protect employees from retaliation for engaging in "protected activity". Protected activity means:

- 1) disclosing or threatening to disclose to a public body what the employee reasonably believes to be illegal or inappropriate activity;
- 2) providing information to or testifying before a public body; or
- 3) assisting or participating in a proceeding to enforce the Ethics Act.

The Act prohibits State agencies or employees from retaliating by way of reprimand, discharge, suspension, demotion, denial of promotion or transfer of employees who engage in protected activity.

Example: Jerry reasonably believes that his supervisor at a State agency is stealing office supplies and selling them over the internet. Jerry filed a complaint with the Executive Inspector General and is cooperating with the investigation. The supervisor suspects that Jerry filed the complaint and, in retaliation, suspends Jerry on the basis of a false accusation.

Under these circumstances, Jerry's supervisor engaged in unlawful retaliation.



REMEDIES FOR RETALIATION

Employees who suffer retaliation for reporting unethical behavior or cooperating in an investigation are entitled to certain remedies. These include:

- reinstatement to the same or an equivalent position
- twice the amount of back pay with interest
- reinstatement of full employee benefits and seniority rights
- reasonable costs and attorney fees

Employees may be entitled to additional benefits under other federal or State laws or their own employment contracts.

Employees of certain State agencies face similar prohibitions. For example, the Illinois Commerce Commission commissioners are prohibited from, among other things, accepting employment from a regulated utility for a period of one year following termination of services with the Commission. 220 ILCS 5/2-103(c). Other agencies may have similar prohibitions. You may wish to consult an attorney or the Executive Ethics Commission before hiring any former State employees.

INDUCEMENTS NOT TO BID ON A STATE CONTRACT

It is illegal to offer, pay or accept money or any other thing of value as an inducement not to bid on a State contract or as recompense for not having bid. 30 ILCS 500/50-25.

PENALTIES

Failing to comply with the provisions of the Ethics Act, like all federal, state and local laws, is grounds for terminating a contract. Violating the gift ban is a business offense and subjects an offender to a fine of at least \$1001 and up to \$5000. Persons who accept or offer inducements not to bid on State contracts are guilty of a Class 4 felony.

For more information, see the Commission's web site at www.illinois.gov/eec or telephone the Commission at (217) 558-1393.

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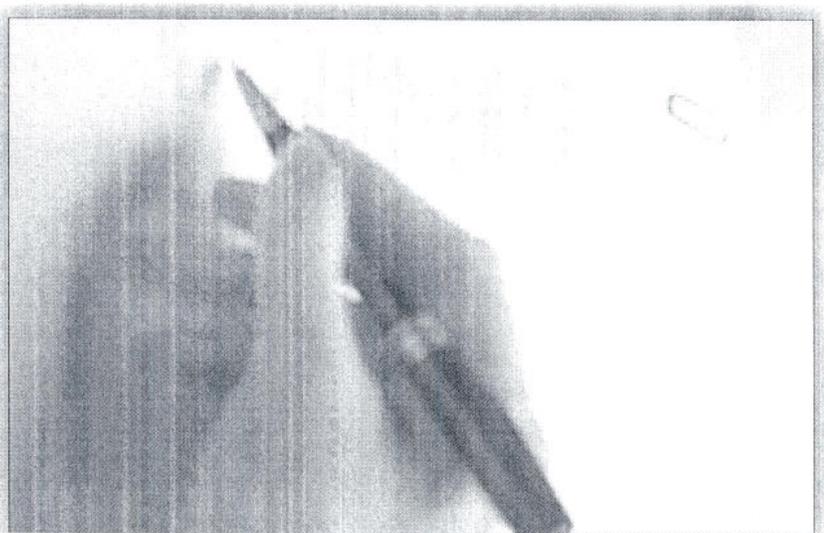


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EXECUTIVE ETHICS COMMISSION

VENDOR ETHICS IN ILLINOIS





VENDOR ETHICS IN ILLINOIS

This guide has been designed by the Illinois Executive Ethics Commission to help vendors and other entities familiarize themselves with key elements of Illinois ethics laws as they apply to people doing business with State government.

The guide is not intended to serve as formal advice or as a substitute for legal counsel. It provides general information only. It does not address every ethics restriction in the laws and rules it summarizes. Individual State agencies may have additional and more restrictive ethics rules.



GENERAL STANDARDS

As a private sector entity doing business with a State agency, you must not:

- Intentionally offer or make a gift in violation of 5 ILCS 430/10-10 to a State employee, or his or her spouse or immediate family member living at home.
- Employ a former State officer or employee for one year after the employee terminates State employment, if he or she was personally and substantially involved in either a decision to award you a contract in excess of \$25,000, or a regulatory or licensing decision that directly applied to you. 5 ILCS 430/5-45.

- Offer or pay any thing of value to any person not to bid for a State contract or as recompense for not having bid on a State contract. 30 ILCS 500/50-25.



THE GIFT BAN

Gifts, favors or entertainment are not needed in order to conduct business with the State of Illinois and may lead or appear to lead to a conflict of interest.

Persons or entities that seek to do business with the State are “prohibited sources” with respect to the State employee involved, that employee’s State agency or any other employee who directs the employee. Prohibited sources may not make gifts to these employees or to their spouses or immediate family members living at home unless the gift fits one of twelve exceptions found at 5 ILCS 430/10-15.

Example: Trees-ease, Inc. has submitted a bid in response to a Request for Proposal to trim trees located on State property. Trees-ease, Inc. is a prohibited source with respect to the State purchasing officer, his or her agency and certain other employees of the agency. Trees-ease, Inc. may not offer or make a gift to any of these employees or their spouses or immediate family members living at home unless the gift fits one of the twelve exceptions.



THE REVOLVING DOOR PROHIBITIONS

All State officers and employees who, in the year prior to termination of State service, either:

- participated personally and substantially in the decision to award State contracts with a cumulative value of over \$25,000 to their prospective employer, or
- made regulatory or licensing decisions about their prospective employer,

may not accept employment or compensation from the employer, its parent or subsidiary for one year following their termination of State service, unless the Executive Ethics Commission grants a waiver. Without such a waiver, the former officer’s or employee’s spouse and immediate family members living with him or her are likewise prohibited from accepting employment or compensation from this prospective employer for one year. 5 ILCS 430/5-45.

Procurement officers, purchasing officers, and executive officers confirmed by the Senate who served in these positions for at least six months may not engage in any procurement activity related to their former State agency for two years after terminating their position. 30 ILCS 500/50-30.

CONTRIBUTIONS ON STATE PROPERTY

Political contributions may not be intentionally "solicited, accepted, offered or made" on State property by public officials, State employees, candidates, lobbyists or by any officers, employees, or agents of any political organization. 5 ILCS 430/5-35.

"Contributions" include gifts, donations and loans of money, or anything of value and also, fundraising tickets in connection with the nomination for election, or election, of any person to public office.



"State property" means any building or portion thereof owned or exclusively leased by the State or any State agency at the time the contribution is solicited, offered, accepted, or made." 5 ILCS 430/5-35. It does not include a portion of a building that is rented or leased from the State or a State agency by a private entity. Id.

For more information, see the Executive Ethics Commission's web site: www.eec.illinois.gov or contact your agency's Ethics Officer.

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PROHIBITED POLITICAL ACTIVITY



It is not unusual for a person who has an active interest in politics to accept employment with the State of Illinois. Taxpayers expect, and the law requires, however, that State employees devote their time at work to the service of the People of the State of Illinois.

The "State Officials and Employees Ethics Act" provides a list of political activities State employees may not engage in when they are on State time. Generally speaking, this list includes any activity done in support of a political organization or a candidate for political office.

The list of prohibited political activities that employees may not engage in while on State time includes, but is not limited to:

- Campaigning or working on a campaign
- Preparing or distributing campaign literature
- Making or soliciting contributions
- Attending or organizing political events
- Preparing or circulating petitions
- Assisting at the polls

See 5 ILCS 430/1-5 for a complete list of prohibited political activity or contact your agency's Ethics Officer.

POLITICAL ACTIVITY DURING PERSONAL TIME

Most State employees may engage in political activity during periods when they are not being compensated by the State. These periods include vacation, personal or compensatory time away



from their State jobs. Certain other State employees, however, are subject to specific restrictions on political activity on the basis of the agency or position they serve. Employees should contact their agency Ethics Officer with specific questions.

Remember, however, that State property and resources cannot be used for political purposes at any time, either during State or personal time.

ALL POLITICAL ACTIVITY MUST BE VOLUNTARY

While most State employees may engage in political activity on their own time, they cannot be required to do so. Employees are permitted to participate in "otherwise appropriate" political activities outside compensated time, provided they do so voluntarily. 5 ILCS 430/5-15(e). A State employee

may not be required to engage in political activities: 1) as a part of that employee's duties; 2) as a condition of the State employment; or 3) during any time off that is compensated by the State.

Furthermore, State employees may not be required to engage in political activities at any time in order to receive any additional compensation or benefit in the form of a salary adjustment, bonus, compensatory time off or continued employment.

Example: an employee may volunteer to distribute campaign literature on behalf of a candidate outside compensated time. A supervisor cannot require the employee to distribute campaign literature in order to qualify for additional compensation, compensatory time off or continued employment.

STATE PROPERTY AND RESOURCES

State employees may not "intentionally misappropriate any State property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization." 5 ILCS 430/5-15(a). In other words, the use of State property for prohibited political activity is prohibited even if the activity occurs during non-compensated time.

For example, employees may not use a State-issued telephone or cell phone to make campaign calls after working hours. Neither may they use State fax machines or computers to engage in prohibited political activity during the lunch hour or after work.

CREATE A POSITIVE ATMOSPHERE

Candid discussions of ethical issues take place only under the right conditions. Supervisors must be accessible and open. "Open door" policies are essential. Staff should be reminded of the confidentiality provisions of the Ethics Act, the availability of their ethics officer, and of their whistleblower rights. Finally, employees must believe that their supervisor will take their concerns seriously and follow up with appropriate action. If an issue needs to be referred to an Executive Inspector General, be prepared to explain the process that follows.

ASK FOR HELP

If you have any questions about your responsibilities or about how to encourage ethics discussion, talk to your ethics officer. Your ethics officer and the Executive Ethics Commission stand ready and willing to help.

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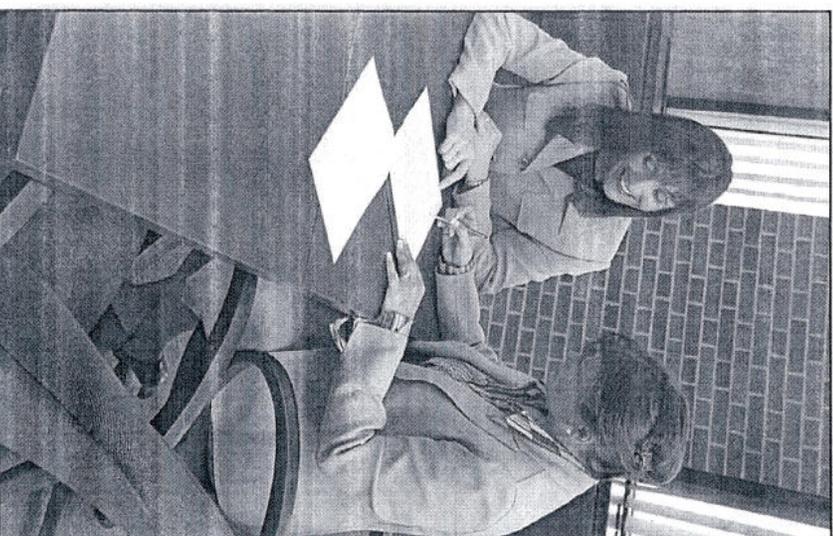
*For more information, see the
Executive Ethics Commission's web site,
www.eec.illinois.gov
or contact your agency's Ethics Officer.*

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EXECUTIVE ETHICS COMMISSION

TALKING TO EMPLOYEES ABOUT ETHICS GUIDANCE FOR SUPERVISORS



Conscientious employees always want to improve the way things are done. They discuss and evaluate proposed policies in light of past successes and failures. Budgetary concerns, personnel matters and legal issues are raised by employees with responsibility for these matters. But who is responsible for raising ethical issues? Who should ask whether current or proposed conduct is fair and in keeping with the agency's values?

Of course, all employees should be asking these questions. But since no single person is responsible, often no one will speak up. They assume someone else will do it. Or in the minds of some employees, speaking up about ethics may be useless or may even produce negative consequences: "Nothing will be done anyway, so why should I stick my neck out?" "What if my coworkers or supervisors disagree with me?"

With these obstacles in mind, what can we do to encourage employees to raise and discuss ethical issues?

LEAD BY EXAMPLE

Employees look to supervisors for cues about how to behave in the workplace. They model their behavior accordingly. If supervisors never raise ethical concerns in the workplace, neither will their staff.

As a supervisor, you should include a discussion of ethics issues in regular meetings. At first, be prepared to initiate and carry the conversation yourself. Once employees learn that talking about ethics is an appropriate and desirable activity during regular meetings, discussions will follow as they would for any other item on the agenda.

Another way to incorporate ethics into daily work is to include an ethical analysis alongside traditional budgetary, personnel and legal analyses. When an idea for a new project is proposed, the team investigating the project's feasibility should also report on the project's ethical implications. Does the proposed project violate or encourage others to violate the Ethics Act? Does it promote the agency's values as expressed in its policies?

KNOW THE ETHICS LAWS

Supervisors cannot lead by example if they do not know what behavior is permitted and prohibited by the ethics laws. Furthermore, if you raise ethical issues, employees may come to you expecting answers. Don't worry. Clearly, ethics education is important for everyone, but nobody expects that you will always have all the answers. A supervisor's best answer is often "I don't know. Let me look into it." Your ethics officer can answer questions and the Executive Ethics Commission can provide resources to help.



TIMING IS EVERYTHING

Although any time is a good time to talk about ethics, there are certain occasions that provide supervisors especially useful opportunities. For example, early December is a good time to emphasize the issue of the Ethics Act's guidelines regarding gifts. Issues concerning political activity should be raised in the weeks prior to primaries and general elections. Revolving door limitations should be mentioned prior to the end of the year or whenever an employee has expressed an intention to leave State service for other employment. The Executive Ethics Commission has brochures and other resources available to help you discuss each of these issues with your department.

Media reports of scandal provide another opportunity to get employees talking about ethics. A supervisor can direct the conversation beyond speculation and idle gossip. Be prepared to explain what was wrong with the alleged conduct and what the person should have done.

MAKE ETHICS COME ALIVE

Reading the black letter law of the Ethics Act aloud will not hold an employee's interest. It's written in legalese by lawyers for lawyers. Instead, frame a hypothetical situation and present it to your staff for their discussion. The hypothetical situation might involve gifts, political activity, a potential conflict of interest or another situation that is relevant to your office. Make the hypothetical conduct in the "gray" areas of ethics, i.e., not obviously right or wrong. Be prepared to experience some strong opinions from your staff.