

# UNIVERSITY OF ILLINOIS

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ETHICS ● RESPECT ● TRUST ● INTEGRITY ● VALUES ● HONESTY ● RESULTS

## ETHICS NEW HIRE ORIENTATION and SUPPORTING POLICIES

This training course has been developed in accordance with requirements of the *State Officials and Employees Ethics Act* (5 ILCS 430/5-10). It has been developed for this purpose under the direction of the University of Illinois Board of Trustees.

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## INTRODUCTION

Welcome to the University of Illinois Ethics New Hire Orientation and Supporting Policies.

The *State Officials and Employees Ethics Act* (5 ILCS 430) requires all University employees to complete ethics training at least once each calendar year. This training document will cover the main elements of the *State Officials and Employees Ethics Act* (*Ethics Act*), (available at [www.ilga.gov/legislation/ilcs/ilcs.asp](http://www.ilga.gov/legislation/ilcs/ilcs.asp)) and other ethics-related laws and policies applicable to state employees.

## WHY TRAIN?



Not only does the law require you to complete ethics training each year, but ethics plays a central role in business and social settings alike, so it is important to understand and demonstrate the highest ethical standards. **Please note that in the first year of employment, employees must complete an ethics training orientation within 30 days of their initial employment, in addition to satisfying the annual ethics training requirement. For all other years, employees will only complete an ethics training program once annually.**

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### Training Requirements

- **New Employees:** If you are a newly hired employee, you must complete this training to satisfy a clause within the law requiring ethics training within 30 days of the commencement of employment.
- **Seasonal/Temporary Employees:** If you are an undergraduate student worker, extra help employee, or medical resident, this training is approved for your annual use.
- **Permanent Employees (faculty, staff, etc.):** Permanent employees must complete an interactive, online course annually during a designated window. The University Ethics Officer will let you know the dates and whether you are required to complete this course. The version of the training used for undergraduate student workers, extra help, and medical residents is **not** a substitute for the interactive online training provided to permanent employees.
- **University Board of Trustees:** Public state university board members must complete an annual training program that is specifically designed for appointees.

### MEET YOUR UNIVERSITY ETHICS OFFICE!

Each University and every state agency has an Ethics Officer who serves as the liaison between the institution, the appropriate Inspector General and the Executive Ethics Commission. Some responsibilities of the Ethics Officer include: developing and/or administering annual ethics training; reviewing the Statement of Economic Interests forms for officers and certain other employees; and providing guidance on interpretation and implementation of the *Ethics Act*. Interpretation of the *Ethics Act* is based on court decisions, Attorney General opinions, and the findings and opinions of the Executive Ethics Commission. Ethics Officer work products are exempt from *Freedom of Information Act (FOIA)* requests.

The University Ethics Office reports administratively to the President of the University and the Board of Trustees. The Ethics Office is located on the Springfield campus and can be easily contacted using the toll-free help line. If you call the Ethics Toll-free Help Line (866-758-2146), you will speak with an Ethics Office staff person who can assist you with your needs or direct you to the appropriate campus unit. For more information on the University Ethics Office, training, and other processes, please visit: [www.ethics.uillinois.edu](http://www.ethics.uillinois.edu).

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## **University Ethics Officer, Donna S. McNeely**

**MBA, CPA, CIA, CIG, CGAP, CFSA**

Donna joined the University of Illinois staff in 1995. Before joining the University Ethics Office in August of 2004, she served as a University Audit Director. She is a graduate of MacMurray College in Jacksonville, IL.

## **Assistant University Ethics Officer, Traci L. Rolf**

**Ed.M., CIA**

Traci joined the University as a member of the University Audits staff in 2001 and had the opportunity to join the University Ethics Office in the fall of 2004. Traci is a University of Illinois alumnus, having received both her undergraduate and graduate degrees from the University of Illinois at Urbana-Champaign.

**The Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) establishes the hours and training frequency and provides standards to guide the development of ethics training programs. Training is overseen by the OEIG and the Executive Ethics Commission in consultation with the Office of the Attorney General.**

## **ANNUAL ETHICS TRAINING**

The *State Officials and Employees Ethics Act* (5 ILCS 430/5-10) requires University employees to complete, at least annually, an ethics training program conducted by their University. It also requires that new employees complete ethics training within 30 days of their initial employment or appointment. This training program is intended to allow you to meet your obligation to comply with those requirements. You will be notified by the University each calendar year when you are required to complete annual ethics training. For the purposes of ethics training, employees are defined as individuals who receive a paycheck from the University and Board of Trustees members. Employees who do not complete the training as directed may be subject to disciplinary action and those who fail to do so in compliance with the law may face administrative fine by the Executive Ethics Commission.

## **GIFT BAN**

The gift ban section of the *Ethics Act* is highly relevant in the University environment. As a result of the University's diverse mission, employees at all levels may be presented with gifts (e.g., gratuity, discount, entertainment, hospitality, loan, forbearance, item having monetary value, honorarium related to employment or position, etc.) from a prohibited source.

**Current vendors, along with their spouses and immediate family members living with the vendor, as well as those who are interested in doing work for the University, are considered to be prohibited sources.** Further, a prohibited source is any individual or

entity that conducts or seeks to conduct business with the University or any other state agency. Most importantly, those seeking official action or who have interests that may be substantially affected by the performance or non-performance of the official duties of a University employee or the University are considered prohibited sources.

“ If in doubt, **call** your Ethics Officer **before accepting a gift.** ”

You, as well as any member of your immediate family living with you, must abide by the gift ban and the 12 exceptions included within the law when determining whether or not you may intentionally solicit or accept a gift from a prohibited source. Even when a gift is permitted under the *Ethics Act*, you must be aware of the public perception that is created when a state employee or member of his or her immediate family solicits or accepts a gift from a prohibited source.

In order for you to be able to solicit or accept a gift, including outings and food, from a prohibited source, one of the following exceptions must be met (there are a few more listed in the *Ethics Act*, but the most frequently occurring exceptions are detailed below):

- The gift is valued at less than \$100 (you can accept less than \$100 in gifts, cumulatively, from a single prohibited source during a calendar year).
- You pay market value for the gift.
- The offering is of educational materials and missions and is all of the following: classified as one that has a close connection to your employment, predominately benefits the public, furthers your University's mission, and is approved in advance of acceptance, if practical, by the University Ethics Officer. Post acceptance approval is required if advance approval was not practical.
- The gift is from a relative.
- The offering is provided on the basis of personal friendship, not in expectation of an official act.
- The gift is food and beverage not exceeding \$75 total value in a single calendar day (the food and beverage must be consumed on premises from which they were purchased or prepared, or catered).
- The gifts are between University employees, Universities or state agencies, or departments.
- Bequests, inheritances, and other transfers at death.

A full listing of the exceptions provided within the *Ethics Act* can be found at: <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=2&ActID=2529>.

Any gift offered in an effort to influence the official actions of an employee is inappropriate and must not be accepted. If in doubt, call your Ethics Officer if you have any questions or concerns regarding a gift. It is important to note that there may be campus or departmental policies which place greater restrictions on the acceptance of gifts. In addition to the *Ethics Act*, you must also adhere to these policies. University-wide policies can be found at: <http://www.obfs.uillinois.edu/bfpp>. Employees should refer to their department for additional policies and procedures.

### **What to do with Prohibited Gifts Accepted Unintentionally:**

If you unintentionally accept a gift from a prohibited source, you may correct the situation and not be in violation of the law if you immediately do any of the following:

- Return the gift to the giver.
- Donate the gift to a 501(c)3 IRS recognized charitable organization.
- Make a contribution equal to the value of the gift to a 501(c)3 IRS recognized charitable organization.

If you unintentionally accept a prohibited gift, maintain documentation of how you complied with the law in anticipation of potential questions in the future.

### ***Knowledge Check:***

At the conference, a University vendor representative treated Derek to dinner at the local steakhouse and Derek's portion of the bill amounted to \$100 - an amount in excess of the gift ban exception allowing for up to \$75 of food and beverage per day. When Derek completed his travel voucher, he asked for and received the per diem for that meal since his supervisor was unaware of the dinner with the vendor. Weeks later, Derek mentioned to a friend and colleague that he'd gotten a free meal and the per diem meal allowance.

***Should his friend report this to the Ethics Officer or the OEIG?***

- A. Yes, this concern should be reported to the University Ethics Officer or the OEIG.
- B. No, it's best to just ignore the information received.

*The correct response is A.*

***Explanation:***

*Derek's friend would be right to report this wrongdoing. Derek may have violated the Ethics Act by accepting more than \$75 of food and drink from a University vendor (prohibited source) during a single calendar day. Additionally, when meals are provided, per diem should not be requested. As a University employee, you are expected to be truthful and honest in all communications, regardless of whether they are written or oral. This includes reports and documents such as reimbursement request vouchers.*

## PERSONNEL POLICIES

The *Ethics Act* also requires the University to implement personnel policies related to work time requirements, documentation of time worked, documentation of reimbursement for travel for University business, compensation, and accumulation of benefits. As a University employee, you are required by law to periodically submit time sheets documenting the time spent each day on official business to the nearest quarter hour. Your department can assist you in explaining the standard practice within your unit. This information must be detailed and truthful. Any falsification is considered fraud and is a theft of resources punishable by discipline up to and including termination.

## USE OF STATE PROPERTY AND RESOURCES

University policy and good business practice do not allow for the use of University resources, including both tangible and intangible goods, such as equipment and time, to be misappropriated for non-business purposes. In the following two sections, Conflicts of Interest (which include, among other things, second jobs outside the University) and Prohibited Political Activities will be discussed. Though these aspects are highlighted with special distinction in this training program, it is important to remember that any improper use of University property, equipment, or time while working, violates University policy and procedure.

### It Really Did Happen

- **The Facts:** A state public university employee was investigated by the OEIG and was found to have used a university-issued computer to view and store thousands of sexually explicit images, including animated images of children engaging in sexual acts.
- **The Result:** The OEIG recommended the employee be discharged and a separate criminal investigation into the complaint resulted in felony charges being filed in the circuit court related to the child pornography. As a result, the university strengthened its computer usage policies.

- **The Takeaway:** Your conduct as a state public university employee may have repercussions in addition to and of greater severity than university discipline. Additionally, your actions can result in negative media attention for the university. Please see your respective university policy regarding appropriate computer use and make sure you are aware of all restrictions and requirements related to computer usage.

## ADHERENCE TO POLICIES

Additionally, as employees, it is important to be aware of and review institutional policies related to technology use, telephone use, procurement, hiring practices, and more, to better understand our role as stewards of the University and its resources. It is important to note that as employees, we are governed by a multitude of state, campus, and departmental policies, and it is our responsibility to become educated in these areas to allow us to make informed decisions in the best interest of the University. More information specific to policies can be found at:

- <http://www.obfs.uillinois.edu/bfpp>
- <https://nessie.uihr.uillinois.edu/cf/policies/index.cfm>

## STATEMENT OF ECONOMIC INTERESTS

The Statement of Economic Interests form is a disclosure required by the *Illinois Governmental Ethics Act* to be filed with the Office of the Secretary of State. A small percentage of University employees are required to submit this form by May 1<sup>st</sup> annually. The University coordinates this process with the Secretary of State, providing the mailing addresses for all employees who are required to file. Those individuals required to file are notified early each spring via the address provided to the Secretary of State.

The *Governmental Ethics Act* identifies certain categories of individuals who are required to file a Statement of Economic Interests form, including but not limited to: members of the Board of Trustees; deans, directors, and department heads; persons who have supervisory authority over, or direct responsibility for the formulation of contracts; persons who supervise 20 or more University employees; and employees who have responsibility with respect to the procurement of goods and services.

The *Ethics Act* requires that University Ethics Officers review employee Statements prior to submitting them to the Secretary of State for filing. Please refer to your University Ethics Officer for more detailed filing instructions. You may also refer to Section 4A-101 of the *Illinois Governmental Ethics Act* (5 ILCS 420).

***Knowledge Check:***

Those individuals required to file a Statement of Economic Interests are notified early each spring via the address provided to the Secretary of State. The *Illinois Governmental Ethics Act (5 ILCS 420)* identifies certain categories of individuals required to file a Statement of Economic Interests form.

***University employees with which of the following responsibilities are required by law to complete a Statement of Economic Interests form annually?***

- A. Employees who are or function as the head of a department
- B. Employees who have responsibility with respect to the procurement of goods or services
- C. Employees who have supervisory responsibility for 20 or more employees
- D. All of the above

*The correct response is D.*

***Explanation of the answer:***

*The Illinois Governmental Ethics Act lists several categories of employees who are required to file a Statement of Economic Interests annually. A complete listing of required filers can be found within the law at:*

*<http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=129&ChapterID=2>.*

## **PROCUREMENT COMMUNICATIONS REPORTING**

Another requirement of state law, derived from the *Illinois Procurement Code (30 ILCS 500/50-39)*, states that employees receiving communications, written or oral, that impart or request material information or make a material argument regarding potential action concerning a procurement matter (e.g., application, contract, project, or proposal) must report that written or oral communication to the Procurement Policy Board via its Web site at: <http://pcrs.illinois.gov>. Examples of procurement matters include activities such as but not limited to:

- drafting, reviewing, or preparing specifications, plans, or requirements, including determining the method of source selection;
- drafting, reviewing, or preparing any invitations for bid, requests for proposals, requests for information, sole source procurement justifications, emergency procurement justifications, or selection information;
- evaluating bids, responses, or offers, other communications among an evaluation team and any technical advisors to the team relating to the evaluation of a procurement not yet awarded;
- letting or awarding a contract; or
- approving change orders or the renewal or extension of an existing contract.

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**For any of the above-listed items to require reporting, there must be material written or oral communication that includes a vendor or a potential vendor. Internal communications between University employees with no vendor involvement do not require reporting.**

Each University employee who is party to a reportable discussion is required to file a report. This reporting requirement does not involve communications related to existing contracts unless a change order is being discussed or the contract is being renewed or extended.

For further instructions related to the reporting process, including instructions for completing the form itself, please visit the Procurement Policy Board's Web site. The reports will be published for public viewing at: <http://pcrs.illinois.gov>. If you believe you have been involved in a communication with an outside party that requires reporting, please consult your University Ethics Officer to ensure your compliance with the *Illinois Procurement Code*. Further information is available on the University Ethics Office website at: <http://www.ethics.uillinois.edu/procurement/index.cfm>.

## CONFLICTS OF INTEREST

Actual or potential conflicts of interest exist when you have an opportunity to improperly advance your own interests or those of family members or friends above the interests of the State or University. These conflicts need to be disclosed, according to the applicable University policy, and adequately managed or avoided. Each potential or actual conflict scenario is unique and employees are advised to thoroughly review the related University policy and consult with designated experts, supervisors, or the University Ethics Officer as necessary.

The University's Policy on Conflicts of Commitment and Interests for Academic Professional employees can be found at: <http://www.vpaa.uillinois.edu/policies/conflict-of-commitment-and-interest-policy.cfm>.

The Conflict of Interest Policy for Civil Service staff can be found at: <https://nessie.uihr.uillinois.edu/pdf/policy/rules/pr16r01.pdf>.

### Examples of Conflicts of Commitment and/or Interest:

- You have or your spouse has a University contract or a significant financial interest in a company doing business with the University.
- An opportunity for you to advance personally conflicts with the action that would be in the best interest of the University.
- You have a conflicting interest, such as a second position outside of the University that interferes with your ability to satisfy your University duties and responsibilities.
- You abuse your position and authority to divert University business to a private interest or for personal financial gain.

***Knowledge Check:***

Grant works in the student health center as a nurse and has been offered an evening position outside of the University, working as a home health nurse.

***Does this opportunity pose a potential conflict of interest?***

- A. Yes, this is a potential conflict of interest.
- B. No, having a second position outside of the University is not considered a conflict of interest.

*The correct response is A.*

***Explanation of the answer:***

*Grant should notify his supervisor in writing of this second position and obtain approval before accepting the work. The University does not seek to regulate positions outside of the University, provided they do not interfere with an employee's ability to conduct their work responsibilities. The disclosure of such outside positions helps to ensure a plan is in place. For example, if Grant accepted the night shift position and was therefore unable to come to work on time or unable to stay awake during the day, this would be a conflict that disrupted Grant's ability to conduct his university work and as such, would be a conflict that could not be managed. Employees should also verify that their unit does not have stricter policies related to conflicts of interest that would prevent second positions outside of the University.*

## PROHIBITED POLITICAL ACTIVITY



The *Ethics Act* goes into significant detail, listing specific political activities that are prohibited. The basic definition of prohibited political activity includes activities that are in support of or in connection with any campaign for elective office or any political organization, or those activities that are either in support of or in opposition to a referendum question. University employees may not intentionally perform any prohibited political activity during any compensated time other than vacation, personal, or compensatory time off and they may not intentionally misappropriate any state

property or resource (including University property or resources) by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization.

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Prohibited political activity includes, but is not limited to: soliciting campaign contributions or votes, assisting at the polls, circulating petitions, and hosting rallies for candidates for elective office. Though these activities are not allowable while conducting your work duties, they are permissible if you are outside of that time and are not using University property or resources, such as, but not limited to, telephones, vehicles, tools, copiers, fax machines, email accounts, and computers. You may be involved in these types of political activities during your typical work hours if you use vacation or compensatory time off to perform the activity and do not intentionally misappropriate any state property or resources. Examples of prohibited activities range from things as simple as placing a campaign contribution jar on an office desk for a candidate's fund, to actively soliciting votes for a candidate, or a political party, while on work time. Additionally, the *Ethics Act* states that it is illegal for any supervisor to intentionally misappropriate the services of any university employee by requiring that employee to perform any prohibited political activity as part of their job duties, as a condition of their employment, or during any time off that is compensated by the university (such as vacation, personal, or compensatory time off).

**Prohibited Offer or Promise:** You or a candidate for executive or legislative branch office may not promise anything of value related to University business or state government in consideration for a contribution to a political committee, political party or other entity that has as one of its purposes, the financial support of a candidate for elective office. If you are offered anything of value for your engaging in prohibited activity, such offer must be reported to the University Ethics Officer or the OEIG.

- **What is "anything of value related to University business"?**  
Examples of this can include job positions or appointments at the University, promotions, salary increases, the award of a contract, title changes, increased paid time off, or other employment benefits.

**Contributions on University Property:** Political campaign contributions may not be intentionally solicited, accepted, offered or made on state or University property by public officials, state or University employees, candidates for elective office, lobbyists, or officers, employees or agents of any political organization.

- **What is "state or University property"?**  
Any building or portion of a building owned or exclusively leased by the State of Illinois or the University. This includes an office of the state or University within a privately owned office building.

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- **What is NOT "state or University property"?**  
Any portion of a building that is rented or leased from the state or University by a private person or entity is not state or University property. For example, a privately owned restaurant within a state/University building or a private party being held in a part of a state/University building that the private person has rented for the evening would not be considered state or University property.

*An inadvertent solicitation, acceptance, offer, or making of a contribution is **not** a violation if reasonable and timely action is taken to return the contribution to its source.*

## ***Knowledge Check:***

Malaika, a University employee, hears one of her co-workers is running for office. When she runs into him while going across campus for a meeting, she writes him a check to contribute to his campaign.

***Is this permitted by the Ethics Act?***

- A. Yes, because Malaika offered; her co-worker did not solicit the contribution.
- B. No, because they are on University property.
- C. No, because they are on University time.

*The correct responses are B and C.*

***Explanation of the answer:***

*The Ethics Act prohibits political contributions on state property and while an employee is on University compensated time. If Malaika wants to contribute to her co-worker's campaign, she should do so off campus and outside of work hours.*

## **WHISTLE BLOWER PROTECTION**

The *Ethics Act*, the *Whistleblower Act*, and University policy, protect employees who, in good faith, report or threaten to report an act or omission they believe to be a violation of law, policy, or procedure.

### Protected Activities

The University or an employee of the University cannot retaliate or threaten retaliation against you for engaging in any of the following protected activities:

Under the *Ethics Act*:

- Disclosing or threatening to disclose to a supervisor or a public body, any practice, activity, or policy of a state or university employee or state agency or university that you reasonably believe is in violation of a law, rule, or regulation.
- Providing information to or testifying before a public body about any violation of the law, rule, or regulation, by any officer, member of the General Assembly, University or state employee, state agency, or the University.
- Assisting or participating in a proceeding to enforce the *Ethics Act*.

Under the *Ethics Act*, retaliatory action is defined as reprimand, discharge, suspension, demotion, or denial of promotion or transfer, or change in the terms or conditions of employment of any State employee, which is taken in retaliation for involvement in protected activity. It is not a violation if the employer can demonstrate, by clear and convincing evidence, the same personnel action would have been taken even in the absence of the protected activity.

Individuals who take retaliatory action against whistle blowers are subject to disciplinary action up to and including discharge by the University, in addition to potential administrative action by the Executive Ethics Commission.

### ***Whistleblower Protection (740 ILCS 174/20.2)***

Under the *Whistleblower Act*, it is generally unlawful for any employer to retaliate or threaten retaliation for an employee's disclosure of information to a government or law enforcement agency if the employee has reasonable cause to believe that the information discloses a violation of a state or federal law, rule, or regulation. Violation of this Act is a Class A misdemeanor.

If an employer retaliates against an employee in violation of the *Whistleblower Act*, the employee may bring a civil action against the employer that may result in:

- reinstatement of employment and seniority rights;
- back pay, with interest; and,
- compensation for any damages including litigation cost, expert witness fees, and reasonable attorney's fees.

## REVOLVING DOOR PROHIBITION

The Revolving Door Prohibitions state that no employee who, during the year prior to terminating their employment, participated personally or substantially in the awarding of a state or university contract or change order with a cumulative value of \$25,000 or more, or licensing decisions can, within a year of leaving state employment, accept compensation or employment, accept compensation or employment from the person or entity, or its parent or subsidiary subject to the decision. The prohibition also applies to spouses and immediate family members living with the former employee.

Individuals subject to certain of the Revolving Door Prohibitions are notified of the restrictions and determination requirements by their Ethics Officer and are required to confirm acknowledgment of these restrictions and requirements. Employees subject to non-state employment restrictions are required to seek a determination from the Office of Executive Inspector General as to whether employment or compensation may be accepted from certain employers during the year immediately following termination of their University employment.

Specific instructions and forms related to the revolving door process for those who are subject to the Revolving Door Prohibitions can be found at: [www.inspectorgeneral.illinois.gov](http://www.inspectorgeneral.illinois.gov). It is important to remember that the prohibitions only apply to a small number of University employees. If this prohibition applies to you, your Ethics Officer has likely already informed you of this restriction. To determine if the prohibitions apply to you, please contact your University Ethics Officer.

Please note there is no exception or determination process for the President, Chief Procurement Officer, State Purchasing Officer, and members of the Board of Trustees. Due to the nature of their State positions, they are strictly prohibited from revolving door employment. Employees eligible for the determination process are provided, by their University Ethics Officer, a notification and acknowledgment developed by the Office of the Governor. If you have questions regarding the revolving door prohibition, you should contact your University Ethics Officer or see the OEIG's Web site at: [www.inspectorgeneral.illinois.gov](http://www.inspectorgeneral.illinois.gov) for instructions and forms necessary to seek a determination.

If an employee is found to be in violation of the revolving door prohibitions, a fine of up to three times the total compensation that would have been obtained may be levied by the Executive Ethics Commission.

***Knowledge Check:***

Miranda thinks she was notified by the University Ethics Officer a while ago that she is subject to the Revolving Door Prohibitions, but she's not positive.

***Should she contact her University Ethics Officer?***

- A. Yes, when unsure, the University Ethics Officer should be contacted.
- B. No, Miranda should not worry about the prohibitions.

*The correct response is A.*

***Explanation of the answer:***

*The Revolving Door Prohibitions only apply to a small number of University employees. If this prohibition applied to Miranda, her Ethics Officer probably already informed her of the restriction; if she is unsure, she should contact her University Ethics Officer.*

*Individuals subject to certain of the Revolving Door Prohibitions are notified of the restrictions and determination requirements by their Ethics Officer and are required to confirm their notification of the restrictions and requirements. Employees subject to non-state employment restrictions are required to seek a determination from the Executive Inspector General as to whether employment or compensation may be accepted from certain employers during the year following termination of their University employment. Please note there is no exception or determination process for the President, Chief Procurement Officer, State Purchasing Officer, and members of the Board of Trustees. Due to the nature of their State positions, they are strictly prohibited from revolving door employment. Instructions and forms related to the revolving door process can be found at: [www.inspectorgeneral.illinois.gov](http://www.inspectorgeneral.illinois.gov).*

**TRUTHFUL ORAL AND WRITTEN STATEMENTS**

As a University employee, you must be honest in all communications, regardless of whether they are oral or written. This includes, but is not limited to all work products, documents, conversations, and electronic communications. To avoid violating any law, rule, or policy, or intentionally committing fraud, be sure to fully review and complete your documents. Knowingly providing false, inaccurate, or incomplete information is punishable up to and including termination of employment.

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As a University employee, you must be honest in all communications, regardless of whether they are oral or written. This includes, but is not limited to all work products, documents, conversations, and electronic communications. To avoid violating any law, rule, or policy, or intentionally committing fraud, be sure to fully review and complete your documents. Knowingly providing false, inaccurate, or incomplete information could result in removal from your position.

A state public university employee falsified university records that were subsequently reported to outside organizations for ranking purposes. The matter was reported to the ethics officer and an investigation ensued involving several key university personnel and contracted legal and forensic specialists. The financial and reputational impact was significant and a final report was produced with recommendations for corrective action to reduce the risk of reoccurrence. This situation reinforces the importance and necessity of truthful and honest communications in the success of employees and state public universities.

## EXECUTIVE ETHICS COMMISSION, EXECUTIVE INSPECTOR GENERAL

The Illinois Executive Ethics Commission (Executive Ethics Commission) is composed of nine appointed commissioners, each serving a four-year term. The Commission's duties include, but are not limited to: conducting administrative hearings on alleged violations of the *Ethics Act*, providing guidance to Ethics Officers, and overseeing ethics training for all employees of the executive branch of state government.

For additional information about the Executive Ethics Commission, visit its Web site at: <http://www2.illinois.gov/eec>.

For University employees, the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) serves as the Executive Inspector General. This position is appointed by the Governor of the State of Illinois for a term of five years.

Established in 2003, the OEIG is an independent state agency. Its primary function is to investigate fraud, abuse, and violations of laws, rules and policies in governmental entities. The OEIG investigates allegations of misconduct by the employees, appointees, and elected officials under its jurisdiction. The OEIG also has responsibility for investigating alleged violations by those doing business with entities under its jurisdiction.

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The OEIG's jurisdiction includes:

- the Office of the Governor;
- the Office of the Lieutenant Governor;
- the Regional Transit Boards (i.e., RTA, CTA, Metra, and Pace);
- the state public universities; and
- all state agencies and departments of the executive branch of state government, except for those agencies under the jurisdiction of other executive branch constitutional officers, specifically the Attorney General, the Comptroller, the Treasurer, and the Secretary of State (other Inspectors General have jurisdiction over the four executive branch constitutional officers not under the OEIG's jurisdiction, and the state legislature).

For additional information about the Office of Executive Inspector General for the Agencies of the Illinois Governor, visit its Web site at:  
[www.inspectorgeneral.illinois.gov](http://www.inspectorgeneral.illinois.gov).

## REPORTING VIOLATIONS OF LAW, RULE, REGULATION, OR POLICY

To put an end to misconduct it is important if you witness misconduct or have evidence of it, you report it to the proper authorities. As a University employee, it is your ethical duty to report violations of laws, rules, or regulations by another University officer, employee, or other relating to University business.

To report a **non-emergency violation** of law, rule, or regulation, you should contact the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) via its **toll-free Hotline** at **866-814-1113**. Questions and/or reports of alleged violations may also be submitted via the Internet at: <http://www.inspectorgeneral.illinois.gov>. For those who require it, the OEIG may also be contacted toll-free via a telecommunications device for the disabled (TTD) at 888-261-2734.

Alleged violations may be reported to the OEIG anonymously. However, in many instances, investigations may be conducted more efficiently if investigators are provided the identity of the person who reported the matter so, if necessary, investigators may ask follow-up questions to obtain additional information.

In the event of an emergency situation requiring an immediate police response, you should contact the Illinois State Police or the county, municipal, or other police agency that can provide the fastest response (for example, by dialing "911"). Examples of emergency situations included those that involve the illegal use or possession of a weapon, bodily injury or threat of bodily injury, or criminal sexual assault.

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If anyone attempts to improperly influence your official actions as a University employee, particularly if there is an attempt by anyone to have you or another employee act or fail to act in a manner that is unlawful or violates University policies, it is your responsibility to immediately report this matter to the appropriate authorities.

In certain instances, a University employee's failure to report a violation is in itself a violation of the law, as may be the case where an employee fails to report a bribe (720 ILCS 5/33-2).

## **RIGHTS AND RESPONSIBILITIES IN INVESTIGATIONS**

University employees who become involved in an investigation conducted by the Office of Executive Inspector General or the Illinois Attorney General have both rights and responsibilities with respect to these important functions. As a University employee, you have an obligation to cooperate in such investigations. This means, among other things, you must participate in interviews as requested, tell the truth, and not withhold information. It is also important that you know of your various rights with respect to investigations.

By law, every University employee must cooperate with and provide assistance to the Executive Inspector General and her or his staff in the performance of any investigation. In particular public universities must, to the extent permitted by applicable laws and the rules governing the conduct of Executive Inspectors General, make their premises, equipment, personnel, books, records, and papers readily available to the Executive Inspector General.

In the course of an investigation, investigators may question any University officer or employee, and any other person transacting business with a University. Investigators may also, to the extent permitted by applicable laws and the rules governing the conduct of Executive Inspectors General, inspect and copy any books, records, or papers in the possession of a University, including those made confidential by law. Investigators must take care to preserve the confidentiality of information contained in responses to questions or books, records, or papers that is made confidential by law.

Requests for production or viewing of documents or physical objects under University control must be made in writing by an Executive Inspector General. If the recipient of such a request believes that the release of the subject matter of the request might violate existing rights under state or federal law, the recipient has the right to seek a determination from the Executive Ethics Commission relative to such rights or protections.

The Executive Inspector General may compel any University employee to truthfully answer questions concerning any matter related to performance of his or her official

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duties. If so compelled, no statement or other evidence there from may be used against an employee in any subsequent criminal prosecution, other than for perjury or contempt arising from such testimony. The refusal of any employee to answer questions if compelled to do so shall be cause for discipline, up to and including discharge. Failure to cooperate includes, but is not limited to, intentional omissions and knowing false statements.

As a University employee, you have various additional rights during investigations, including those resulting from EEC rules (2 Ill. Adm. Code Section 1620.300), which specify:

If investigators reasonably believe an employee who is the subject of the investigative interview will likely face discipline, the investigators must notify the employee whether the underlying investigation is criminal or administrative in nature.

If the underlying investigation is **criminal** in nature, the subject interviewee must be presented a form that outlines the interviewee's rights during the interview, including **the right to the presence of an attorney, union representative, or coworker** uninvolved in the investigation.

If the underlying investigation is **administrative** in nature, the subject interviewee must be presented a form that outlines the interviewee's rights during the interview, including **the right to presence of a union representative, or coworker** uninvolved in the investigation.

In both criminal and administrative investigations, the subject interviewee must sign the above-mentioned form, attesting only to the fact that the form was presented to the interviewee and he or she was given the opportunity to read it.

**Investigators may not infringe upon a University employee's right to seek advice from their ethics officer on the interpretation and implementation of the Ethics Act, or to seek advice from private legal counsel.**

The full text of the rules governing OEIG investigations may be found at the EEC's Web site: <http://www2.illinois.gov/eec>.

Even with OEIG's authority to request documents, the *Ethics Act* does not absolve the University and its employees from ensuring *Health Insurance Portability and Accountability Act* (HIPAA) and *Family Educational Rights and Privacy Act* (FERPA) sensitive information is appropriately protected. When responding to the OEIG, you may contact your Ethics Officer with any questions you may have regarding OEIG processes or compliance with state and federal laws, as the Ethics Officer is the designated liaison between the University and the OEIG.

***Knowledge Check:***

Kaitlyn doesn't want to have anything to do with the ongoing OEIG investigation in her unit. She would rather not discuss any topics that may cause any of her co-workers to get into trouble.

***Can she refuse to participate in the investigation?***

- A. Yes, participation in OEIG investigations is optional.
- B. No, employees have a duty to cooperate in investigations.

*The correct response is B.*

***Explanation of the answer:***

*University employees who become involved in an investigation conducted by the Office of Executive Inspector General or the Illinois Attorney General have both rights and responsibilities with respect to these important functions. As a University employee, you have an obligation to cooperate in such investigations. This means, among other things, you must participate in interviews as requested, tell the truth, and not withhold information. It is also important that you know of your various rights with respect to investigations. By law, every University employee must cooperate with and provide assistance to the Executive Inspector General and his or her staff in the performance of any investigation. In particular, state public universities must, to the extent permitted by applicable laws and the rules governing the conduct of Executive Inspectors General, make their premises, equipment, personnel, books, records, and papers readily available to the Executive Inspector General.*

## OFFICIAL MISCONDUCT

The *Illinois Criminal Code of 1961* (ILCS720/33-3) indicates that any public officer or employee commits misconduct when, in their official capacity, committing any of the following acts:

- Intentionally or recklessly fail to perform a mandatory duty as required by law; or
- Knowingly perform an act known to be forbidden by law to perform; or
- Perform an act in excess of their lawful authority with intent to obtain a personal advantage for themselves or another; or
- Solicit or knowingly accept for the performance of any act a fee or reward which the employee knows is unauthorized by law.

Any employee or public officer convicted of violating any provision of this section commits a Class 3 felony.

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If anyone attempts to bribe you or improperly influence your official actions as a state public university employee, especially if there is an attempt to have you or another employee act in a manner that is unlawful or is in violation of university policies, it is your responsibility to immediately report this matter to the appropriate authorities. In certain instances, failure to report a violation can place the informed employee in violation of the law as well.

## **PENALTIES WITHIN THE LAW**

Penalties for violation of ethics-related laws, rules, and policies by University employees are dependent upon the specific circumstances.

Penalties may include administrative action up to and including termination of employment. In addition, the Executive Ethics Commission may levy administrative fines in the case of violations of the *Ethics Act*. Illegal acts, such as bribery or official misconduct, may result in referrals to the appropriate authorities for criminal prosecution.

If you have any questions or concerns, you can always contact your Ethics Officer.

## **THANK YOU!**

Thank you for completing the orientation training as required by the *Ethics Act*. Please note ethics training is required at least each calendar year. Continued employment with the University will require you to complete the ethics training program for this calendar year.

To be properly credited for completion of the Ethics New Hire Orientation, please complete and return the signature page to the University of Illinois Ethics Office via US Mail at:

University Ethics Office  
Human Resources Building, Room 20  
One University Plaza, MS HRB 20  
Springfield, IL 62703-5407

*If you are on the Urbana-Champaign or Chicago campus, please do not place the form in campus mail, as it will not be delivered to our office.*

*Original signed forms are required; faxed copies cannot be accepted.*

If you have any questions or concerns, please contact the University Ethics Office via email at: [ethicsofficer@uillinois.edu](mailto:ethicsofficer@uillinois.edu) or on the Ethics Toll-free Help Line at: 866-758-2146.

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I certify that I have carefully read and reviewed the content of and completed the

**ETHICS NEW HIRE ORIENTATION and  
SUPPORTING POLICIES**

Furthermore, I certify that I understand my failure to comply with the laws, rules, policies, and procedures referred to within this training course may result in disciplinary action up to and including termination of employment, administrative fine, and possible criminal prosecution, depending on the nature of the violation.

**Name:** \_\_\_\_\_  
(print: last name, first name, middle initial)

**Signature:** \_\_\_\_\_

**Today's Date:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_  
(mm/dd)

**UIN:** \_\_\_\_\_  
(9-digit number marked as "UIN" or "Univ. ID #" beginning with 65, 66, or 67)

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