



# Office of Executive Inspector General

for the Agencies of the Illinois Governor

**2023** | **Annual Report**



[oeig.illinois.gov](http://oeig.illinois.gov)



## Message from Executive Inspector General Susan Haling



It is with great pleasure that I present the FY2023 Annual Report for the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG). This report highlights our work in the past fiscal year, and also commemorates our 20th anniversary as an office.

For FY2023, the OEIG received a record-high total of 3,078 complaints, and self-initiated a record high 383 investigations. In total, the OEIG opened 450 investigations, and completed 214 investigations, including 147 that resulted in findings of wrongdoing. In addition to these investigations, the OEIG also issued 59 hiring advisories based on hiring reviews initiated; conducted 314 revolving door determinations; and oversaw ethics and harassment and discrimination training for all those under its jurisdiction.

Producing such volume of quality work could not be done without a strong and dedicated workforce. The OEIG team has expanded and diversified over the past 20 years, and I am very proud of the expertise that has developed. On average, our managers have worked at the OEIG for 10 years or more and our attrition rate for FY2023 was at 8%, down from 25% in FY2021.

The extensive experience and commitment of our staff allow the OEIG to conduct significant and impactful work. For example, in FY2023, the OEIG initiated a large-scale fraud investigation to examine whether State employees improperly obtained federal Paycheck Protection Program (PPP) loans. As of September 12, 2023, we initiated 438 PPP investigations, concluded 204 investigations, and made findings of wrongdoing in 177 investigations. The improper loans identified in these 177 founded reports totaled more than \$4.5 million in public funds. This investigative project remains ongoing.

As we look back at our 20-year history and all that has been done, it is evident that there have been significant strides made toward improving State government. While the OEIG's accomplishments are many, we also recognize that there is more to do. Everyone here at the OEIG continues to be deeply committed to helping ensure a highly ethical workforce free of fraud, waste, and abuse.

Sincerely,

A handwritten signature in blue ink that reads "Susan M. Haling".

Susan M. Haling  
Executive Inspector General

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# THE 20-YEAR HISTORY OF THE OEIG

2023 marks the 20th anniversary of the establishment of the Office of Executive Inspector General for the Agencies of the Illinois Governor. Throughout those 20 years, the OEIG's operations continue to grow and develop, and its jurisdiction and duties have significantly expanded. The following timeline sets forth the OEIG's history and milestones.

## The Creation of the OEIG

2003

An inspector general for the agencies of the Illinois Governor was first created by Administrative Order 03-03, issued in January 2003. The OEIG, as it is now known, was codified by the enactment of the State Officials and Employees Ethics Act (Ethics Act) in November 2003. According to the Ethics Act, the OEIG:

- ♦ is a fully independent office with separate appropriations;
- ♦ is charged with jurisdiction over allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of the Ethics Act or violations of other related laws or rules; and
- ♦ oversees mandatory ethics training for State employees.

The original order creating the inspector general's office required that an ethics hotline be established to receive complaints. The OEIG still maintains this telephone hotline, but electronic submissions via its website or email have overtaken hotline calls.

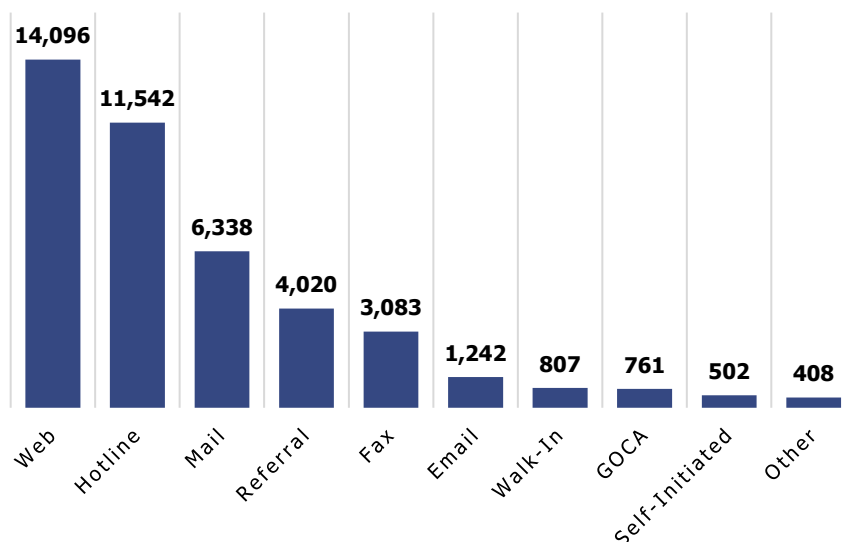
Since its inception and through the end of FY2023, the OEIG has received **42,799** complaints.

**42,799**

Complaints received  
by the OEIG since its  
inception

2003

## Sources of Complaints to the OEIG



## Publication, Revolving Door Determinations, and Hiring Oversight

2009

Public Act 99-0555, which was effective in August 2009, made several major changes to the Ethics Act.

### Publication

The OEIG's reports of investigation were not public prior to this legislation. The amended Ethics Act provided a mechanism for the Executive Ethics Commission (EEC) to publish the OEIG's founded investigative reports, thus providing needed transparency to the process. Publication allows State employees to be educated on best practices and for the public to be aware of the OEIG's activities. These reports are available on the OEIG website [here](#), and are searchable by involved agency, subject name, and type of misconduct.

Since 2010, the EEC has published **236** founded reports.

236

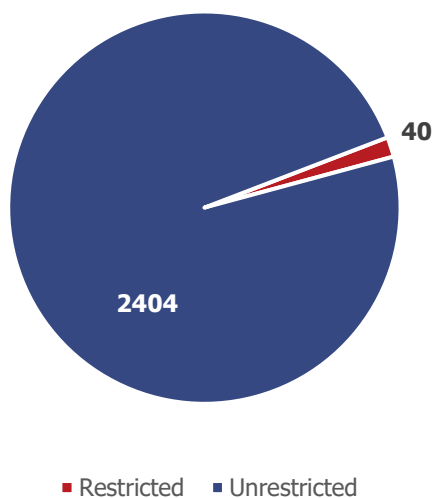
Founded Reports  
published by the EEC  
through FY2023

## Revolving Door Determinations

While State employees were subject to the so-called revolving door prohibitions regarding post-State employment, there was no process to determine an employee's eligibility prior to accepting possibly prohibited non-State employment. This legislation created a determination process for certain State employees likely to participate in contracting or regulatory activity to determine whether they can accept non-State employment. This process requires the OEIG to make a determination on whether an employee is restricted or not from future employment within 10 business days.

Through the end of Fiscal Year 2023, the OEIG has made **2,444** revolving door determinations.

### OEIG Revolving Door Determinations



## Hiring Review

The Ethics Act was also amended to include the following duty for the OEIG:

"To review hiring and employment files of each State agency within the Executive Inspector General's jurisdiction to ensure compliance with *Rutan v. Republican Party of Illinois*, and with all applicable employment laws."

2009

**2,444**

Revolving Door  
Determinations made  
through Fiscal Year  
2023

The OEIG began its hiring oversight with targeted investigations, the most notable of which was an extensive investigation into the Illinois Department of Transportation's abuse of an exempt title to provide employment to people who were not performing exempt work. (OEIG Case No. 11-01567, published on August 22, 2014.)

## Self-Initiation of Investigations

Lastly, this legislation allowed the OEIG to self-initiate investigations and accept anonymous complaints. Those changes gave the OEIG greater flexibility to open investigations and ensures that complainants' identities are protected.

## Oversight of the Regional Transit Boards

The General Assembly perceived the need for increased and independent oversight over the Regional Transit Boards (RTBs) in the Chicago metro area (the Chicago Transit Authority, Metra, PACE, and the Regional Transportation Authority). Effective July 1, 2011, the RTBs came under the OEIG's jurisdiction. The OEIG established a dedicated RTB Investigative Division, which is funded by the Public Transportation Fund.

2009

502

Self-Initiated  
Investigations opened  
since 2009

5,098

Anonymous  
Complaints received  
since 2009

2011

232

RTB Investigations  
conducted since 2011

# Creation of the Hiring & Employment Monitoring Division (HEM)

2015

In addition to identifying important hiring issues through its investigations, the OEIG recognized the need for a compliance role and thus, in 2015, created a compliance unit, HEM, to work directly with agencies to implement, monitor, and enforce proper State hiring practices and procedures. HEM has significantly grown in the breadth of its work and the scope of its compliance reviews. HEM is currently staffed with 10 employees, including a director, three attorneys, a supervising analyst, four analysts, and a project manager. HEM's rigorous compliance work also helped the State to be released from the federal oversight of the *Shakman* decree in August 2022. Some main components of HEM's work include:

- ♦ the review of all exempt positions at *Shakman* covered State agencies and the creation of an exhaustive Exempt List;
- ♦ the monitoring of exempt appointments and requests to change or clarify the Exempt List;
- ♦ the review of hiring complaint referrals;
- ♦ the monitoring of term appointments and hiring sequences;
- ♦ providing guidance and issuing Advisories to State agencies to improve and reform hiring processes; and
- ♦ the creation, implementation, and enforcement of the Comprehensive Employment Plan.

From January 1, 2020 to June 30, 2023, HEM has conducted the following:

- ♦ **245** Advisories Issued
- ♦ **1194** Exempt Certification Packets Reviewed
- ♦ **153** Desk Audit Reviews Completed
- ♦ **91** Hiring Sequences Monitored

**245**

Advisories issued from  
January 1, 2020 to  
June 30, 2023

## Sexual Harassment Prevention

2017

In response to increased publicity about sexual harassment in the workplace, the General Assembly added sexual harassment as a specific violation of the Ethics Act in 2017. (Public Act 100-0554). The OEIG was also given responsibility for reviewing annual sexual harassment training for State agencies which was then expanded to include discrimination and harassment prevention training in 2019.

Harassment prevention trainings reviewed and approved: **140**

**140**

Harassment Prevention  
Trainings reviewed and  
approved

## Remote/Hybrid Work

2020

In 2020, the OEIG had to quickly meet the challenges presented by the COVID-19 pandemic and initiate strategies and systems in order to continue our investigation and oversight efforts. The OEIG increased its technology systems to better facilitate remote working environments by purchasing docking stations and laptops for all employees. This new system allows employees to be fully integrated with work documents and applications remotely and in the office, providing all staff with equal access to technology in remote working environments. In July 2021, the OEIG moved to a hybrid model of working. This model balances the benefits of employees being present in the office with the desire to limit office capacity and maximize efficiency.

## Diversity, Equity, Inclusion, and Accessibility Working Group

2020

In July 2020, the OEIG formed an internal Diversity, Equity, Inclusion, and Accessibility (DEIA) Working Group. This Working Group is comprised of OEIG employee volunteers from each division who work together to brainstorm, research, and implement steps to make the OEIG a more inclusive and equitable working environment that celebrates differences. There are four separate focus areas: 1) recruitment & hiring; 2) training; 3) mentorship & development; and 4) employee connection. As part of employee connection, the Working Group has met a few times each year to research and discuss issues related to marginalized groups and identities, such as race, gender, and ability.

From inception through FY2023, the Working Group has had over **40** members.

**40**

Diversity, Equity,  
Inclusion, and  
Accessibility Working  
Group members

## Expansion of Revolving Door

2021

In 2021, Senate Bill 539, an omnibus ethics bill, was enacted. This law amended the Ethics Act, adding language to the revolving door section, expanding the employees who are prohibited from accepting certain employment for one year after public service to include those who were personally and substantially involved in making fiscal decisions involving a contract. The bill also added language clarifying that based on their job functions, certain high-level employees fall under the revolving door restrictions.

Fiscal years 2022 and 2023 had record high revolving door determinations.

**291**

Revolving Door  
Determinations made  
in FY2022

**314**

Revolving Door  
Determinations made  
in FY2023

In August 2023, the Ethics Act was amended to provide the OEIG with jurisdiction over the Regional Development Authorities (RDAs), as well as their boards and those doing business with the RDAs. The Ethics Act defines RDAs as 13 separate authorities located throughout Illinois. As part of the Ethics Act, the RDAs are also required to have an ethics officer, take ethics and harassment and discrimination prevention training overseen by the OEIG, and comply with the revolving door provisions, among other responsibilities. The OEIG will be working to provide guidance and information to the RDAs regarding their new responsibilities.

## 2023 and Beyond

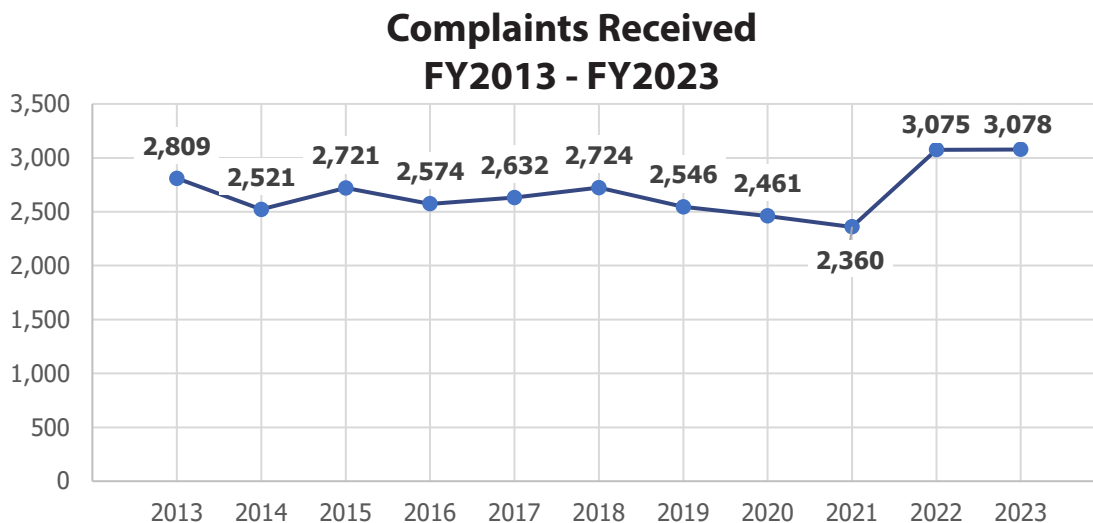
The OEIG looks forward to what new decades will bring for its growth and development. As public workplaces and the needs of the State of Illinois evolve, the OEIG's work will continue to adjust to emerging issues. Regardless of changes, the OEIG's commitment to improving State government and ensuring that its employees are ethical, and workplaces are free from waste, fraud, and abuse will remain constant.

# INVESTIGATIONS

The OEIG is an independent executive branch State agency that investigates allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, hiring improprieties, and violations of the Ethics Act (such as prohibited political activity, sexual harassment, the gift ban, revolving door, and retaliation) and other related laws, rules, and policies. The OEIG may self-initiate an investigation or open an investigation based on receiving a complaint.

## Complaints Filed with the OEIG

During FY2023, the OEIG processed **3,078** complaints.



## Complaint Origins

The OEIG received these complaints through many different methods, including, among others:

- ♦ online complaint forms filed through its website: [oeig.illinois.gov](https://oeig.illinois.gov);
- ♦ its toll-free hotline at 866-814-1113;
- ♦ U.S. mail;
- ♦ referral from others; and
- ♦ via a telecommunications device for the deaf (TDD) at 888-261-2734.

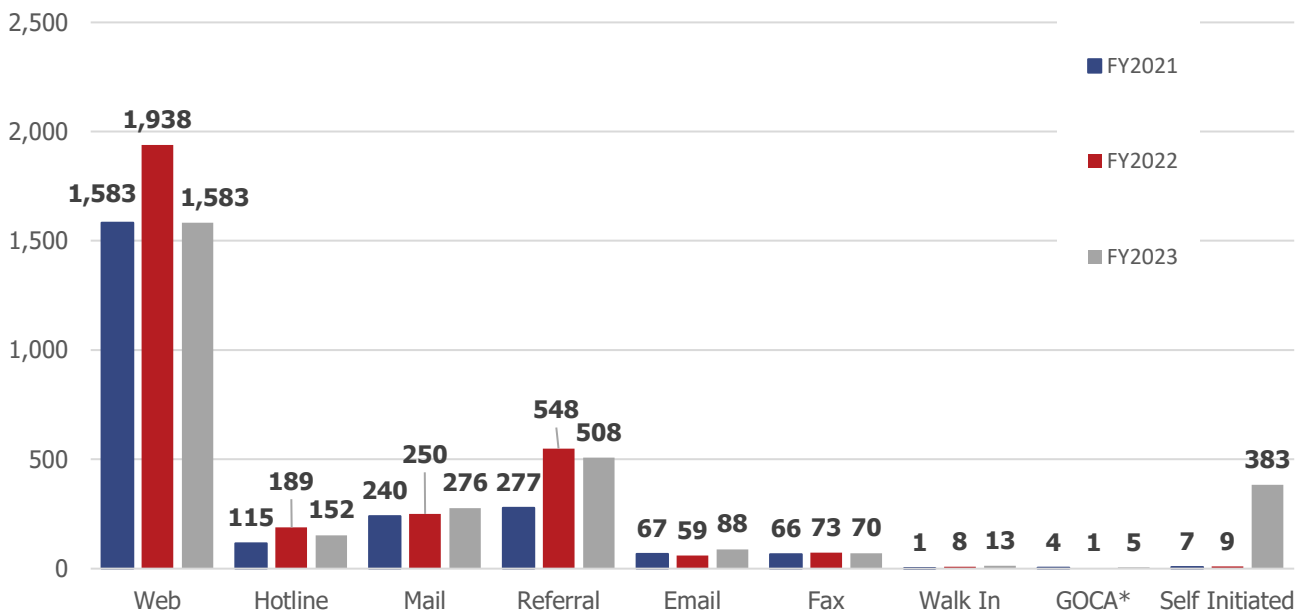
Complaints about entities or persons under the jurisdiction of the OEIG may be submitted by anyone and may be submitted anonymously. However, a complaint must relate to the official conduct of:

- ✦ an employee of, or appointee to, an executive branch State agency, board, or commission under the jurisdiction of the OEIG;
- ✦ an employee of, or appointee to, a State public university;
- ✦ an employee of, or appointee to, one of the Regional Transit Boards (the Regional Transportation Authority, Chicago Transit Authority, Metra, or Pace);
- ✦ an employee of, or appointee to, one of the Regional Development Authorities; or
- ✦ a person or entity (such as a vendor) doing business with an entity under the jurisdiction of the OEIG.

Anyone who files a complaint should have a reasonable belief that the allegations being reported are true. In addition, anyone filing a complaint must provide sufficient detail concerning the allegations in order for an investigation to be initiated.

In FY2023, the OEIG received complaints from many different sources, including, for example, other State employees, private citizens, vendors, and law enforcement authorities. Some complaints were filed anonymously. The OEIG also self-initiated **383** investigations based on public information or information generated by other investigations.

### Complaint Origin History FY2021 - FY2023



\*Governor's Office of Constituent Affairs

# Complaint Evaluation Process

The OEIG has 30 days after receiving a complaint to process it and make a determination on how to proceed. Initially, the OEIG assigns each complaint a file identification number and inputs the information into the OEIG database. The OEIG determines whether any immediate action needs to be taken and then proceeds to evaluate the complaint for an appropriate disposition. With regard to disposition, the OEIG generally takes one of the following actions:



The OEIG opened **450** investigations in FY2023.

This year, the OEIG self-initiated numerous investigations based on information learned from public materials or in other investigations. The OEIG also opened many investigations based on the complaints it received. At times, the OEIG received multiple complaints related to one another and consolidated those complaints into one investigation.

In FY2023, the OEIG referred 2,618 complaints and/or investigations to other agencies or appropriate entities, including law enforcement authorities. The OEIG may refer matters to another agency when it appears that the allegations may be more appropriately addressed by that agency. In some instances, when the OEIG refers the matter to another agency, the OEIG requests that the agency investigate the allegations and respond to the OEIG about the results of its investigation. The OEIG then reviews these agency responses to determine whether the agency adequately addressed the allegations or whether the OEIG should subsequently open an investigation. In the absence of consent from a complainant, when referring complaints to others, the OEIG is required to ensure that the identities of complainants are and will remain confidential unless otherwise required by law.

In FY2023, the OEIG also administratively closed 158 complaints. The OEIG administratively closed these complaints when, for example, the complaint was not within its jurisdiction; the complaint did not allege a violation of State law, rule, or policy; the alleged wrongdoing occurred entirely outside of the OEIG's statute of limitations; a related action was already pending; or there were duplicate complaints about a matter.

## Investigations Concluded

Once an investigation is opened, the OEIG has “the discretion to determine the appropriate means of investigation as permitted by law.” 5 ILCS 430/20-20(1). The OEIG conducts investigations, in part, by interviewing witnesses, obtaining and analyzing relevant documents, performing electronic forensic analysis, and conducting surveillance. In addition, the OEIG has subpoena power to obtain relevant information for its investigations. This year, the OEIG issued almost 200 subpoenas to various entities in its pursuit of extensive documents.

The length of time required for an investigation depends on factors such as the nature of the allegations, the number of interviews to be conducted, the volume and complexity of records that must be obtained and analyzed, and the OEIG’s staffing levels.

The OEIG completed **214** investigations in FY2023.

At the conclusion of an investigation, if the OEIG determines there is reasonable cause to believe that a violation of law or policy has occurred, it writes a founded summary report. In FY2023, the OEIG issued **147** founded summary reports documenting the following:

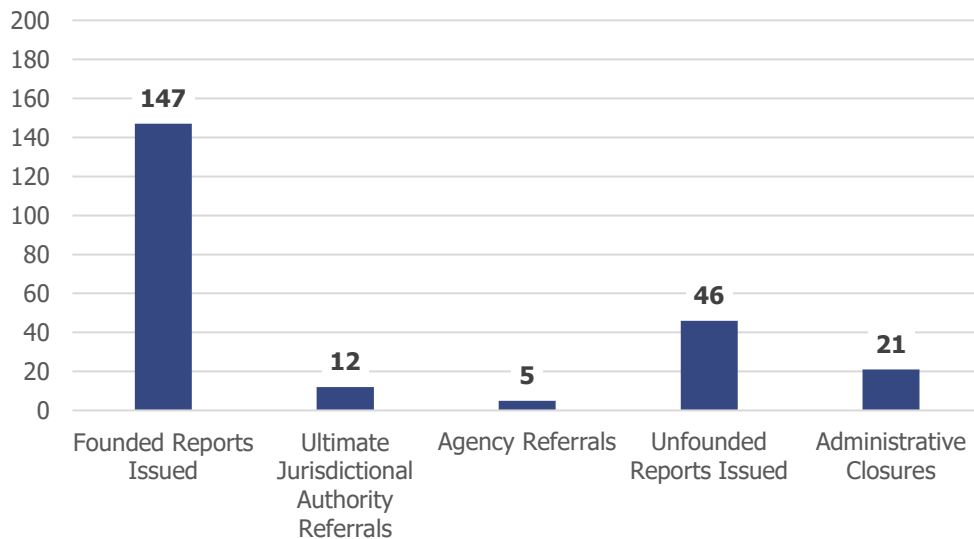
- ♦ the allegations of wrongdoing;
- ♦ facts confirmed by the investigation;
- ♦ an analysis of the facts in comparison to the applicable law, rule, or policy;
- ♦ findings and recommendations; and
- ♦ any other information the OEIG deems relevant to the investigation or resulting recommendations.

In accordance with State law, the OEIG provides founded reports to the head of each agency affected by or involved with the investigation and the appropriate ultimate jurisdictional authority.

If the OEIG determines that there is insufficient evidence to reasonably believe that a violation of law or policy has occurred, it issues an unfounded report that consists of a written statement to the EEC summarizing its decision to close the matter. Alternatively, the OEIG may “administratively close” an investigation for various reasons, including, for example, when the agency has already adequately investigated and/or addressed all of the allegations, or the OEIG discovers a pending lawsuit or criminal investigation involves the same allegations.

If after completing an investigation, the OEIG does not make any findings of wrongdoing but the investigation has revealed procedural or systemic flaws that need to be addressed, the OEIG may close the investigation and simultaneously refer these issues to the ultimate jurisdictional authority or relevant agency with recommendations to take administrative action. For example, in FY2023, there were 12 instances in which the OEIG issued either an unfounded report or administratively closed an investigation but also made a referral to the ultimate jurisdictional authority; there were an additional five instances in which the OEIG unfounded or administratively closed an investigation but made a referral to a relevant agency, making recommendations. In many of these instances, the OEIG requested a response from the ultimate jurisdictional authority or agency summarizing any actions it took in response to the referral.

## FY2023 Disposition of Investigations Closed



## Founded Summary Report Recommendations and Agency Responses

Upon completion of an investigation, if the OEIG finds reasonable cause to believe violations occurred, the OEIG will issue a founded report with recommendations to the affected agencies. In FY2023, the OEIG's recommendations included, for example:

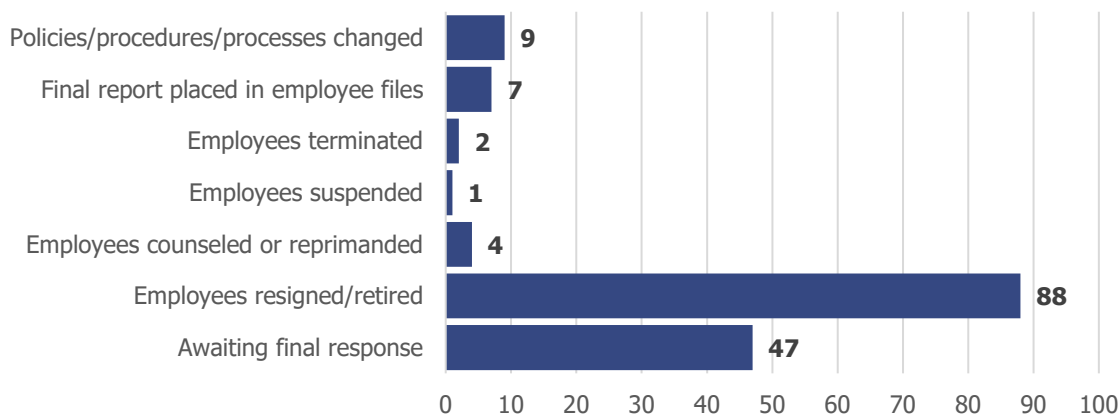
- ♦ terminating an employee;
- ♦ imposing disciplinary action against an employee;
- ♦ counseling an employee;
- ♦ placing a copy of the founded report in a former employee's personnel file;
- ♦ adjusting agency policies or procedures; and
- ♦ conducting appropriate training of employees.

It is the responsibility of affected agencies to determine appropriate action upon receipt of an OEIG report and recommendations. Specifically, within 20 days after receiving a founded report from the OEIG, the appropriate agency head and/or the ultimate jurisdictional authority must respond to the report and describe any corrective or disciplinary action to be imposed. Occasionally, the agency's final response may be delayed due to a protracted grievance or administrative review process.

As shown in the following chart, agencies often adopt the OEIG's recommendations and take disciplinary action against employees or seek to change policies that may have contributed to misconduct or could help to prevent future misconduct. In FY2023, OEIG investigations resulted in many employees resigning and several employees being counseled or terminated; the OEIG is still awaiting final responses from agencies regarding numerous investigations, as disciplinary action is still being pursued or grieved. In addition, agencies have provided employee and/or management

training and updated policies in response to issues identified by the OEIG. The following chart displays agency actions taken in response to OEIG founded reports issued in FY2023.

### Agency Responses to FY2023 OEIG Recommendations



## Referrals to the Ultimate Jurisdictional Authority

In some circumstances, after conducting an investigation, the OEIG also refers matters to the ultimate jurisdictional authority (UJA) to take administrative action. The UJAs include the Governor's Office; the boards of trustees for public universities; and the boards of the Regional Transit Boards for their respective employees. A UJA referral provides the UJA with information obtained in the investigation and recommendations for corrective action regarding the agency's processes. These administrative referrals generally occur when the OEIG has not found sufficient evidence of wrongdoing but has identified a systematic issue, or believes a policy or practice needs to be adjusted or implemented, additional training is needed for an agency's staff, or other systemic changes would be helpful.

In FY2023, the OEIG referred matters to the Governor's Office in eight instances, and often recommended that it work with relevant agencies to review existing processes, policies, or tracking mechanisms, or create new ones, in order to improve or address various matters. The OEIG also referred matters to a UJA for a university or Regional Transit Board on four occasions. In some instances, the OEIG requested a response to the referral and reviewed those responses to ensure the UJA and relevant agency were appropriately implementing and/or otherwise addressing recommendations.

The following are examples of summaries of those referrals and the responses provided by the Governor's Office:

- **OEIG Case #22-00973:** In this investigation, the OEIG examined whether an agency had been providing adequate notice to c-list employees and obtaining written certifications that such employees were notified of this status in accordance with section 5-45(e) of the Ethics Act. The OEIG's investigation revealed that, not only had the agency not been providing proper notifications and obtaining acknowledgments thereof, but the agency had also failed to update its list of individuals in c-list positions from at least early 2020

to mid-2022. This was despite numerous reminders from the Governor's Office and the OEIG regarding ethics officers' responsibilities in this regard, as well as annual ethics training. In mid-2022, however, the OEIG was notified that the agency had begun to take corrective action to address these deficiencies, though it had not yet implemented all the necessary corrective steps. Moreover, during this investigation, the OEIG identified other agencies under the Governor's jurisdiction that appeared to have not updated their c-lists. Thus, the OEIG recommended that the Governor's Office follow up with the ethics officers of the agencies at issue to ensure that they were maintaining accurate up-to-date c-lists and appropriately notifying such employees of their revolving door obligations. In response, the Governor's Office described the steps the agencies were taking to ensure they complied with the revolving door provisions by updating their c-lists and making notifications. The Governor's Office also advised that in the future, the Statewide human resources management system was expected to enhance tracking of positions covered by the revolving door provisions, and eventually allow for automated tracking of notifications and acknowledgments, thus, facilitating revolving door compliance.

- ♦ **OEIG Case #21-02527:** In this investigation, the OEIG examined the incidence of employees at an agency working extreme amounts of overtime in addition to their regular full-time shifts, including regularly working multiple consecutive shifts over extended periods of time. The investigation revealed that the sheer number of hours these employees worked, during which they were responsible for caring for other individuals, raised a safety concern. The OEIG recommended that the Governor's Office work with the agency to ensure the issuance of clear written policies and procedures for how overtime should be assigned, and to address the issues identified in the investigation. The Governor's Office reported that it had been working with the agency on the revision and consolidation of multiple policies, procedures and forms, and that the agency has been coordinating issues impacted by a collective bargaining agreement and finalizing revisions.

## **OEIG Founded Investigations Based on Violations of the Ethics Act**

If the OEIG conducts an investigation and determines that there is reasonable cause to believe that a violation of the Ethics Act has occurred—such as prohibited political activity, retaliation, sexual harassment, a revolving door or gift ban violation, or failure to cooperate with an OEIG investigation—the OEIG issues a founded report to the affected agency to pursue disciplinary or other appropriate action (in accordance with the process described above). Additionally, the OEIG may also ask the Illinois Attorney General's Office (Attorney General) to file a complaint regarding this misconduct. After reviewing the OEIG's investigative materials, the Attorney General can decide to file a complaint, on the OEIG's behalf, with the EEC. If the EEC determines that a violation of the Ethics Act did indeed occur, the EEC may impose an administrative fine or take other appropriate injunctive relief. The EEC's decision to impose a fine or injunctive relief is subject to judicial review.

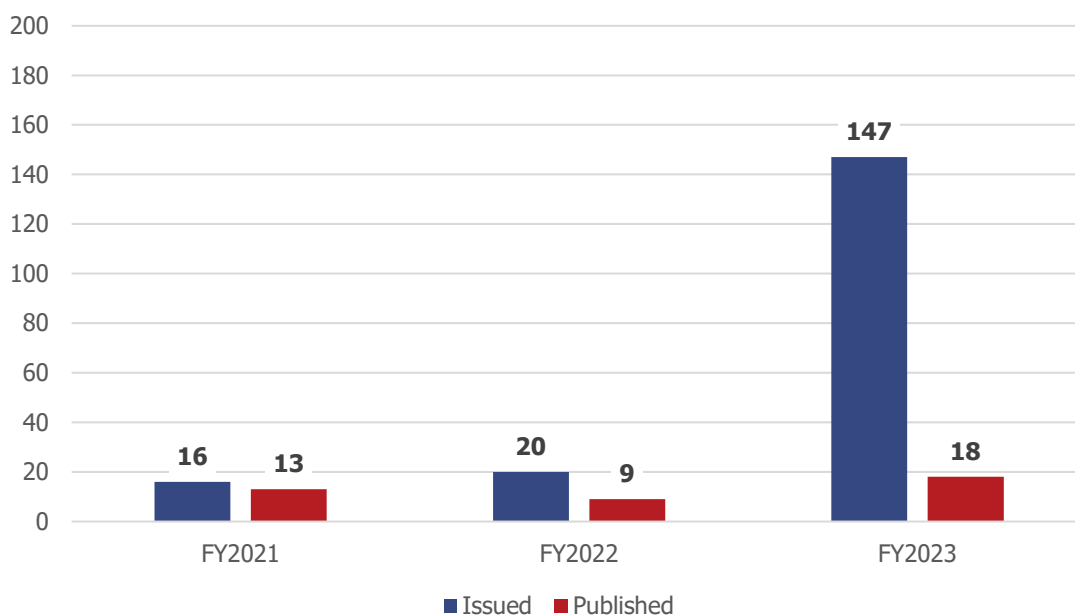
As of the close of FY2023, there was one Ethics Act case that remains pending with the EEC based on an investigation conducted by the OEIG.

## Publicly Disclosed Founded Reports

Within 30 days after receiving the initial agency response to a founded report, the OEIG must forward a copy of the report and agency response to the EEC unless the OEIG believes a complaint should be filed alleging a violation of the Ethics Act, as discussed above. The EEC reviews OEIG founded reports and determines whether each report will be published. The Ethics Act requires the publication of founded reports if a report resulted in a suspension of three or more days, or termination of employment. The EEC can use its discretion to decide whether other founded reports will be made public.

During FY2023, the EEC made **18** founded reports of OEIG investigations available to the public, along with the relevant agency responses and responses that the subjects of the investigations chose to submit. The EEC redacted these reports and responses. Since the EEC does not typically publish reports until the entire disciplinary process is complete, reports are not always made public in the same year the OEIG issued the reports. Delay in publication may also occur if public release of a report could interfere with other ongoing investigations.

**Founded Reports Issued by the OEIG  
and Reports Published by the EEC  
FY2021 - FY2023**



Below are summaries of the founded reports published in FY2023. The summaries are organized by category based on the primary type of misconduct. These redacted reports, as well as reports from past fiscal years, can be found on the OEIG website: [oeig.illinois.gov](https://oeig.illinois.gov).

## Unprofessional Conduct and Failing to Act with Integrity

### Case #19-01177

After receiving complaints, the OEIG discovered that an Illinois Department of Corrections (DOC) Lieutenant created a fictitious DOC form that was used to conduct pranks and haze newer employees at DOC. In this instance, after an employee wrote an inmate a ticket for sexual misconduct, the DOC Lieutenant directed the employee to draw a depiction of this act on the fictitious form for the Lieutenant's and others' amusement. The fictitious form was then shared with an extensive number of other DOC employees to further the joke, including other Lieutenants, Majors, Assistant Wardens, and the Warden, who either joined in or failed to take any timely action to put a stop to this wrongdoing.

In the months following the widespread dissemination of the fictitious form, the employee experienced incidents of harassment, including anti-gay slurs, prank calls at work, graffiti with sexual connotations about him, and one incident in which a coworker pressed his body against him. The employee repeatedly reported the harassment he experienced to DOC managers and administrators. Although the employee's written submissions detailing the prank and subsequent harassment were referred to DOC's Office of Affirmative Action and specifically stated that he believed he was being harassed based on his perceived sexual orientation, Affirmative Action elected not to open an investigation, stating that no covered class had been established. While the complaints were pending with Affirmative Action, the employee was reassigned to duty in the facility's towers, and the harassment continued. On multiple occasions, the employee requested a hardship transfer to another DOC facility, but those requests were denied, and the employee left DOC employment at that time.

The OEIG concluded that the Lieutenant and various managers engaged in conduct unbecoming of DOC supervisors; the employee was subjected to a hostile work environment, for which DOC was responsible; the Warden mismanaged the facility; and the Affirmative Action Administrator committed misfeasance by failing to investigate the harassment complaints.

**"Prisons are already difficult and dangerous working environments, where staff face challenges posed by inmate misconduct on a daily basis. It is entirely unacceptable that staff at [ ] Correctional Center also suffer mistreatment at work by their own coworkers and supervisors, due to the unprofessional working environment that flourishes there."**

In response to the report, DOC terminated the Lieutenant and two Assistant Wardens, and, following grievance proceedings, three Majors received 25-day, 95-day, and 30-day suspensions, respectively, with one also promising to resign. The Warden and one other Major retired prior to any administrative action being initiated. The Affirmative Action Administrator was suspended for 30 days and his unit received training.

### Case #21-02509

The Compassionate Use of Medical Cannabis Program Act permits the legal use of cannabis to treat or alleviate the pain or other symptoms associated with a terminal illness or other debilitating medical conditions. The Illinois Department of Public Health (DPH) is responsible for maintaining a confidential registry of qualifying patients authorized to engage in the medical use of cannabis. In order to obtain an identification card for the registry, a patient must submit an application to DPH that includes a photo of the patient.

The OEIG received a complaint alleging that the Chief of DPH's Division of Medical Cannabis printed a patient photo and put it in a "Medical Cannabis yearbook," which contained other patient photos with inappropriate comments.

**"The fact that employees did not recognize and appreciate the problem with this improper behavior also worked to perpetuate and expand the misconduct."**

During the investigation, the OEIG obtained a binder with the DPH Illinois Medical Cannabis Patient Program logo and the label "MCPY YEARBOOK" on the cover. The "MCPY YEARBOOK" contained 8 pages of patient photos with demeaning captions. The OEIG discovered that a group of Medical Cannabis Division employees contributed to and promoted the "MCPY YEARBOOK," for the purpose of making fun and for their personal enjoyment. The OEIG also discovered that the "MCPY YEARBOOK" was maintained for an extended period of time in an open area of the Division of Medical Cannabis, where it was accessible to anyone who may have worked on or visited the floor.

The OEIG concluded that the Division Chief, three DPH employees, and a temporary employee participated in, contributed to, or promoted the inappropriate use of the "MCPY YEARBOOK," amounting to conduct unbecoming in violation of the State of Illinois Code of Personal Conduct, and that the Division Chief mismanaged the division. Among other things, the OEIG recommended that DPH take disciplinary action it deemed appropriate relating to the Division Chief and employees, as well as any additional employees determined to have engaged in similar misconduct regarding the "MCPY YEARBOOK." The OEIG also recommended that DPH conduct training with all Division of Medical Cannabis staff regarding appropriate use of patient application materials and confidentiality.

The Division Chief resigned following the issuance of the OEIG's report to DPH. In response to the report, ultimately two of the employees were suspended for 10 days, and one was suspended for 5 days. DPH also indicated that it intended to conduct agency-wide trainings on confidentiality relating to protected health information and personal identifiable information.

### Case #21-02235

The OEIG investigated allegations that a Division Manager with the Illinois Department on Aging (Aging) engaged in inappropriate conduct toward a subordinate, including outside the workplace. The investigation revealed that the Division Manager repeatedly initiated and pursued social interactions with the subordinate outside of work, which caused the subordinate to feel uncomfortable. In one such incident, at a bar, the Division Manager told other people in the subordinate's presence that she could fire the employee because she was the boss. In a second incident, the Division Manager invited the subordinate and another person to a concert. At the concert, the Division Manager touched and danced up against the other person, making the person and the subordinate uncomfortable. In a third incident, which took place in the office, the Division Manager showed a social media photo of the subordinate and the other person to an employee, and made comments of a sexual nature about the photo. The Division Manager's conduct had negative effects on the subordinate, causing her to work a completely remote work schedule so as to not interact with the Division Manager, and to seek a different job outside the agency.

State of Illinois and Aging policies prohibit employees from engaging in inappropriate behavior or discourteous treatment of coworkers, and require that employees conduct themselves in a responsible, professional manner, and act with integrity. In addition, Aging's policy notes that off duty conduct may subject an employee to discipline.

The OEIG concluded that the Division Manager abused her position of authority over the subordinate by engaging in inappropriate and offensive conduct toward the subordinate. Following the OEIG's investigation, the Division Manager resigned, and the agency implemented additional management training.

The OEIG investigated allegations that a then-Illinois Department of Human Services (DHS) Executive II, who supervised a mailroom, drank alcohol during his lunch breaks causing his behavior at work to worsen in the afternoon, used crude language to describe a new employee, called employees offensive names, and made obscene gestures in the workplace that were directed toward female employees. During the investigation:

- ♦ OEIG surveillance confirmed that the Executive II went to a bar during his lunch break, and an employee of that bar verified that he came to the bar for lunch about twice each week and had pizza and one or two beers;
- ♦ DHS employees who worked with or near the Executive II said there were times that he appeared to be under the influence or smelled of alcohol at work, he made sexually suggestive gestures or comments or touched female employees that he supervised at work, and he made derogatory comments about a new African-American employee; and
- ♦ the Executive II, who described the mailroom he supervised as having expensive and potentially dangerous machinery, admitted that he: consumed up to two beers during his lunch breaks and then returned to work in the mailroom, and exchanged back rubs with a subordinate employee in the workplace.

The OEIG concluded that the Executive II failed to conduct himself in a responsible, professional manner and/or failed to act with integrity in violation of DHS policy and the State of Illinois Code of Personal Conduct.

Because the Executive II retired from the State after his interview with the OEIG, the OEIG recommended that a copy of the report be placed in his personnel file and that he not be rehired for State employment. The OEIG also recommended that DHS consider clarifying its policy to provide employees with a more comprehensive understanding of the meaning of “under the influence” of alcohol or a controlled substance. DHS implemented the OEIG’s recommendations.

# Mismanagement

## Case #20-02136

The revolving door provisions of the Ethics Act prohibit State employees from accepting non-State employment with a vendor for one year after the termination of their State employment, if they personally and substantially participated in the award or fiscal administration of a contract with that vendor during the year before they left State employment. Such employees, referred to as c-list employees, are required to notify the OEIG prior to accepting an offer of non-State employment, so that the OEIG can determine whether there was personal and substantial participation requiring restriction from accepting the employment offer.

The Illinois Department of Transportation (IDOT) prescribes a specific process for employees to use when they enter into active discussions with a particular prospective non-State employer, to ensure that there is no conflict of interest with the employee's IDOT duties. However, IDOT policy prohibits employees from using a "blanket recusal" during their final year of IDOT employment regarding all possible employers for the purpose of avoiding all possible application of the revolving door restrictions.

During a revolving door notification process, the OEIG learned that an IDOT employee appeared to have used a blanket recusal in anticipation of future employment. The OEIG self-initiated this investigation to examine the extent to which that employee and other IDOT c-list employees used blanket recusals in the year before they left IDOT employment to avoid revolving door restrictions.

The OEIG discovered that there was a long-standing practice at IDOT of employees attempting to avoid revolving door restrictions and keep their post-State employment options open, by abdicating their job duties relating to procurement and having other employees take up that slack for a year prior to their departure. The OEIG's investigation revealed that numerous employees, including employees in the highest ranks at IDOT, did not follow IDOT's policy that prohibits blanket recusals, and instead stopped doing categories of their duties for all vendors before they started looking for other work. The OEIG also discovered that this practice had been used and/or condoned by IDOT management for years, and concluded that the then-Acting Secretary violated IDOT policy by approving employees' blanket recusals.

The OEIG recommended that the Office of the Governor work with IDOT to ensure that IDOT employees are working for the State's interest and not abdicating their duties for a year regarding all vendors in order to preserve their own speculative employment prospects. The Governor's Office responded that new legal staff at IDOT was in the process of updating a

**"Regardless of the existence of a blanket recusal policy, it is mismanagement to allow State employees to abdicate State job duties for the personal purpose of keeping their options open for speculative private sector employment in the future."**

recusal policy that will ensure that recusals are tailored, blanket recusals are not approved, and appropriate scrutiny is provided to recusals before they are approved.

## Improper Reporting

### Case #21-00397

DOC's Parole Division is divided into five districts, with a Chief of Parole presiding over the division. DOC policy requires employees to document unusual incidents, including incidents of sexual harassment, on DOC incident reports. Furthermore, the Chief Administrator – Chief of Parole in this case – is required to submit copies of all written complaints and summaries of any verbal complaints alleging sexual harassment, discrimination, or harassment to the Office of Affirmative Action.

**"The reason for these IDOC reporting policies and for having an Affirmative Action unit is to ensure that objective individuals who are experienced with these types of investigations can properly handle the complaints."**

The OEIG investigated allegations that a DOC employee in the Parole Division was sexually harassed by his supervisor when she called him "boo" and "love" and engaged in other actions which belittled him and made him feel uncomfortable. The investigation revealed that the supervisor and the subordinate Parole employee submitted written incident reports regarding each other's conduct. The supervisor was verbally counseled and told to only use employees' names or titles. During an OEIG interview, the Chief of Parole stated that he had seen the subordinate employee's written incident report alleging sexual harassment but had not forwarded the report to the Office of Affirmative Action because he felt that the administrative action taken against the supervisor was a sufficient response.

Upon further investigation, the OEIG found that only one out of 10 reports involving discrimination or harassment had been sent to the Office of Affirmative Action in accordance with DOC policy.

In response to the OEIG's findings, the Chief of Parole was to receive counseling and a written reprimand. Additionally, DOC shared a memorandum with all staff reminding them of the agency's prohibition of harassment, sexual harassment, and discrimination.

## Case #19-01669

The OEIG investigated allegations that an Illinois Department of Natural Resources (DNR) Office Administrator abused time by claiming to be working while not at his assigned work location. The OEIG conducted surveillance and reviewed video taken at a DNR entrance, and determined that, over a five-month period, the Office Administrator was not present at the DNR building for 46 ½ hours that he claimed to be working, and that he arrived to work late, took long lunches, and left early. In an interview, he claimed that he was working away from the office, and that his supervisor endorsed his “mobile lifestyle,” but he could not explain what he was working on when he was observed arriving late or leaving early. Ultimately, the OEIG concluded that the Office Administrator abused time and failed to provide overtime requests in advance of overtime.



The Office Director for Strategic Services admitted to authorizing the Office Administrator (and all of her other staff) to work 15 hours of overtime per week without: knowing why his duties required blanket approval of this much overtime every week, requiring him to submit a pre-authorization form explaining why the overtime was needed, or verifying whether he worked the overtime. Further, the Office Director admitted to allowing the employee to work from home without the written authorization required by DNR policy, and to come to work late if he worked past the end of shift on a previous day. Thus, the OEIG concluded that the Office Director engaged in mismanagement and recommended that DNR take disciplinary action with regard to both employees. In response to the report, ultimately the Office Administrator was allowed to resign from his DNR position, and the Office Director served a 25-day suspension.

Through review of the employee’s time records, the OEIG also discovered issues with DNR’s timekeeping practices. In response to the report, DNR now requires employees to either record specific work times or document that they worked their scheduled work hours, each day.

## Hiring-Related Improprieties

### Case #20-00408

The OEIG received an anonymous complaint alleging that the then-Commander of the DOC Investigations and Intelligence Division (IID) directed staff at a Correctional Center to assign his family member to an Intelligence Officer position over other employees seeking that role.

IID is comprised of two units: the Investigations Unit, which investigates allegations of misconduct against all departmental employees and offenders, and the Intelligence Unit, which monitors and tracks individuals or groups of individuals who pose a threat to the public, staff and offenders. During all times relevant to the OEIG's investigation, the IID Commander's family member was a Correctional Officer.

**"Although characterizing the positions of an Intel Officer or Coordinator as a 'detail' or 'post' may provide IDOC with greater latitude in work assignments, this can only be done if such an assignment is actually a detail or post."**

Based on the investigation, the OEIG found that the IID Commander was, in fact, improperly involved in his family member's selection for the Intelligence Officer role, even though the family member did not apply for that position and another Correctional Officer had been selected for that role. More significantly, however, the OEIG's investigation revealed that there had been a longstanding practice of improper hiring into the Intelligence and Investigative roles at DOC.

The State's Comprehensive Employment Plan (CEP) sets forth principles that govern the State's hiring and employment policies and procedures, including maintaining verifiable objective minimum qualifications, accurate position descriptions, pre-established criteria on how applicants will be assessed, public job postings, and disclosure of potential conflicts of interest.

Through its investigation, the OEIG found that DOC had for years engaged in mismanagement by effectively creating IID positions that did not follow appropriate hiring protocols and policies. For instance, DOC characterized certain Intelligence and Investigative roles as "assignments," even though their duties were not identified in any position description, employees were in these roles for an indefinite time period and followed a different chain of command than other employees with the same job title, and employees in these roles gained specialized training and experience that assisted them in obtaining promotions. These Intelligence and Investigative roles were distinct positions without any defining position descriptions and thus, the selection into these positions did not follow DOC policy or State hiring procedures. As shown in the DOC family member hiring scenario, this informal selection process allowed for the filling of these positions to be easily manipulated.

The OEIG recommended that the Governor's Office work with DOC and the Illinois Department of Central Management Services (CMS) to ensure that Investigations and Intelligence assignments are appropriately categorized as positions that follow the CEP and competitive hiring principles and practices. The OEIG also recommended that DOC take appropriate disciplinary action against the IID Commander. DOC responded to the report by suspending the IID Commander for 30 days and by making revisions to its directives concerning selection for these positions.

#### Case # 20-01184

The OEIG investigated allegations that a DOC Correctional Lieutenant submitted to CMS a promotional application with false information in order to receive a promotional grade to qualify for a DOC Shift Supervisor position.

The Correctional Lieutenant ultimately confirmed to OEIG investigators that he lied on three CMS promotional applications by stating that he served in a certain position when he had not done so, in an attempt to meet the five years of supervisory experience that was required to obtain a promotion.

The OEIG recommended that DOC discipline the Correctional Lieutenant up to and including discharge. After the Correctional Lieutenant grieved the discipline, he ultimately received a 20-day suspension.



#### Case #21-00329

The OEIG investigated allegations that a Chief Stationary Engineer at the DHS Illinois School for the Visually Impaired falsely stated on his employment application that he was a high school graduate.

During the investigation, the Chief Stationary Engineer admitted to OEIG investigators that on four separate applications, he falsely stated the number of years of school completed, and admitted he did not graduate from high school.

In response to this report, DHS terminated the Chief Stationary Engineer.

## Misuse of State Time and Resources

### Case #21-00553



The OEIG conducted an investigation, which revealed that a DHS Business Administrator not only served as an Administrator for a village, but also owned a private business that involved writing grants. While the Business Administrator reported on a DHS Report of Secondary Employment that she was employed as the village Administrator, she did not report that she owned the private business.

The OEIG investigation further revealed that the Business Administrator's State email account contained approximately 178 emails during a six-month period that appeared to relate to her outside work as a village Administrator and for her private business.

During an OEIG interview, the Business Administrator admitted that emails in her State email account pertained to her secondary employment. She also admitted that she performed work for the village Administrator position and her private business during State time and using State resources, including her State email account, State computer, and State printer. The Business Administrator roughly estimated that since she began employment at DHS in 2016, she spent about 1,500 hours of State time on her secondary employment and used State equipment about 500 times for her secondary employment.

The OEIG concluded that the Business Administrator used State time and State resources to conduct secondary employment and failed to properly report secondary employment with her private business in violation of DHS policy, CMS policy, and/or the State of Illinois Code of Personal Conduct. The OEIG recommended that DHS take disciplinary action against the Business Administrator and ultimately, she received a 30-day suspension.

### Case #21-00064

The OEIG received a complaint alleging that a then-IDOT Highway Maintainer, who was also a candidate for political office, was using his personal cell phone to conduct political activities during State time. During the investigation, the OEIG learned that the Highway Maintainer had a not-for-profit organization and associated business and also investigated whether the Highway Maintainer conducted activities relating to them on State time.

In its investigation, the OEIG identified seven social media entries attributed to the Highway Maintainer urging readers to vote for him or other candidates running for elective office. The OEIG also found that he exchanged approximately 54 calls with phone numbers associated with another political candidate's business and an individual who made campaign signs for his own campaign while on State-compensated time. The OEIG concluded that the Highway Maintainer violated the Ethics Act and IDOT's policy prohibiting political activity on State time.

The investigation revealed that the Highway Maintainer also referenced or posted photos related to his business on his social media account during State-compensated time. In addition, the OEIG identified calls and text messages exchanged between the Highway Maintainer's personal cell phone and numbers associated with his business. The OEIG concluded the Highway Maintainer, at minimum, violated the State of Illinois Code of Personal Conduct by engaging in outside activities that conflicted with his IDOT duties and responsibilities.

The Highway Maintainer resigned from IDOT shortly after his OEIG interview. In response to OEIG recommendations, IDOT indicated that it was in the process of updating its outside employment policy and intended to include language to account for unpaid outside activities that conflict with State duties and responsibilities.

### Case #20-00478

The OEIG investigated allegations that a Western Illinois University (WIU) Information Technology (IT) employee used her personal social media accounts during work hours to post material in support of a political organization the OEIG later learned she founded.

As part of this investigation, the OEIG obtained and reviewed the IT employee's State email account from July 2018 to April 2020 and discovered that she received over 2,100 emails from various political organizations.

The investigation also confirmed that the IT employee frequently posted to her personal social media page during State-compensated time, including, for example, 76 posts and/or comments made over a sampling of just 11 work days, although the OEIG did not identify posts that met the Ethics Act's specific definition of prohibited political activity. The investigation also revealed that the IT employee made false statements, including, among others, that she had an accommodation that allowed her to go online for support and that posting to her personal social media was a part of her work duties.



Based on the investigation, the OEIG concluded that the IT employee:

- ♦ violated WIU's email use and political activity policy by failing to take action to stop communications from various political organizations sent to her State email account;
- ♦ abused State time by frequently accessing her personal social media accounts during her work hours; and
- ♦ violated the Ethics Act by knowingly making false statements during an OEIG interview.

Ultimately, in response to this report, the IT employee received a 10-day suspension. In addition, the OEIG flagged concerns with WIU's timekeeping system, which only requires employees to record the total hours worked, making it difficult to later determine whether employees are on State compensated time when they conduct non-work activities. WIU responded that it was in the middle of a multi-year project that included reviewing its options for timekeeping data collection.

## Conflicts of Interest and Distributing Confidential Information

### Case #17-00932

The Illinois State Police (ISP) Merit Board is responsible, in part, for certifying ISP applicants for appointment or promotion. The OEIG investigated allegations that a then-Merit Board employee engaged in inappropriate relationships with ISP applicants around the time these individuals were going through the ISP hiring or promotional process.

**"[T]he OEIG determined that the employee's personal relationships with the two ISP applicants and the ISP employee presented a conflict of interest with respect to her Merit Board duties and responsibilities . . ."**

The investigation revealed that the Merit Board employee regularly exchanged phone calls, text messages, and/or emails of a personal nature with two ISP applicants when they were going through the ISP hiring process, including communications on several dates of importance throughout the hiring process, such as the applicants' ISP testing dates and interview dates. In addition, investigators learned that the Merit Board employee was in an ongoing personal relationship with a different ISP employee for several years, including periods of time during which the ISP employee was going through promotional processes administered and overseen by the Merit Board, and exchanged thousands of communications with him. While many of these communications were personal in nature, investigators discovered that the Merit Board employee also regularly shared confidential Merit Board documents and information with the ISP

employee, such as materials related to Merit Board disciplinary matters, ISP internal investigations, promotional tests, and background checks of ISP applicants—none of which involved or required the attention of the ISP employee to whom the materials were sent.

Ultimately, the OEIG determined that the Merit Board employee's personal relationships with the two ISP applicants and the ISP employee presented a conflict of interest with respect to her Merit Board duties and responsibilities and reflected unfavorably on the Merit Board due to the creation of an appearance of impropriety in the hiring process caused by these relationships. The OEIG also determined that the Merit Board employee improperly disseminated confidential Merit Board and ISP information to the ISP employee. Shortly before the conclusion of the OEIG investigation, the Merit Board employee was terminated for the same misconduct.

### Case #20-00717

The OEIG received a complaint alleging that an Illinois Environmental Protection Agency (IEPA) Unit Supervisor had a conflict of interest due to contractual work he was doing for a water service provider regulated by IEPA.

The OEIG found that the Unit Supervisor's outside work for an IEPA-regulated entity presented an appearance of a conflict of interest, and his failure to provide written details of his secondary employment to the ethics officer violated agency policies. In response to this report, IEPA issued a written reprimand to the employee and he resigned from his role with the water service provider. The agency also sent an email reminding all IEPA employees of the conflict of interest policy and the procedure to report outside activities that could pose a conflict of interest or the appearance of one.

**"IEPA's secondary employment disclosure is important because it provides the agency with an opportunity to assess whether an employee's outside activity or financial interest creates an actual conflict of interest or the appearance of one."**

### Case #21-01693

The OEIG received a complaint alleging that the former Teachers' Retirement System (TRS) Chief Benefits Officer (CBO) improperly forwarded proprietary and confidential TRS documents to his personal email accounts and to his new work email account. The CBO worked for TRS from 2016 until his resignation in July 2021, when he accepted a new position with a non-State agency.

TRS policy prohibits TRS employees from collecting, using, copying, removing, or otherwise disseminating information in any TRS member record, or other confidential TRS information, for any non-TRS-business purpose.

As part of this investigation, TRS provided the OEIG with emails obtained during its internal investigation, including approximately 330 emails—a number of which contained confidential information—that were forwarded from the CBO’s TRS email address to three non-State email addresses affiliated with the CBO.

The OEIG concluded that the CBO violated the Illinois Identity Protection Act and TRS policy by emailing himself confidential TRS member and other information for a non-TRS-business purpose. Because the CBO was no longer employed by the State, the OEIG’s recommendations included that TRS place a copy of its report in his personnel file, and that he not be rehired. In its response, TRS confirmed that it implemented the OEIG’s recommendations; planned to conduct staff training regarding proper handling and restrictions that apply to confidential TRS data and records; and was reviewing its internal processes and procedures to verify that controls are in place to protect confidential and proprietary information from unauthorized disclosure.

## Fraudulent Conduct

### Case #20-00722



The OEIG investigated allegations that a DHS Caseworker had been improperly using someone’s benefits while the benefit recipient was incarcerated. Link cards are issued to benefit recipients in order to purchase food items. DHS instructs clients that the “benefits are to be used to purchase food for your household only.” Under DHS policy, people who are incarcerated are generally not eligible for food benefits.

Based on its investigation, the OEIG learned that the Caseworker had a personal relationship with an Individual who received food benefits from 2013 to 2021, even though he was incarcerated in a county jail from March 2020 to April 2021. The OEIG obtained and reviewed photos and videos of the Caseworker repeatedly using the Individual’s Link card at stores near her home. A review of records and telephone recordings from the county jail, showed that the Caseworker was in regular contact with the Individual and regularly deposited funds into his commissary account.

Ultimately, the OEIG:

- ♦ concluded that the Caseworker violated DHS policy by participating in or condoning fraud when she used the Link card for purchases for herself and failed to report that the Individual was incarcerated and ineligible for benefits;
- ♦ concluded that the Caseworker violated the Ethics Act by knowingly making false statements to its investigators; and
- ♦ recommended that the Caseworker be terminated, but she resigned shortly after the completion of the OEIG investigation.

### Case #19-00385

The OEIG learned that Chicago Transit Authority (CTA) employees, including a CTA Bus Operator, may have participated in a scheme, whereby employees provided a chiropractor with their and their family members' personally identifiable information in exchange for money, in order for the chiropractor to bill for services he did not actually provide to these individuals.

During the investigation, the Bus Operator confirmed she saw the chiropractor for treatment but said that she and others did not see the chiropractor as often as her insurance was billed for, and claimed that she confronted the chiropractor about some of the charges she saw on the Explanations of Benefits but said that the chiropractor indicated that she should not worry about them. The Bus Operator also confirmed that she referred other CTA employees and other individuals to the chiropractor and accepted \$100 to \$250 from the chiropractor for each referral, leading her to being paid approximately \$700.

The OEIG also learned that there were 62 other individuals for whom the chiropractor billed a CTA employee's insurance—including 21 individuals who worked at the same garage as the Bus Operator. The chiropractor submitted 2,574 claims on these individuals' behalf and was paid \$131,042.69 by the health insurance company, which CTA reimbursed.

The OEIG concluded that the Bus Operator conducted herself in a manner that was unbecoming of a CTA employee in violation of CTA policy by accepting money for referring other CTA employees to the chiropractor. Because the Bus Operator retired from the CTA during the investigation, a copy of the OEIG's final report was placed in her personnel file. CTA also spoke with the health insurance company to make sure similar instances of fraud are detected in the future and said it would disseminate an informational document about health care fraud to its employees.

**"At the very least, [the Bus Operator] should not have been accepting money for referrals to a provider, who is ultimately paid with CTA funds, having reason to believe that he was not properly billing her."**

# HIRING & EMPLOYMENT MONITORING (HEM)

The Executive Inspector General created the Hiring & Employment Monitoring (HEM) Division in 2016 to fulfill the OEIG’s statutory mandate to “review hiring files and employment files of each State agency within its jurisdiction to ensure compliance with *Rutan v. Republican Party of Illinois* . . . and with all applicable employment laws.” 5 ILCS 430/20-20(9). HEM conducts non-investigative, compliance-based reviews of State hiring and employment processes and decisions and provides recommendations to help improve State hiring.

## Developments – *Shakman* Consent Decree Closes



After 50 years, this fiscal year, the U.S. Seventh Circuit Court of Appeals ordered the end of the *Shakman* Consent Decree, including as applied to the Governor of Illinois, concluding that the State had demonstrated substantial compliance with the decree. In its opinion, the Court of Appeals recognized the role of the OEIG in ensuring State hiring decisions are free from political and other types of unfair manipulation.

During the *Shakman* litigation, HEM worked with the special master and two different gubernatorial administrations to improve State hiring and implement processes to ensure hiring is free from undue political influence. This included reviewing and creating a finite list of properly designated “exempt positions” in State agencies; developing a Comprehensive Employment Plan (CEP) that includes processes for exempt and non-exempt hires; reviewing non-exempt hires to ensure compliance; issuing advisories making hiring recommendations; and providing significant training on new processes and policies to agency human resources personnel. These new and unprecedented measures were key to the Seventh Circuit’s decision.

Since the *Shakman* decree was lifted and the litigation ended, the OEIG and HEM have continued to focus efforts on ensuring State employees understand hiring requirements, processes are followed, and procedures adjusted where necessary to ensure appropriate but expedient competitive hiring. The OEIG will continue to thoroughly investigate allegations regarding hiring, including undue or improper influence or manipulation of hiring sequences.

## Hiring Sequence Monitoring and Desk Audits

HEM uses multiple strategies to evaluate and make recommendations on the State's hiring practices and processes to ensure State hiring complies with the CEP and other governing authority. One of the ways HEM does this is by monitoring hiring sequences in real time and also conducting desk audits of completed hiring sequences.

HEM selects hiring sequences to monitor in various ways. Some are selected based on HEM's review of agency postings in SuccessFactors, the State's electronic hiring system, or from communication with CMS Compliance or agency human resources personnel. Some sequences relate to complaint referrals, discussed further below.

When HEM monitors a hiring sequence, HEM reviews the work that occurs before the agency posts the position, including updating the position description and drafting application questions, screening criteria, interview questions and ideal answers. HEM then works with CMS and the agency to monitor each step in the hiring process, which may include CMS's minimum qualifications validation, the agency's Subject Matter Expert review to screen applicants further, the selection of the interview pool, and observing the interviews conducted.

The State continues to conduct most interviews remotely through WebEx, and HEM similarly monitors most sequences remotely.

In FY2023, HEM monitored a total of **13** hiring sequences.

In addition to monitoring interviews, HEM conducts desk audits of hiring sequences. When HEM completes a desk audit, HEM reviews all documentation related to the sequence, as it would for a monitored sequence, but does not observe the actual interviews. Instead, HEM thoroughly reviews the interview notes and candidate scores and rankings to ensure the selection decision was merit-based and justifiable. HEM generally selects sequences to desk audit by reviewing SuccessFactors or in response to a complaint referral. Unlike monitored hiring sequences, for desk audit sequences an agency may not know HEM has selected a sequence for review until after the sequence is completed.

HEM completed **45** desk audits this fiscal year.

## Complaint Referrals

During FY2023, the OEIG referred 33 complaints to HEM for compliance review. A complaint is often referred to HEM if it involves allegations of a violation of the CEP or a breach of a hiring-related procedure or policy. HEM's compliance function and knowledge of State hiring procedures allow HEM to efficiently evaluate whether a hiring sequence was conducted appropriately. If a violation is discovered that may have impacted the outcome of a hiring sequence, HEM can often intervene before, during, or shortly after the violation occurred, to remedy the issue.

HEM issued **12** Advisories based on complaint referrals in FY2023.

## SuccessFactors

Most of the sequences HEM reviewed in FY2023 were completed in SuccessFactors, the State's new electronic hiring system. Unlike the previous, paper-based hiring system, in which applicants for State employment applied to broad position classifications, individuals now apply online for specific vacancies.

Until July 1, 2022, only non-union positions were being filled through SuccessFactors. However, beginning July 1, 2022, all subsequently posted union positions were also processed through SuccessFactors. The implementation of SuccessFactors is a significant departure from the manner in which the State has hired employees for decades. The use of SuccessFactors has resulted in efficiencies and the elimination of problematic areas raised in HEM Advisories, including:

**Transparency.** SuccessFactors provides more transparency in State hiring based on the system's audit trail feature that reflects material changes and identifies who made those changes to the sequence. All hiring paperwork is either completed electronically or uploaded by the agency in the regular course of the hiring sequence.

**Accessibility.** HEM and CMS Compliance have access to all hiring sequences in SuccessFactors allowing for easier and more efficient compliance reviews of hiring sequences.

**Broader Applicant Pools.** SuccessFactors increases the ease for applicants who are not already State employees to be considered and hired for State employment, allowing for more competitive hiring sequences and a wider selection of qualified candidates.

**Easier Screening of Applicants.** SuccessFactors eliminates the need for a Screening Justification Form; instead, applicants first score themselves through use of application questions; a CMS validator validates whether the minimum required experience is met; and the agency screener reviews the preferred experience, documenting any changes to application scores.

**Improved Scoring Process.** SuccessFactors has revised the scoring process to ensure interviewers complete their scoring immediately after each interview during the designated time period. Additionally, the scoresheet provides areas for interviewers to identify any changes to scores and the reasons why.

## Exempt List Appointments and Modifications

This fiscal year marked the four-year anniversary of the creation and HEM's oversight of the Exempt List, a finite list of approximately 1,100 positions for which hiring and employment decisions may be made on the basis of political or other non-merit factors. These positions are primarily responsible for policymaking, such that political consideration is an appropriate consideration for effective performance of the work. To create the inaugural list, HEM worked closely with the State and other *Shakman* participants to determine which positions should appropriately and legally be considered exempt. The Exempt List was then entered via federal court order on January 22, 2019.

Four years later, HEM continues to review all appointments of individuals to Exempt List positions as set forth in the CEP. Prior to an individual starting in an exempt position, HEM reviews certification paperwork to ensure the proposed candidate meets the minimum qualifications of the specific position being filled. The Exempt List is posted publicly on CMS's website [here](#), and updated monthly.

In FY2023, HEM reviewed **360** exempt appointment packets.

HEM also continues to carefully vet additions, deletions, or other modifications to the Exempt List resulting in the list expanding minimally. Since 2020, the overall Exempt List has only gained a net total of approximately 49 positions, despite a change in Administration during the first year the Exempt List was instituted. The percentage of exempt positions as compared to the total relevant agency headcount has consistently remained at 2% Statewide.

Changes to the Exempt List are submitted by the Governor's Office and are often due to changing Administration priorities, new agency mandates, or agency reorganizations. HEM reviews all Exempt List modification submissions and recommends approval of or objection to the proposed change to the EIG, who must respond within 10 business days. In vetting these submissions, HEM conducts a comprehensive review of all available information related to the position and request. HEM also reviews the Exempt List to determine the agency's percentage of exempt positions and assess whether any existing exempt positions within the agency could perform the duties of the proposed exempt position. Prior to making a final recommendation, HEM regularly communicates or meets with agency staff with questions about the position's history, duties, reporting structure, and necessity.

In FY2023, HEM made **44** determinations regarding Exempt List modifications, as follows:



HEM also reviews all clarifications to position descriptions for positions on the Exempt List. Position description clarifications might include a county change, a change in subordinates, or slight modifications to the position duties.

HEM reviewed **162** exempt position description clarifications in FY2023.

## Political Contacts

A political contact is a contact in any form from an elected or appointed politician or anyone acting on his or her behalf regarding hiring or employment actions related to any non-exempt State position. The CEP requires any State employee who receives a political contact to notify the CMS Chief Compliance Officer or HEM within 48 hours. The CMS Chief Compliance Officer reports all political contacts to HEM. State employees may report political contacts to [CMS Political Contact Reporting](#). Anyone, including non-State employees, may report a political contact to the OEIG by submitting a complaint through the OEIG Website: [File a Complaint](#).

In FY2023, HEM received **10** political contact reports. HEM includes a description of each political contact received in its Quarterly and Annual Reports.

## Advisories

At the conclusion of a hiring review, HEM issues a written Advisory to the hiring agency and CMS. HEM also forwards a copy of each Advisory to the Governor's Office. The Advisory includes a summary of the hiring sequence and any recommendations to the agency to improve compliance going forward. Some Advisories result in HEM finding that the agency's selection for the position was merit-based and justifiable without any recommendations, but other Advisories may contain recommendations that identify and discuss hiring issues that need to be addressed. In FY2022, CMS began uploading all HEM Advisories to a SharePoint site available to all agency human resources personnel so that agencies other than the hiring agency can also access and learn from HEM's recommendations.

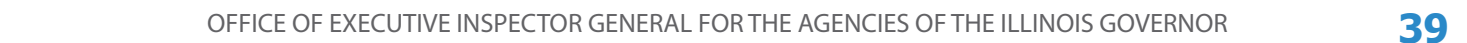
In FY2023, HEM issued a total of **59** Advisories to 28 different agencies.

## Quarterly and Annual Reports

Since FY2019, HEM has issued 14 quarterly reports, three of which are combined with a HEM Annual Report. Pursuant to the CEP, these reports contain data and other information pertaining to HEM's and Investigations' hiring related work during the reporting period.

Each Quarterly Report details the OEIG's compliance and investigative work as it relates to State hiring and employment. The reports identify actions taken during the reporting period, including the number of hiring-related reviews opened, hiring sequences monitored, desk audits completed, hiring reviews transferred from HEM to the OEIG Investigations Division, and Advisories issued. For Advisories in which HEM made one or more recommendation, the report includes a summary of the Advisory. HEM's Quarterly Reports also identify exempt positions approved for addition to or deletion from the Exempt List, and dispositions for all exempt Personal Services Contracts (PSCs) received during the reporting period. As noted above, the Quarterly Reports also include a description of each political contact report received. In addition, the Quarterly Reports identify the number of

The Annual Report includes this same data and information, but also describes in more detail how HEM and the Investigations Division conducts its hiring-related work and the results of this work during the preceding calendar year. All of [HEM's Quarterly and Annual Reports](#) are available on the OEIG website.





# REVOLVING DOOR

The revolving door provisions of the Ethics Act prohibit State employees from accepting non-State employment with, or receiving compensation from, a non-State entity, for “one year immediately after termination of State employment” if, within one year immediately prior to separation from State employment, the employee participated personally and substantially in the award or fiscal administration of State contracts, change orders, or grants with a cumulative value of \$25,000 or more to his or her prospective employer, or in a regulatory or licensing decision directly applicable to his or her prospective employer. 5 ILCS 430/5-45(a) and (b).

## **OEIG Revolving Door Determinations for C-List Employees**

Certain State employees whose positions may have the authority to participate personally and substantially in such decisions must seek a determination from the OEIG that they may accept employment prior to accepting an offer. These employees are on what is known as the c-list (after subsection (c) of Section 5-45 of the Ethics Act). Ethics officers for agencies are generally responsible for maintaining and updating their agency’s c-list.

C-list employees should be notified in writing by their agency of their designation and obligations pursuant to the Ethics Act. The duty to seek a determination from the OEIG continues for one year after ending State employment.

## **Submitting an RD Application**

To notify the OEIG about a prospective job offer, employees should go to the OEIG’s website and follow the revolving door instructions. Initially, the employee and his or her ethics officer must complete certain forms regarding the employee’s State duties and prospective employment (the “RD-101” and “RD-102”).

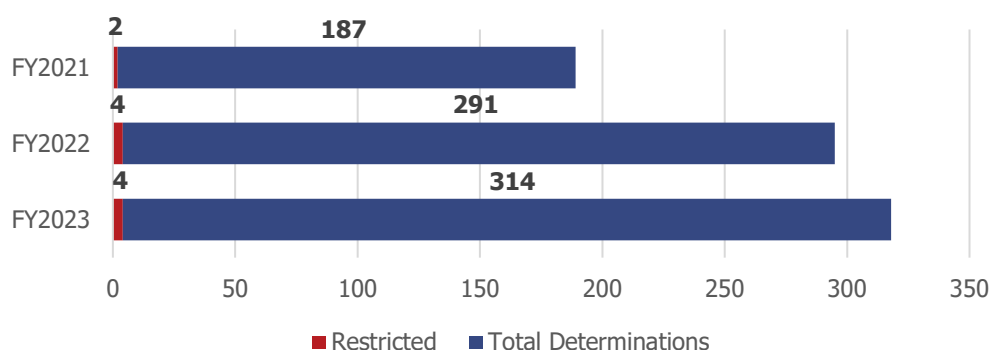
Within 10 calendar days of receiving the forms from both the employee and the ethics officer, the OEIG issues a determination indicating whether the employee “personally and substantially” participated in the award or fiscal administration of a State contract or a regulatory or licensing decision that directly applied to the prospective employer or its parent or subsidiary, and thus, whether the employee can accept the employment offer. In making a determination, OEIG staff will review information from these forms and conduct interviews of the employee, the employee’s supervisor, and others, as

necessary. The OEIG also examines various records relating to any contract awards or regulatory or licensing decisions involving the employee.

During FY2023, the OEIG made **314** revolving door determinations using the process described above. This represents a **12% increase** from the previous fiscal year's number of 291 and is another record high for a fiscal year. Since FY2021, the number of revolving door determinations has increased **67%**.

The OEIG restricted four employees from accepting non-State employment, which is approximately one percent of the determinations made.

### Revolving Door Determinations/Restrictions By Fiscal Year



## Appeal of OEIG Determination

The OEIG's determination may be appealed to the EEC by either the affected employee or the Attorney General no later than 10 calendar days after the date of the determination. The EEC must then issue its decision within 10 calendar days. Therefore, the OEIG's determination is not final until the time to appeal has expired or the EEC has made its decision on an appeal.

In FY2023, one employee appealed the OEIG's restricted determination to the EEC. The EEC upheld this determination. Although OEIG's revolving door determinations are generally not public, when a determination is appealed to the EEC, the EEC's decision of the appeal is made public. The appeal in FY2023 is summarized below.

### 23-EEC-001

In November 2020, IDOT and Ciorba entered into an agreement (the Prime Agreement) under which Ciorba was to furnish engineering services as part of the Bob Michel Bridge Deck Rehabilitation project (Project). Between December 2021 and August 2022, IDOT and Ciorba entered into four Supplemental Agreements, which in total added nearly \$600,000 of payments to Ciorba.

On July 28, 2022, Nicole Fayant, a Civil Engineer V with IDOT, submitted an RD-101 to work for Ciorba. The OEIG determined Ms. Fayant was restricted from accepting the position with Ciorba based on her “personal and substantial participation in the issuance of four change orders,” namely the Supplemental Agreements. The OEIG also determined that her duties with the Supplemental Agreements constituted “fiscal administration” of the Prime Contract. Ms. Fayant appealed the OEIG’s determination.

The EEC affirmed the OEIG’s restricted determination. First, the EEC found that the OEIG had been timely in its determination, contrary to Ms. Fayant’s contention that the OEIG’s determination came more than 10 calendar days after she submitted her RD-101 to the OEIG. See 5 ILCS 430/5-45(f). The EEC rejected this argument, noting the OEIG had been timely by making its determination within 10 calendar days of receiving the completed RD-102 from IDOT’s ethics officer, as required under 2 Ill. Admin. Code 1620.610(c), and that this rule was a valid and reasonable exercise of the EEC’s rulemaking powers.

**“[Ms. Fayant] applied experienced professional judgment to negotiations regarding the hours of what kinds of services were to be devoted to contract performance and the rate at which the hours would be paid – aspects critical to the formation of a contract.”**

Second, Ms. Fayant argued that the Supplemental Agreements did not constitute change orders within the meaning of the Ethics Act. The EEC rejected this argument, citing EEC precedent defining a “change order” as a “change in a contract term, ***other than as specifically provided for in the contract***, which authorizes or necessitates any increase or decrease in the cost of the contract or the time [for] completion[.]” (emphasis in the original). The EEC found that various provisions in the Supplemental Agreements “were for services other than as specifically provided for” Prime Contract and had a cumulative value in excess of \$25,000.

The EEC also rejected Ms. Fayant’s argument that she had not personally and substantially participated in the issuance of the Supplemental Agreements. Contrary to Ms. Fayant’s argument that she engaged only in ministerial functions with the Supplemental Agreement, the EEC found that she had “applied experienced, professional judgment to negotiations” regarding the types of services that were to be devoted to contract performance and the rates at which the hours would be paid, which were “aspects critical to the formation of a contract.”

Finally, the EEC rejected Ms. Fayant’s argument that she had not personally and substantially participated in the fiscal administration of contracts with Ciorba. The EEC noted that Ms. Fayant “had weekly involvement with Ciorba representatives and made substantive checks of invoices before approval for payment would be given, even having made changes in an invoice on at least one occasion.” The EEC also noted that Ms. Fayant, during her OEIG interview, acknowledged that she reviews the project’s progress, engineering plans, and invoices; and that her supervisor, during his OEIG interview, told investigators that Ms. Fayant had been “integral to the review of contracts and invoices and an important voice in the approval process.”



# TRAINING

Pursuant to the Ethics Act, the OEIG, along with the EEC, oversee ethics training and harassment and discrimination prevention training for agencies of the Illinois Governor, the State universities, and the Regional Transit Boards (RTBs). These Ethics Act trainings are required to be administered annually, and new employees, appointees, and officials must complete these trainings within 30 days of commencing their employment or office.

## Mandatory Training Under the Ethics Act

Training programs for calendar year 2022 were administered using OneNet, an online training platform. The OEIG works with the Illinois Department of Innovation & Technology (DoIT) to administer the training via OneNet.

### Ethics Training

The OEIG drafts and designs the online ethics training for agencies under the Governor, as well as the training taken by the RTBs. It also reviews and approves trainings for other entities under its jurisdiction to ensure trainings meet prescribed training standards. Each year, the OEIG develops ethics training standards to ensure quality training programs that cover relevant ethics laws and rules. In calendar year 2022, the OEIG reviewed and approved 30 ethics training programs. For all entities under the OEIG's jurisdiction, it was reported that individuals completed over 186,000 ethics training sessions during the calendar year 2022 reporting period. For agencies under the Illinois Governor, the OEIG directly provided more than 57,000 online ethics training sessions in calendar year 2022.

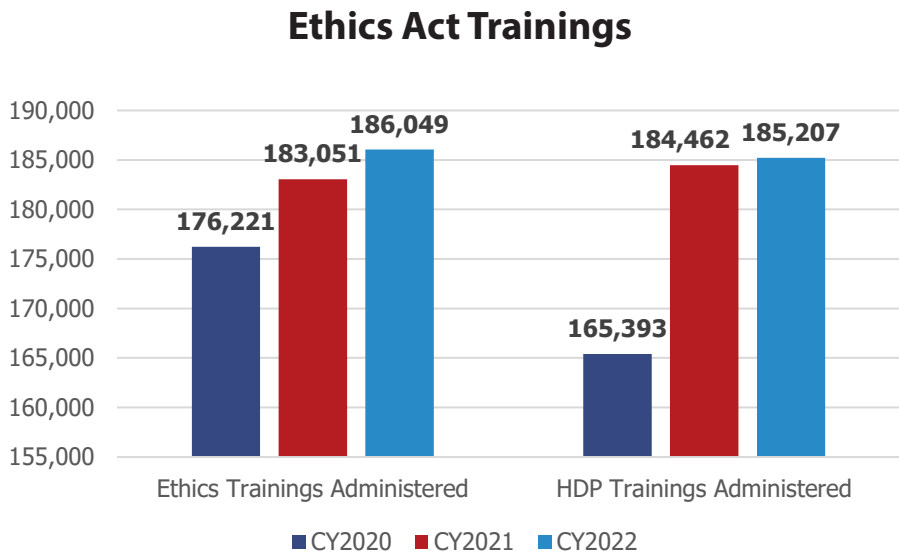
### Harassment and Discrimination Prevention Training

The OEIG reviews and approves harassment and discrimination prevention training materials for entities under its jurisdiction. The Ethics Act sets forth minimum requirements for harassment and discrimination prevention training programs. For example, the training must include certain definitions; explain how to report allegations of misconduct; and identify protections against retaliation. The OEIG proactively worked to assist entities with preparing Ethics Act-compliant harassment and



discrimination prevention trainings. For example, the OEIG circulated statutory changes to the Illinois Human Rights Act, which impact the training materials. The OEIG further corresponded with the Governor’s Office, the universities, and the RTBs regarding the minimum requirements and deadlines for harassment and discrimination prevention training.

In calendar year 2022, the OEIG reviewed and approved 32 harassment and discrimination prevention training programs. For all entities under the OEIG’s jurisdiction, it was reported that individuals completed over 185,000 harassment and discrimination prevention training sessions during the calendar year 2022 reporting period.



## External Training

The OEIG conducts training other than what is specifically required by the Ethics Act. The following are examples of such training in FY2023.

### Ethics Officer Conference

On May 2, 2023, the OEIG’s General Counsel, together with staff from the Governor’s Office, gave a presentation entitled “Ethics Officer 101” at the EEC’s Ethics Officer Conference. The emphasis of the presentation was the annual cycle of duties that ethics officers face, including training, statements of economic interests, onboarding and offboarding employees, and employee guidance. The panel also answered commonly asked questions and fielded questions from ethics officers. The OEIG’s General Counsel also served as part of a panel on the revolving door provisions of the Ethics Act with staff from the Governor’s Office and the EEC.

## New Ethics Officer Orientations



The OEIG's duties include "assist[ing] and coordinat[ing] the ethics officers" in the agencies under its jurisdiction. 5 ILCS 430/20-20(6). The OEIG continued to host orientation sessions for newly appointed ethics officers of agencies under the OEIG's jurisdiction. In FY2023, the OEIG hosted orientation sessions for 22 new ethics officers. The goal of these orientation sessions is to provide new ethics officers with information about their roles and the expectations of the OEIG. The sessions cover topics including required training under the Ethics Act, the revolving door notification and determination process, and OEIG investigations.

These orientations are available to any ethics officer who wishes to attend. Those interested in attending can contact the OEIG to schedule an orientation.

## All-Staff Conference

When resources and circumstances allow, the OEIG will gather its staff for in-house training to enhance professional development.

The OEIG held such an all-staff conference on May 23-24, 2023, in Bloomington, Illinois. The presenters were both internal and external to the OEIG. The topics covered at the conference included a history of the OEIG at 20 years, transgender issues, the union grievance process, investigative interview techniques, managing the OEIG's increased complaint and revolving door workloads, electronic records management, and workplace communication skills.

# OEIG'S DIVERSITY, EQUITY, INCLUSION, & ACCESSIBILITY EFFORTS

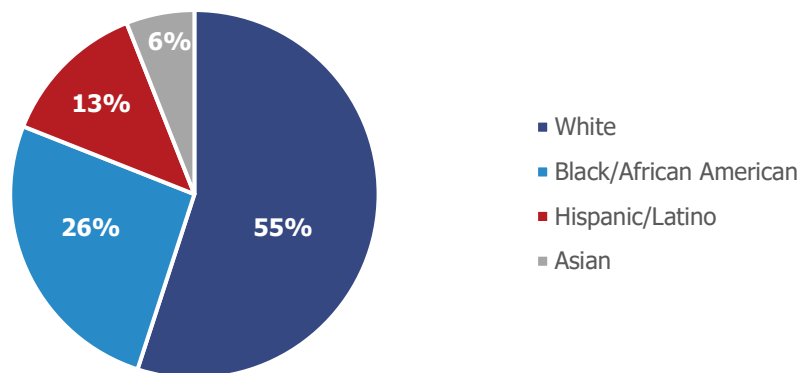
The OEIG maintains an active internal Diversity, Equity, Inclusion, & Accessibility (DEIA) Working Group. This Working Group is comprised of OEIG employee volunteers from each division who work together to brainstorm, research, and implement steps to make the OEIG a more inclusive and equitable working environment that celebrates differences. During FY2023, the Working Group had approximately 30 members. The DEIA Working Group focuses on: 1) recruitment & hiring; 2) training; 3) mentorship & development; and 4) employee connection.



During FY2023, the Working Group progressed to increase transparency and communication with all OEIG staff. In calendar year 2023, we implemented office-wide quarterly meetings and an internal Teams site that hosts Working Group updates, information, and resources. The DEIA Working Group also developed a strategic plan to align resources more effectively with goals.

In FY2023, our Equal Employment Opportunity/ Affirmative Action report reflected that we had no under utilizations in the Equal Employment Opportunity categories set forth in Illinois law.

**Workforce by Ethnicity**  
**Source: FY2023 EEO/AAP Plan**



More information about the DEIA Working Group is located on the OEIG website, including the previous Year-End Reports. For a direct link to the Diversity, Equity, Inclusion, and Accessibility page, click [here](#).

## Recruitment & Hiring

During FY2023, the Working Group continued to bring DEIA best practices to recruitment and hiring efforts. The OEIG continued to utilize thoughtful onboarding processes that focus on employee integration and mentorship, and to cast a wide net in posting positions at several colleges and law schools, as well as diverse organizations and bar associations.

Effective January 1, 2023, the Working Group rolled out a hiring plan for the OEIG. The OEIG Hiring Plan outlines guidance for reviewing applicants, conducting interviews, and evaluating candidates. The Working Group held an informational session with managers and those involved in hiring regarding the plan and the reasoning behind its best practices.

The Working Group also updated information regarding accommodations for interviewing. After researching best practices, the Working Group updated the OEIG website page that details how to apply for a position and included a direct link to the OEIG's accommodation procedures for applicants.

## DEIA Training

The Working Group strives to bring trainings to the Office that challenge employees and educate our staff about these important DEIA issues. We also want to ensure that training is not just a one-time experience, but an ongoing journey to a better understanding of these complex topics. As part of that goal, all new employees take an online introduction to Diversity, Equity, Inclusion, and Accessibility training to provide them with an introductory understanding of various DEIA topics.

During FY2023, the Working Group brought in two speakers for office-wide trainings. In November 2022, we hosted a virtual training presented by Equip for Equality titled: "Disability Inclusion: Best Practices in Language, Etiquette, Accessible Meetings, and More." This 90-minute training was attended by the entire office and included information about disabilities, etiquette, language, accessibility, and accommodations.

In May 2023, Nikk Selik presented at the OEIG's All-Staff Conference. His presentation, "Transgender 101", included an introduction to concepts and terminology around pronouns, gender identity, and what it means to be transgender. Both trainings included a question and answer portion and staff engaged in a thoughtful discussion of questions surrounding these topics.

## Mentorship & Development

The DEIA Working Group maintains an internal mentorship program available to all OEIG employees. This internal, voluntary program works to provide support, guidance, development, leadership, and community for both mentees and mentors through one-on-one and group mentorship activities. The mentorship program is mentee driven and designed to allow mentees to establish their own

uniquely tailored developmental goals that can be achieved through one-on-one mentorship. The mentee and mentor are paired for a period lasting between six and nine months, depending on the goals and plan they develop.

The Working Group administers this program by: hosting information and orientation sessions for employees; providing guidance, resources, and check-in opportunities; and carrying out administrative functions for the program, such as pairing mentors and mentees, and developing and collecting forms and certificates. The Working Group also hosted round-table discussions in September 2022 for the mentees and mentors to discuss and share methods they are using to achieve their program goals.

## OEIG Connect



The DEIA Working Group provides space and opportunities for all staff to celebrate their differences and connect with one another. One way that we facilitate this connection is through OEIG Connect. OEIG Connect was developed to create an open forum for employees to share their identities, hear from others, and be seen as their whole selves. During FY2023, the Working Group hosted two OEIG Connects.

In October 2022, five OEIG employees researched and led a peer discussion about burnout. Prior to the discussion, participants received an article with background information about burnout and tools and exercises to address it.

In June 2023, the Working Group held an OEIG Connect regarding imposter syndrome. During the discussion, staff volunteers provided information about what imposter syndrome is and outlined strategies for combatting it. The leaders of the discussion showed a TED talk about the statistics related to imposter syndrome among high-achieving individuals. Both Connects also included breakout room discussions and a reflection and planning exercise.

Another way the Working Group fosters connection is through a monthly email. Each month, the DEIA Working Group circulates information regarding holidays, cultural events, and important dates of recognition. The goal of this email is to ensure our employees are seen and heard by recognizing and celebrating the diversity that makes our office great.



# LEGISLATIVE ENGAGEMENT

The OEIG is committed to better State government, and therefore, regularly works with legislators and stakeholders on matters related to ethics legislation. Throughout the year, the OEIG works with other executive inspectors general, the EEC, the Attorney General's Office, the Governor's Office, legislators, and other stakeholders to discuss potential amendments to the Ethics Act as well as to the Illinois Administrative Code.

During FY2023, the 103rd General Assembly began and several new legislators were sworn into office. OEIG staff met with many of these new legislators to inform them about our office, our jurisdiction, and how to file an OEIG complaint, among other things.

## OEIG-Initiated Bills

In FY2022, the OEIG continued to work with Representative Fred Crespo to introduce two bills with proposed amendments to the Ethics Act. Both of these bills clarify important aspects of the Ethics Act. House Bills 3609 and 3610 were both introduced by Representative Crespo on February 17, 2023. They were both assigned to the Ethics & Elections Committee, but did not move out of Committee this session.

### House Bill 3609

This bill amends the Ethics Act to allow Executive Inspectors General (EIG) to make a public statement in limited circumstances after the EIG concludes their investigation. The public statement will not disclose the name of any subject, but instead provide the nature of the allegations, the violations or basis for the findings, the EIG's recommendations, and any response by the ultimate jurisdictional authority.

This bill would provide more context to the monthly reports the EIG publishes on its website. By law, the EIG is currently required to report monthly on its website the number of complaints received, investigations opened, and investigations concluded by type of misconduct, among other data. Such reporting would also allow for more timely transparency of the OEIG's work and help educate employees regarding wrongdoing and unethical conduct.

Currently, the practice of issuing these types of statements is codified for other inspectors general in Illinois.



## **House Bill 3610**

This bill amends the Ethics Act to allow EIGs to disclose investigatory files and reports, as necessary, to the head of the State agency affected by or involved in the investigation. This bill is important because it allows a mechanism for EIGs to disclose information directly to agency heads, for example when there is a potential risk to public safety. Due to the confidentiality provisions of the Ethics Act, an EIG currently cannot directly disclose information to an agency head while an investigation is pending. It furthers the public interest to clarify that EIGs can disclose investigatory files and reports to agency heads.

## **OEIG's Appropriations Request**

In addition, as discussed in the Finance section of this report, the OEIG also proposes its own budget and drafts documents and information to explain the Office's financial needs. During FY2023, the OEIG met with legislators, legislative staff, and the Governor's Office of Management and Budget (GOMB), among others, to explain its appropriation needs.

During FY2023, the OEIG saw record high demands on its office, including increased complaints and revolving door determinations. In addition, the OEIG's expenses, such as IT infrastructure costs and rent, increased. As a result, the OEIG sought an increase to our General Revenue Fund budget.

The OEIG received its requested increase, and for FY2024 has a budget of \$8,782,700 in General Revenue Funds and \$1,610,800 in Public Transportation Funds.

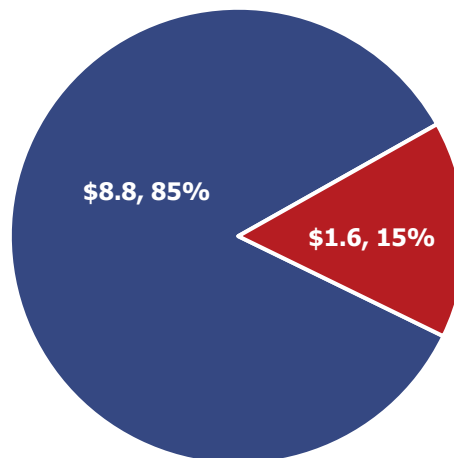
# FINANCES

In June 2023, Public Act 103-0006, was signed into law. This law appropriated \$8,782,700 from the General Revenue Fund (GRF) and \$1,610,800 from the Public Transportation Fund (PTF) for the OEIG's FY2024 ordinary and contingent expenses.

## FY2024 OEIG Appropriations by Funds

(Dollars in Millions)

■ General Revenue Fund ■ Public Transportation Fund



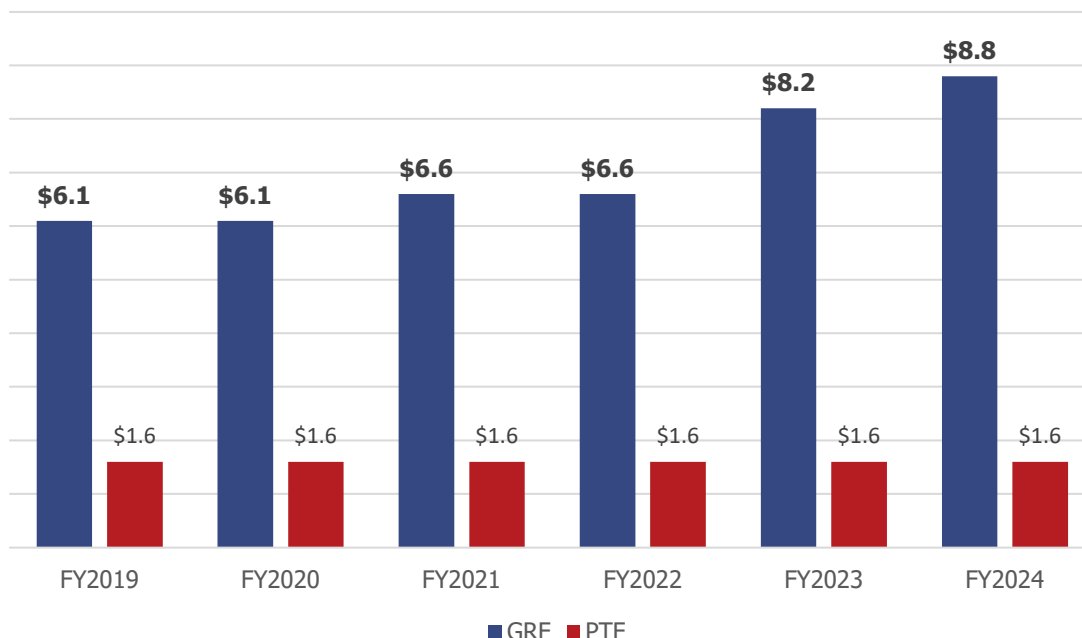
The 7% increase in the GRF appropriation from \$8.2M in FY2023 to \$8.8M in FY2024 will strengthen the OEIG's ability to execute its mission of ensuring accountability in State government.

The PTF appropriation supports the OEIG's jurisdiction on matters involving the Regional Transportation Authority, Chicago Transit Authority, Metra, and Pace. The FY2024 \$1.6 million appropriation from the PTF has remained flat since FY2014.

# Historical GRF and PTF Appropriations

## OEIG Funding Sources

(Dollars in Millions)



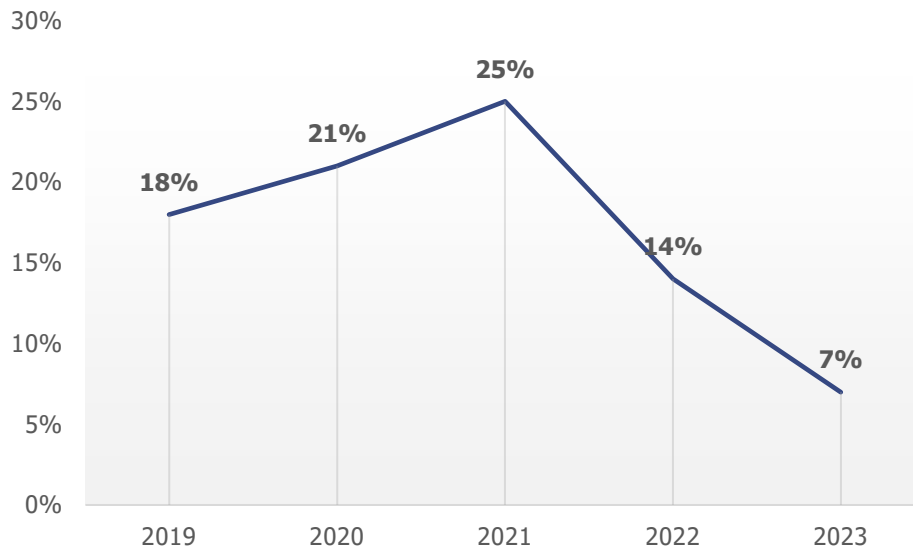
The above graph shows six years of historical GRF and PTF appropriations. Prior to FY2023, the OEIG GRF budget was historically flat, and did not reflect the increase in the OEIG's statutory responsibilities and the need for additional staff to perform the growing workload of the office.

This increase in GRF appropriation from \$6.6M in FY2022 to \$8.2M in FY2023 allowed the OEIG achieve the following milestones:

- ♦ Hired 12 additional staff, with the goal of reaching a headcount of 75 GRF employees.
- ♦ Provided salary adjustments to keep staff salary competitive and retain highly skilled team members.
- ♦ Increased staff retention by reducing attrition rate from 14% in FY2022 to 7% in FY2023
- ♦ Provided staff training and development.
- ♦ Upgraded some IT infrastructure.

## OEIG Attrition Rate

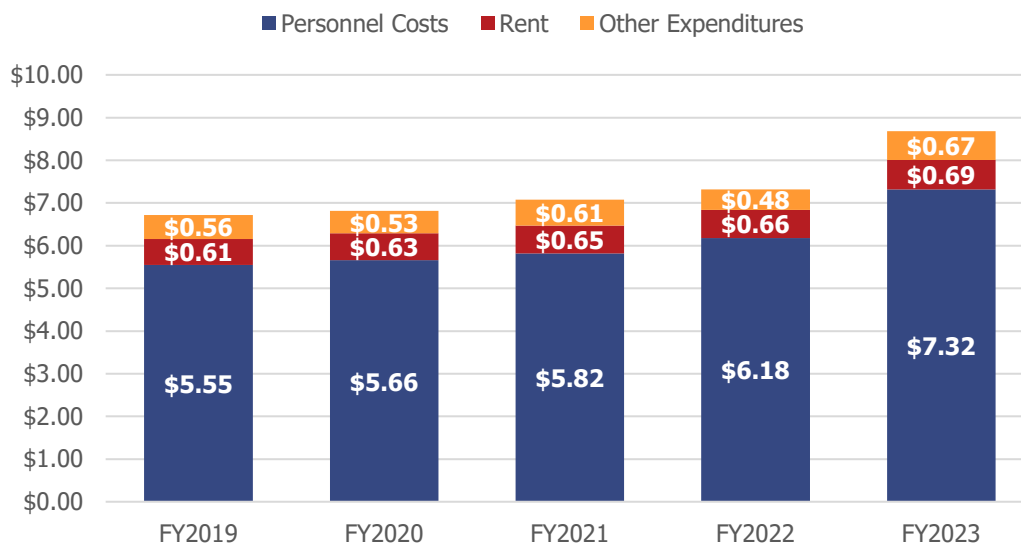
### Attrition Rate FY2019-FY2023



The graph above shows OEIG attrition for the past five years. The attrition rate has steadily declined since FY2021. The current attrition rate of 7% represents a significant change from 14% in FY2022. This improvement in employee retention has allowed the OEIG to retain top talent and improved OEIG efficiency and productivity.

## Operating Expenditure

### Expenditure by Major Categories (Dollars in Millions)



The OEIG aims to use the State's financial resources effectively and efficiently in compliance with applicable laws and rules. Specifically, the OEIG conforms to the State uniform accounting system and ensures that it obligates and expends public funds appropriated to it in accordance with applicable rules.

Personnel-related expenditures accounted for about 84% of the FY2023 operating expenditure. Non-salary related operating expenditures include rent for leased office space, which accounts for about 8% of total spending. Other operating expenditures account for the remaining 8%, and include DoIT support services, computer software, office furniture and equipment, contractual services, telecommunications, CMS chargebacks, travel, and other ancillary charges.

### Expenditure by Fund

(Dollars in Millions)

	GRF		PTF	
Description	FY2022	FY2023	FY2022	FY2023
Personnel Costs	5,228.8	6,312.2	953.1	1,006.5
Leased Space Rent	567.7	586.9	94.9	98.5
DoIT Support Services	157.0	211.7	25.4	45.9
Computer Software, License and Support	70.3	106.6	13.4	20.3
Telecommunications	74.1	82.9	14.1	15.8
CMS Chargebacks	45.9	39.1	8.7	7.5
Other Expenditure	66.4	126.7	7.2	16.2
<b>Total Expenditure</b>	<b>\$6,210.2</b>	<b>\$7,466.1</b>	<b>\$1,116.8</b>	<b>\$1,210.7</b>



# APPENDICES

**56** LEADERSHIP

**58** NUMBER OF COMPLAINTS RECEIVED BY AGENCY

**61** ALLEGATIONS RECEIVED BY TYPE OF MISCONDUCT

**62** FOUNDED REPORTS BY AGENCY

**63** ONLINE REFERENCES

# LEADERSHIP

## **Susan M. Haling**

## **Executive Inspector General**

EIG Haling was nominated as Executive Inspector General in March 2018, and confirmed by the Illinois Senate in May 2019. She first joined the OEIG in December 2011 as Special Counsel, and served as the First Assistant Inspector General beginning in 2015. In addition, she has more than nine years of experience as an Assistant U.S. Attorney in Chicago, where she tried over 20 criminal trials. EIG Haling also previously worked for the U.S. Justice Department, Criminal Division, in Washington, D.C. EIG Haling was a law clerk for the Honorable James F. Holderman, a former U.S. District Judge for the Northern District of Illinois. EIG Haling received her BA from the University of Notre Dame and obtained her law degree from the DePaul University College of Law, where she graduated Order of the Coif, served as editor for the Law Review, and was a member of the Moot Court Trial Team.

## **Neil P. Olson**

## **General Counsel**

Mr. Olson returned to the OEIG in May 2018 and serves as General Counsel. Mr. Olson previously worked at the OEIG as Deputy Inspector General and Chief of Springfield Division before leaving the OEIG in 2013 to serve as General Counsel in the Office of the Illinois State Treasurer. Prior to his return to the OEIG, Mr. Olson also served as an Assistant Attorney General and then the Deputy Public Access Counselor in the Office of the Illinois Attorney General. He also previously worked for the Massachusetts Attorney General's Office, the Massachusetts Commission on Judicial Conduct, as a litigator in private practice, and as the law clerk to the Honorable Kenneth Laurence of the Massachusetts Appeals Court. Mr. Olson is a graduate of Grinnell College and Northeastern University School of Law, and is licensed to practice law in Massachusetts and Illinois.

## **Fallon Opperman**

## **Deputy Inspector General and Chief of Chicago Investigative Division**

Ms. Opperman joined the OEIG as an Assistant Inspector General in June 2008 and then served as Chief of the Regional Transit Board Division. As Deputy Inspector General and Chief of Chicago Division since February 2015, Ms. Opperman manages the investigative activities of the OEIG's Chicago office, including oversight of the Regional Transit Board Division. Ms. Opperman received a BA from North Central College and obtained her law degree from the DePaul University College of Law.

**Erin K. Bonales,****Director of Hiring & Employment Monitoring**

Ms. Bonales is responsible for directing the OEIG's Hiring & Employment Monitoring Division, which engages in compliance reviews and monitoring activities related to hiring and employment decisions, policies, and practices. Ms. Bonales previously worked for the OEIG for nearly eight years, including serving as Deputy Inspector General and Chief of the Chicago Investigative Division. Prior to joining the OEIG in May 2006, Ms. Bonales was an Assistant General Counsel for the Illinois Department of Human Services for approximately five years. Ms. Bonales received a JD from the University of Illinois College of Law, and a BA in Political Science from Southern Illinois University.

**Christine P. Benavente****Deputy Inspector General - Executive Projects**

Ms. Benavente joined the OEIG as an Assistant Inspector General in August 2011 and later served as a Legislative Assistant Inspector General. As Deputy Inspector General-Executive Projects, Ms. Benavente leads numerous executive projects, including overseeing the Division of External Compliance & Outreach, serving as the legislative attorney for all legislative matters pertaining to the OEIG, and serving as the Diversity, Equity, and Inclusion Coordinator. Prior to working at the OEIG, she was an Associate at Jenner & Block, LLP. Ms. Benavente obtained her law degree from DePaul University College of Law, where she graduated Order of the Coif and magna cum laude. During law school, she served as Editor-in-Chief of the Women's Law Caucus Digest and Moot Court Representative for the Hispanic National Bar Association. She obtained BAs from the University of Iowa.

**Angela Luning****Deputy Inspector General and  
Acting Chief of Springfield Investigative Division**

Ms. Luning joined the OEIG as an Assistant Inspector General in 2012, became a Deputy Inspector General for Investigations in 2015, and currently also serves as Acting Chief of the Springfield Division. Ms. Luning previously served as an Assistant State's Attorney in the Will County State's Attorney's Office, an Assistant Attorney General, and an Assistant Corporation Counsel for the City of Chicago; she also was a law clerk to the Hon. George W. Lindberg in the U.S. District Court for the Northern District of Illinois. Ms. Luning has a BA from Yale University, and received her law degree from Loyola University Chicago, where she served as the Executive Editor for Lead Articles on the Loyola University Chicago Law Journal.

**Ogo Akpan****Chief Fiscal Officer and Operations Manager**

Ms. Akpan joined the OEIG as Chief Fiscal Officer/Chicago Operations Manager in December 2021. She provides leadership and management of all financial operations of the agency and is also responsible for administrative operations of the Chicago office. Prior to the OEIG, she worked as a Certified Public Accountant for the Illinois Office of the Comptroller. She previously held finance leadership roles in the private sector responsible for accounting, finance, and data analytics functions. Ms. Akpan received her Bachelor of Science in Accounting from the University of Nigeria, obtained her MBA from Schulich School of Business, York University Toronto Canada, and is a Certified Public Accountant in the State of Illinois.

## NUMBER OF COMPLAINTS RECEIVED BY AGENCY

Number of Complaints Received by Agency	FY2023
Abraham Lincoln Presidential Library and Museum	6
Aging, Department on	10
Agriculture, Department of	11
Attorney General, Office of	15
Board of Higher Education	1
Capital Development Board	7
Central Management Services, Department of	20
Chicago Public Schools Inspector General	1
Chicago State University	6
Chicago Transit Authority	86
Children & Family Services, Department of	115
City of Chicago Inspector General	9
Commerce Commission, Department of	3
Commerce and Economic Opportunity, Department of	11
Commission on Equity and Inclusion	2
Commission on Human Rights	3
Community College Board	1
Comptroller, Office of	2
Cook County Inspector General	6
Corrections, Department of	384
Court Officials	1
Criminal Justice Information Authority	4
Eastern Illinois University	4
Emergency Management Agency, Department of	7
Employment Security, Department of	91
Environmental Protection Agency	39
Executive Ethics Commission	6
Financial and Professional Regulation, Department of	34
Gaming Board	5
Governor's Office	8
Governors State University	5
Guardianship & Advocacy Commission	4
Healthcare and Family Services, Department of	66
Healthcare and Family Services Inspector General	1
Housing Development Authority	22

<b>Number of Complaints Received by Agency</b>	<b>FY2023</b>
Human Rights, Department of	18
Human Services, Department of	809
Human Services Inspector General	4
Illinois State Museum	1
Illinois State University	3
Illinois Student Assistance Commission	1
Innovation and Technology, Department of	9
Insurance, Department of	16
Judicial Inquiry Board	1
Juvenile Justice, Department of	24
Labor, Department of	8
Law Enforcement Training and Standards Board	13
Legislative Inspector General	1
Lieutenant Governor	1
Liquor Control Commission	1
Local Police Department/Sheriff's Office	25
Lottery	4
Math and Science Academy	5
Metra	54
Military Affairs	10
Mines & Minerals	1
Natural Resources, Department of	20
None Given	43
Non-State Agency	299
Northeastern Illinois University	10
Northern Illinois University	7
Office of Executive Inspector General	3
Office of the State Fire Marshal	8
Other	119
Pace	25
Prisoner Review Board	2
Public Counsel	1
Public Health, Department of	36
Racing Board	2
Regional Transportation Authority	1
Rehabilitation Services, Department of	14
Revenue, Department of	34
Secretary of State, Office of	30

<b>Number of Complaints Received by Agency</b>	<b>FY2023</b>
Secretary of State, Office of Inspector General	1
Senate	1
Southern Illinois University - Carbondale	18
Southern Illinois University - Edwardsville	6
Southern Illinois University - School of Medicine	8
Southern Illinois University	4
Southwestern Illinois College	2
State Board of Education	11
State Board of Elections	5
State Employees Retirement System	4
State Police	37
State's Attorney	5
Toll Highway Authority	20
Transportation, Department of	181
United States Attorney's Office	1
United States Postal Service Inspector General, Office of	3
University of Illinois	19
Unknown	23
Vendor	44
Veterans' Affairs, Department of	19
Western Illinois University	1
Workers' Compensation Commission	4
<b>Total</b>	<b>3,078</b>

# ALLEGATIONS RECEIVED BY TYPE OF MISCONDUCT

Allegations Received by Type of Misconduct	FY2023
Abuse	50
Breach of Confidentiality	12
Bribery	5
Child Support	7
Conflict of Interest	15
Customer Service	135
Discrimination	222
Document Falsification	26
Extortion	1
Failure to Cooperate	8
Failure to Follow Department Policy	74
False Employment Application	1
Fraud	649
Gift Ban Violation	7
Harassment	170
Hiring/Promotional Improprieties	192
Misappropriation/Misuse of Funds	31
Misconduct	940
Mismanagement	332
Misuse of Property	16
None	12
Other	89
Prisoner Complaint	123
Procurement Improprieties	9
Prohibited Political Activity	6
Retaliation	165
Revolving Door Violation	18
Sexual Harassment	220
Theft	28
Time Abuse	72
Unethical Behavior/Practices	97
Violence in the Workplace	5
Wrongful Termination	37
<b>Total Allegations</b>	<b>3,774</b>

## FOUNDED REPORTS BY AGENCY

Founded Reports by Agency	FY2023
Commerce Commission	1
Department of Children & Family Services	23
Department of Children & Family Services Inspector General	1
Department of Corrections	1
Department of Employment Security	4
Department of Healthcare and Family Services	8
Department of Human Services	95
Department of Natural Resources	1
Department of Public Health	4
Department of Revenue	1
Department of Transportation	1
Department of Veterans' Affairs	3
Department on Aging	1
Math and Science Academy	2
State Board of Elections	1
	<b>147</b>

# ONLINE REFERENCES

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## **State Officials and Employees Ethics Act (5 ILCS 430)**

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=2&ActID=2529>

## **OEIG Monthly Investigations Reports**

<https://oeig.illinois.gov/publications/monthly-reports.html>

## **OEIG Revolving Door Decisions**

<https://oeig.illinois.gov/revolving-door/revolving-door-decisions.html>

## **Founded OEIG Investigative Reports**

<https://oeig.illinois.gov/investigations/published-oeig-cases.html>

## **OEIG Investigations Policy and Procedures Manual**

<https://oeig.illinois.gov/content/dam/soi/en/web/oeig/documents/oeig-investigation-policy-procedures-manual-11-09-2012.pdf>

## **OEIG File a Complaint**

<https://oeig.illinois.gov/complaints/file-a-complaint.html>

## **OEIG Hiring and Employment Monitoring Quarterly/Annual Reports**

<https://oeig.illinois.gov/hem/hem-reports.html>

## **CMS Exempt List**

<https://cms.illinois.gov/content/dam/soi/en/web/cms/documents/exemptlist-w-incumbents.pdf>

## **CMS Political Contact Reporting (For State Employees)**

<https://ilgov.sharepoint.com/sites/CMSPoliticalContactReporting>

## **OEIG Diversity, Equity, Inclusion, and Accessibility page**

<https://oeig.illinois.gov/employment/equal.html>

### **OEIG FOIA Officer:**

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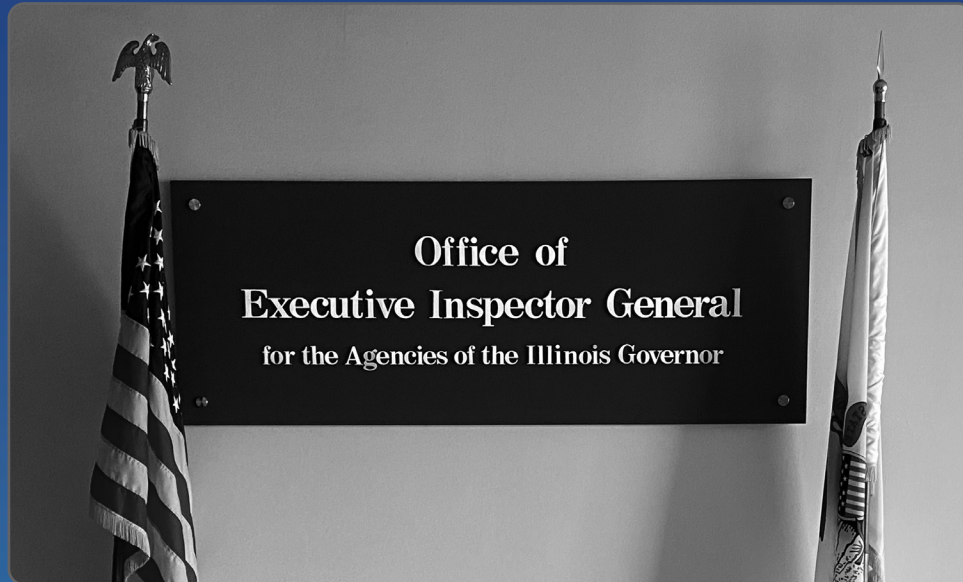
### **Printed by authority of the State of Illinois 11/2023**

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An online copy of this report in PDF format may be found at:

<https://oeig.illinois.gov/publications/annual-reports.html>

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