

PUBLICATION OF REDACTED VERSION
OF THE OEIG FOR THE AGENCIES UNDER THE GOVERNOR
INVESTIGATIVE REPORT

Case # 21-00883

Subject(s): Tiffany Bush

Below is the redacted version of an investigative summary report issued by the Executive Inspector General for the Agencies of the Illinois Governor. Pursuant to section 20-50 of the State Officials and Employees Ethics Act (Act) (5 ILCS 430/20-50), a summary report of an investigation is required to be issued by an executive inspector general when, and only when, at the conclusion of investigation, the executive inspector general determines reasonable cause exists to believe a violation has occurred. If a complaint is not to be filed with the Commission for adjudication of the alleged violation, the Act further requires the executive inspector general to deliver to the Executive Ethics Commission (Commission) a statement setting forth the basis for the decision not to file a complaint and a copy of the summary report of the investigation and of the response from the ultimate jurisdictional authority or agency head regarding the summary report. 5 ILCS 430/20-50(c-5). The Act requires that some summary reports be made available to the public and authorizes the Commission to make others available. 5 ILCS 430/20-52. Before making them available, however, the Commission is to redact from them information that may reveal the identity of witnesses, complainants, or informants and may redact “any other information it believes should not be made public.” 5 ILCS 430/20-52(b).

Some summary reports delivered to the Commission may contain a mix of information relating to allegations with respect to which the executive inspector general did and did not determine reasonable cause existed to believe a violation occurred. In those situations, the Commission may redact information relating to those allegations with respect to which the existence of reasonable cause was not determined.

The Commission exercises its publication responsibility with great caution and seeks to balance the sometimes-competing interests of transparency and fairness to the accused and others uninvolved. To balance these interests, the Commission has redacted certain information contained in this report and identified where said redactions have taken place and inserted clarifying edits as marked. Publication of a summary report of an investigation, whether redacted or not, is made with the understanding that the subject or subjects of the investigation may not have had the

opportunity to rebut the report's factual allegations or legal conclusions before issuance of the report. Moreover, there has not been, nor will there be, an opportunity for the subject to contest or adjudicate them before the Commission. The subject merely has the opportunity to submit a response for publication with the report.

The Commission received this report and a response from the ultimate jurisdictional authority and/or agency in this matter from the Agencies of the Illinois Governor Office of Executive Inspector General ("OEIG"). The Commission, pursuant to 5 ILCS 430/20-52, redacted the OEIG's final report and responses and mailed copies of the redacted version and responses to the Attorney General, the Executive Inspector General for the Agencies of the Illinois Governor, and each subject.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52. By publishing the below redacted summary report, the Commission neither makes nor adopts any determination of fact or conclusions of law for or against any individual or entity referenced therein.

– THE REDACTED VERSION OF THE EIG'S SUMMARY REPORT
BEGINS ON THE NEXT PAGE –

I. ALLEGATION

On May 14, 2021, the Office of the Executive Inspector General (OEIG) received an anonymous complaint alleging that Illinois Department of Human Services (DHS) Office Manager Tiffany Bush worked as a realtor showing houses during State time.¹

II. BACKGROUND

Tiffany R. Bush began working at DCFS in 2013 and was the Office Manager at the DHS South Family Community Resource Center (FCRC) in Englewood beginning in March 2020. Ms. Bush's responsibilities as described in her annual performance evaluation included overseeing employee timekeeping.

III. INVESTIGATION

A. Realist Realty Group, LLC And AMB Unlimited Corp.

Illinois Secretary of State records list Tiffany R. Bush as "Manager" and "Agent" of the business Realist Realty Group LLC, with an admission date of December 5, 2018.² On June 14, 2021, the OEIG conducted internet and social media searches and observed a Realtor.com page for Tiffany Bush with Realist Realty Group LLC written under her name and contact information for an address that matched one of her home addresses listed in her DHS personnel file. Additionally, the OEIG's search revealed a private Instagram account with the username "tiffany_realistrealtygroup," which featured Tiffany Bush's name, and a Facebook account in Tiffany Bush's name that included a cover photo image of the Realist Realty Group LLC logo.³ A LinkedIn page for Tiffany Bush listed her experience as a self-employed "Real Estate Broker/Owner of Realist Realty Group" from August 2015, and the "About" section stated that Ms. Bush was a "full time" realtor.⁴ The Secretary of State records indicated that Realist Realty was involuntarily dissolved on June 10, 2022.

A Certificate of Good Standing dated as filed with the Office of the Secretary of State on February 23, 2021 also listed Tiffany Bush as Agent, President, and Secretary of another business, AMB Unlimited Corp. The filing listed AMB Unlimited Corp.'s status as "Active," and listed its admission date as March 18, 2008.⁵ On September 27, 2022, the OEIG conducted internet and

¹ This anonymous complaint also alleged that Ms. Bush left the office after being there for only thirty minutes. During the course of this investigation, on November 6, 2021, the OEIG received a subsequent anonymous complaint—originally assigned OEIG case number 21-02335 but closed into this investigation—alleging that Ms. Bush went to lunch and never returned to the office. Ms. Bush's timekeeping records do not reflect her start and end times, and in her interview, Ms. Bush said that any times she left early for personal reasons were accounted for in her time records. In her interview, Ms. Bush's supervisor, [DHS Employee 1], said she sometimes allowed Ms. Bush to leave the office early to take mail to the post office, and that there have been instances when Ms. Bush left to pick something up from another office.

² Ms. Bush confirmed in her OEIG interview that she owns Realist Realty.

³ Ms. Bush also confirmed in her OEIG interview that both the Instagram and Facebook accounts identified belong to her.

⁴ Ms. Bush also confirmed in her OEIG interview that this page was her personal LinkedIn page.

⁵ Ms. Bush confirmed in her interview that she created AMB Unlimited Corp.

social media searches for AMB Unlimited Corp. and was unable to identify any website or social media accounts associated with the business.

On February 18, 2022, OEIG observed on the real estate website Zillow.com a property located on Carpenter Street in Chicago (Carpenter Property), that was listed for sale by Tiffany Bush from Realist Realty Group LLC beginning December 2, 2021 and sold on February 14, 2022. The OEIG obtained emails that were sent to and from Ms. Bush's State email account and identified three emails dated June 9, 2021 that were forwarded from a personal Gmail address, [redacted], to Ms. Bush's State email address.⁶ The first email contained one attachment, which included blueprints titled "Home Owners Drawings" for the Carpenter Street property; the other two emails were forwarded conversations that occurred two years prior between Ms. Bush and a FedEx employee that pertained to Ms. Bush's request for printed copies of four attachments, which also were blueprints for the Carpenter Street property that listed Ms. Bush as owner.

B. Ms. Bush's Reports Of Secondary Employment

DHS policy requires employees who engage in outside, paid employment to file as early as possible, but at least within five working days of commencing outside employment, a Report of Secondary Employment form with their supervisor.⁷ Additionally, employees are required to annually complete a new Report of Secondary Employment form, even if no change in secondary employment status has occurred. The employee shall confirm on the new report form any secondary employment, including self-employment, or whether no secondary employment exists.⁸

Ms. Bush's personnel file produced by DHS in the investigation did not contain Reports of Secondary Employment for 2013, 2016, 2017, or 2018. The file contained Reports of Secondary Employment dated August 2014, December 2015, and March 2021, all with signatures in Ms. Bush's name indicating that she was *not* reporting any secondary employment. The personnel file also contained Reports of Secondary Employment dated January 10, 2019 and January 29, 2020, each with a signature in Ms. Bush's name, disclosing secondary employment as a "Managing Broker" for "Realist Realty Group LLC." The January 2019 report indicates Ms. Bush's start date as January 2019, and the January 2020 report lists her start date as September 2015. DHS's Ethics Officer confirmed in April 2022 that Ms. Bush's personnel file did not contain any other Reports of Secondary Employment.

C. Ms. Bush's DHS Work Hours And Time Records

According to DHS's [Redacted] for the region where the South FCRC is located, Ms. Bush's initial scheduled DHS work hours in her Office Manager position were 8:00 AM – 4:30 PM, with a 30-minute lunch break and two 15-minute breaks. However, her supervisor, [DHS Employee 1], said that when Ms. Bush first began in that position in 2020, her work hours were 8:30 AM to 5:00 PM. [DHS Employee 1] also said that employees working a "regular" schedule (as opposed to a

⁶ Although these emails were sent during Ms. Bush's scheduled work hours, the OEIG did not obtain Monthly Attendance Records for June 2021 and Ms. Bush did not send a check-in or check out email for that day.

⁷ DHS Employee Handbook §V, Employee Personal Conduct, "Secondary Employment."

⁸ *Id.*

“flex” schedule) receive a 1-hour unpaid lunch break, in addition to the two 15-minute breaks.⁹

OEIG investigators obtained Monthly Attendance Records for Ms. Bush for March 2020 through May 2021, which documented the days worked during the month, total hours worked, and any leave used. The Monthly Attendance Records did not document her start, end, lunch, or break times. Investigators also obtained Ms. Bush’s daily check in and check out emails sent to a DHS timekeeping email address from March 2021 through August 2021. OEIG investigators observed that the check-in emails were sent at various times in the mornings, and that the check-out times were sent at various times in the late afternoons.

D. Review Of Tiffany Bush’s Personal Cell Phone Records

The OEIG identified Ms. Bush’s personal phone number through various documents located in her DHS personnel file, and subpoenaed phone records associated with that number.¹⁰ In the phone records produced in response to the subpoena, the OEIG reviewed calls to and from Ms. Bush’s personal cell phone number between 8:00 AM and 4:30 PM during a three- month sample period of March 2 to May 28, 2021, on days when her timesheets reflected that she was working. Ms. Bush’s time and leave records reflect that she worked a total of 57 full days during the sampled period. The OEIG did not identify any calls with numbers associated with Ms. Bush’s real estate business within this period.

However, the OEIG identified a number of other calls made and received on Ms. Bush’s personal phone during that period. Because Ms. Bush’s time records did not document her lunch or other break times, the OEIG identified any days that had phone calls that collectively totaled more than 90 minutes between 8:00 AM and 4:30 PM (her scheduled work hours according to the [Redacted]) on days when Ms. Bush’s timesheets reflected she was working. Although Ms. Bush has an assigned State cell phone, and records reflected that it was used during this sampled period, the OEIG identified some calls between Ms. Bush’s personal phone and State and personal contact numbers for other FCRC employees, and excluded those calls from the analysis.¹¹ The OEIG also excluded received calls labeled as voicemails or any calls that appear to be duplicates.

The OEIG’s analysis reflected that during the 57 days Ms. Bush reported working during the sampled three-month period (and excluding 90 minutes per day in break time and calls with the numbers described above), there were approximately **82 hours and 27 minutes** of calls – or approximately **12 work days**¹² – on Ms. Bush’s personal cell phone between 8:00 AM and 4:30 PM. As outlined below, even excluding 90 minutes of break time per day, there were over 2 hours of calls on 16 of the 57 days sampled, including 3 days with over 3 hours of calls:

⁹ As noted below, during her OEIG interview, Ms. Bush stated that when she first began as the Office Manager in March 2020, her scheduled work hours were 8:00 AM to 4:00 PM. Ms. Bush’s personnel file produced by DHS in the investigation revealed that beginning July 7, 2021, after Ms. Bush received an approved flextime request, her scheduled work hours were 8:30 AM – 4:30 PM.

¹⁰ Ms. Bush confirmed in her OEIG interview that this number was her personal cell phone number.

¹¹ DHS provided the OEIG with the South FCRC employees’ assigned work phone numbers, and the OEIG conducted additional database searches, to the extent possible, for personal phone numbers associated with South FCRC employees and excluded any numbers found in those searches from its analysis.

¹² This total is calculated based on the approximate total of minutes of calls divided by a 7-hour workday. The duration amounts of calls discussed in this report have been rounded to the nearest minute.

March 2 to May 28, 2021 (57 Work Days)

- Days with calls totaling up to 1.5 hours: 34
- Days with calls totaling 1.5 – 2 hours: 7
- Days with calls totaling 2-3 hours: 13
- Days with calls totaling 3-4 hours: 2
- Days with calls totaling 4-5 hours: 1

Given the volume of calls made and received on Ms. Bush's personal phone, it was impractical to identify all of the phone numbers in the records. However, through database searches, the OEIG identified some of the numbers, including numbers associated with [Individual 1], [School 1], [Individual 2], [Individual 3], and [Individual 4]. [School 1]'s website lists "[Individual 1]" as its [Redacted],¹³ and a Google search revealed a phone number for [School 1] that matched a work number listed for [Individual 1], identified as Tiffany Bush's [relation 1] in Tiffany Bush's emergency contact forms.¹⁴ Emergency contact forms in Ms. Bush's personnel file also list [Individual 2] as her [relation 2]. As discussed further below, Ms. Bush identified [Individual 3] and [Individual 4] as friends in her interview. The OEIG identified approximately 19 days within the three-month sample period where the total amount of calls with these identified phone numbers collectively added up to more than 90 minutes per workday.¹⁵

In addition, the records reflect that the calls with these identified numbers often were throughout the workday, and were not confined to a 15-minute period in the morning, a 1-hour period in the middle of her shift, and a 15-minute period in the afternoon. For example, the following chart shows the calls between these identified phone numbers and Ms. Bush's personal cell phone on April 23, 2021, between 8:00 AM and 4:30 PM:¹⁶

¹³ See [\[redacted\]](#).

¹⁴ Emergency contact forms in Ms. Bush's personnel file list [Individual 1] as her [relation 1] and [Individual 5] as her [relation 3].

¹⁵ Those dates were March 17-18, 22, and 25, 2021; April 6, 14-16, 19-20, 23, 29, and 30, 2021; and May 20, and 24-28, 2021.

¹⁶ In addition to the identified calls in the above-referenced chart, there were 26 other calls totaling approximately 49 minutes, 32 seconds between other numbers and Ms. Bush's personal cell phone on April 23, 2021, between 8:00 AM and 4:30 PM.

Calls between Ms. Bush's Personal Phone and 5 Identified Numbers
April 23, 2021

<u>Call Type</u>	<u>Time Initiated</u>	<u>Name</u>	<u>Duration</u>
Outbound	8:18 AM	[School 1]	24 seconds
Outbound	9:05 AM	[School 1]	1 minute, 34 seconds
Inbound	9:08 AM	[Individual 4]	8 minutes, 3 seconds
Outbound	9:43 AM	[Individual 4]	33 minutes, 42 seconds
Inbound	10:17 AM	[School 1]	14 minutes, 28 seconds
Outbound	10:50 AM	[Individual 3]	44 seconds
Outbound	10:53 AM	[School 1]	40 seconds
Outbound	11:05 AM	[Individual 4]	1 hour, 27 minutes, 54 seconds
Outbound	12:46 PM	[School 1]	40 seconds
Inbound	1:14 PM	[Individual 4]	40 minutes, 41 seconds
Inbound	1:57 PM	[Individual 4]	9 minutes, 30 seconds
Outbound	2:28 PM	[School 1]	15 minutes, 32 seconds
Inbound	2:29 PM	[Individual 3]	8 seconds
Outbound	2:43 PM	[Individual 3]	4 minutes, 2 seconds
Inbound	2:50 PM	[Individual 4]	5 minutes, 7 seconds
Outbound	3:02 PM	[Individual 3]	24 seconds
Inbound	3:10 PM	[Individual 4]	21 minutes, 12 seconds
Outbound	3:34 PM	[Individual 4]	6 seconds
Inbound	3:37 PM	[Individual 4]	12 minutes, 56 seconds
Outbound	3:52 PM	[Individual 4]	5 minutes, 20 seconds
Outbound	4:00 PM	[Individual 4]	3 seconds
Inbound	4:05 PM	[Individual 4]	15 minutes, 5 seconds
Inbound	4:21 PM	[Individual 4]	10 seconds
Total: 23 Calls			4 hours and 38 minutes

E. Interview Of Tiffany Bush

On December 22, 2021, OEIG investigators interviewed Ms. Bush. Ms. Bush stated that as Office Manager, her duties included managing clerical staff, handling mail and payroll, ordering equipment and office supplies, and managing building operations. Ms. Bush stated that she was also listed as the primary timekeeper for the South location, but she did not handle it all the time because staff under her usually completed it. Ms. Bush stated that her duties also involved frequently communicating with both non-State and State agencies and employees, including with different shipping or supply vendors, managers in her office, her reports, Human Resources, the Illinois Department of Innovation and Technology (DoIT), Illinois Department of Central Management Services (CMS), her Public Service Administrators, and her Local Office Administrators. Ms. Bush said that since around November or December 2020, she had been working remotely three days per week and went into the office two full days per week, but she did not have a set schedule for which two days she worked in the office.

Ms. Bush stated that she obtained her real estate license in September 2015 and confirmed she owns Realist Realty Group, LLC, which she said she started around 2018. When asked about her LinkedIn page, which said Realist Realty was started in 2015, she stated that she does not use the page and 2015 is just the year she received her real estate license. Ms. Bush said that she does not have anyone who works for her, and the company is not fully operable. Ms. Bush said she did not actively work in real estate from 2015 to 2018, and claimed that she keeps the company active because she does not want her real estate license to expire.

Ms. Bush stated as a part of her duties with Realist Realty Group, she has created listings, completed showings of properties, acted as her own realtor, contacted banks and title companies, and communicated with sellers, buyers, attorneys, inspectors and other realtors to set up meetings or relay offers. However, Ms. Bush said she has only been the seller for one or two properties. Ms. Bush said the last listing she created was approximately three months before her interview, in August or September 2021, and that this was the only home she listed in 2021. After further questioning, Ms. Bush added that she listed the Carpenter Property, which is a home that she owns but does not live in, in early December 2021 but said she removed the listing. Ms. Bush stated that she created AMB Unlimited Corp. for the purpose of listing the Carpenter Property. Ms. Bush said her last showing during a weekday was two to three weeks before her interview. Ms. Bush stated she sold a home either the previous year or the year before that, and that she also sold her own home in either March or April 2020. Ms. Bush said she listed one other building that was her [relation 2]'s in 2018 or 2019. Ms. Bush also said she could not recall if she listed any other homes from 2018 to 2020, and that she may or may not have. Ms. Bush said she seldomly uses her real estate license, and there could be as much as a year in between listings.

Ms. Bush said that she filled out secondary employment forms when they were given to her, and that she could not recall if she disclosed secondary employment in 2015, 2016, or 2017. When reviewing her 2015 Report of Secondary Employment during the interview, Ms. Bush confirmed that she did not report any secondary employment. Ms. Bush offered as an explanation that she was probably not working or active at that time. In addition, Ms. Bush said she did not recall completing the 2021 report, which stated she did not have secondary employment. Ms. Bush further added that she always mentioned her real estate work to [DHS Employee 1].

When asked if she has ever conducted secondary employment during her State working hours, Ms. Bush stated she guessed yes, but she cannot recall when. Ms. Bush said that she has used her personal cell phone to receive calls related to secondary employment during work hours, but she could not say how often. Ms. Bush confirmed that if someone called her on her personal cell phone regarding her real estate work during her State work hours, she answered because she usually did not know who is calling. Ms. Bush said she had sent emails related to secondary employment from her personal email to her State email and vice versa, including a statement showing a breakdown of commissions if she closed on a property. Ms. Bush also stated she may have opened a document related to real estate using her State computer and used a State printer to print something she sent to herself related to her secondary employment. She said she did not recall if she sent herself blueprints from her personal email to her State email. Ms. Bush said if she had done a showing during the week, it could have been while she is on her lunch, but she did

not think that she had done one during lunch. Ms. Bush said she could recall taking time off or leaving work early to conduct Realist Realty business.

Ms. Bush stated that when she first started in her Office Manager position in March 2020, she had a State desk phone but was not issued a State cell phone and had to use her personal cell phone for many of her work-related duties. Ms. Bush stated that she and [DHS Employee 1] had a verbal understanding that her personal cell phone could be used for work-related purposes and [DHS Employee 1] and other management personnel often gave out Ms. Bush's personal cell phone number for work. Ms. Bush stated that she had since been issued a State cell phone; she said she could not recall if she received it in 2020, but said that she had it in 2021. She said that employees had her State phone numbers, but she still received work-related phone calls on her personal cell phone. Ms. Bush stated sometimes more than half of her work-related calls per day were on her personal cell phone. Ms. Bush stated when she was in the office, she seldomly used her desk phone.

When asked about some of the individuals associated with numbers called by Ms. Bush's personal phone, Ms. Bush said that [Individual 4] is a friend, and that she spoke with her during work hours using her personal cell phone; Ms. Bush stated at one point [Individual 4] reached out to Ms. Bush once a day. Although Ms. Bush initially said that [Individual 3] works for the Illinois Department of Juvenile Justice (DJJ) and that she spoke with [Individual 3] for work-related purposes, upon further questioning Ms. Bush admitted that her FCRC does not do any work with DJJ, and that while she occasionally assisted [Individual 3] with how to use an electronic system she did not work with [Individual 3] in her capacity as DHS Office Manager. Ms. Bush said that [Individual 3] is a friend, and [Individual 3] made sure Ms. Bush was okay in the office, and Ms. Bush asked [Individual 3] about picking Ms. Bush's son up from school.

Ms. Bush said it was possible that she may have been on the phone with personal calls for over one hour during her State work hours, but that she could not remember a time where she had been on the phone for over two hours during work hours. Ms. Bush stated she had not been told she could take personal calls during work hours, and that her understanding was that personal calls were okay as long as they did not affect work. However, when asked if someone told her she could take personal calls as long as it does not affect her work, Ms. Bush said no one had discussed receiving or not receiving calls throughout the day.

Subsequent to Ms. Bush's interview, the OEIG learned that Ms. Bush left State employment in October 2022.

F. Interview Of [DHS Employee 1]

The OEIG interviewed Ms. Bush's supervisor, [DHS Employee 1], on June 23, 2022. She stated that as [Redacted], she is responsible for everything that happens in the South FCRC, and that she supervised Ms. Bush from March 2020 until Ms. Bush went on a leave approximately six months prior to [DHS Employee 1]'s interview.

[DHS Employee 1] said, as Office Manager, Ms. Bush assisted her with running the FCRC office by taking care of everything in the facility such as the clerical department, computer issues, ordering supplies, inventory, and security issues. [DHS Employee 1] stated that Ms. Bush's duties required her to communicate with other FCRC employees, as well as CMS and DoIT, but that

there would not be any situation that required Ms. Bush to call supply vendors outside of CMS. [DHS Employee 1] stated that Ms. Bush's duties also did not require her to communicate with other State agencies, including DJJ, or with non-State employees or non-State agencies.

[DHS Employee 1] said that as of the time of her interview, Ms. Bush was required to be in the office three days a week, and that she previously was required to work in the office two days a week. [DHS Employee 1] said that she could not see Ms. Bush's office from her office because they were located on opposite ends of the building, but she sometimes observed Ms. Bush in person when she and Ms. Bush were in the office on the same day. [DHS Employee 1] said she made sure to go into the office during one of Ms. Bush's scheduled office days. [DHS Employee 1] said she communicated with Ms. Bush on the telephone, at minimum, four to five times a day, and that Ms. Bush also sent her emails saying she had completed her tasks and what was still pending. [DHS Employee 1] stated she never had an issue reaching Ms. Bush, and that there never was a time where she called or emailed Ms. Bush and Ms. Bush did not respond within a reasonable amount of time. [DHS Employee 1] said that most of Ms. Bush's tasks were completed on time or early.

[DHS Employee 1] said that most often Ms. Bush called her from a State issued cell phone but said that Ms. Bush did use her personal cell phone sometimes and that she ([DHS Employee 1]) had also called Ms. Bush on her personal cell phone before. [DHS Employee 1] said when she spoke to Ms. Bush on the phone, the conversations were about work and lasted 15 minutes maximum. [DHS Employee 1] said that she has never told her staff to not use their personal cell phones for work-related purposes but that employees should use their State cell phones if they have them. [DHS Employee 1] further added that it is unacceptable if more than half of Ms. Bush's work-related calls were done on her personal cell phone.

[DHS Employee 1] stated she thought that in addition to her DHS position, Ms. Bush worked for a company as a real estate broker. She recalled an occasion when she and Ms. Bush were in the office together and Ms. Bush discussed real estate; [DHS Employee 1] said that she told Ms. Bush she hoped it was reported on Ms. Bush's secondary employment form, and Ms. Bush indicated it was. [DHS Employee 1] said she has never had any concerns or received complaints that Ms. Bush may have engaged in secondary employment while on State time, nor had she ever witnessed Ms. Bush conduct any business related to her secondary employment during State time.

[DHS Employee 1] stated, in the past, she had observed Ms. Bush on her personal cell phone for non-work-related purposes, and explained, as an example, that she once walked into Ms. Bush's office and heard Ms. Bush speaking to a day care provider about her son. [DHS Employee 1] said she never gave Ms. Bush permission to use her personal cell phone for non-work-related business, but added that everyone, including herself, receives personal telephone calls during the workday, and if one of her employees received an emergency personal telephone call during the day, she would allow them to answer. [DHS Employee 1] said she never observed Ms. Bush on the phone for a significant amount of time when they were in the office, and did not think Ms. Bush's personal phone use was excessive. However, she noted that working remotely made it difficult to tell if Ms. Bush was on her phone.

IV. ANALYSIS

DHS policy requires employees to submit a Report of Secondary Employment form as early as possible, but at least within five working days of commencing outside employment, and to annually complete a new form, even if no change in secondary employment status has occurred.¹⁷ In addition, employees may not use DHS time, equipment, or resources in any outside paid or non-paid employment.¹⁸ Ms. Bush confirmed that she had two businesses during her DHS employment, Realist Realty and AMB Unlimited. She said she created a property listing in August or September 2021, listed the Carpenter Property beginning in December 2021, and that she showed a property two to three weeks before her December 22, 2021 interview; online records reflect that Ms. Bush sold the Carpenter Property in February 2022. Nevertheless, Ms. Bush reported in March 2021 that she did *not* have any secondary employment, and she did not submit a new form disclosing her real estate business when she was actively engaged in real estate work at minimum beginning in August 2021. In her interview, Ms. Bush ultimately admitted that she received calls related to her secondary employment during her DHS work hours, sent emails related to her secondary employment to and from her State email, and used a State printer to print something she sent to herself related to her secondary employment.

The OEIG also discovered that Ms. Bush frequently used her personal cell phone for personal calls during her State work hours. The State of Illinois Code of Personal Conduct requires State employees to dedicate their efforts to the performance of their assigned work and job responsibilities while on duty.¹⁹ DHS policy states that employees are expected to be on site performing required duties during the hours established for their jobs.²⁰ In addition, DHS policy prohibits employees from using personal cellular phones at work without prior written supervisory approval, and permits such use only if it is “of reasonable duration and frequency,” and for calls that “could not have reasonably been made during non-work hours.”²¹ The evidence gathered in the investigation showed that Ms. Bush spent extensive time during her workdays on personal calls, rather than performing her State duties. Although Ms. Bush’s supervisor may have implicitly permitted Ms. Bush and her other subordinates to receive some personal calls during the workday, Ms. Bush’s personal phone usage far exceeded any duration or frequency that could be deemed reasonable.

During just a three-month sample period of 57 work days in 2021, and even excluding 90 minutes of calls per day to account for her break times, Ms. Bush spent the equivalent of approximately **12 work days** on her personal phone during her State workday. This amounts to approximately **21% of her workdays** during the three-month sample period. Ms. Bush admitted that she spoke with her friend [Individual 4] during her State work hours, and that she spoke with [Individual 3], also a friend, about non-work matters. Although Ms. Bush claimed that she frequently used her personal phone for DHS work calls, the OEIG identified approximately 19 out

¹⁷ DHS Employee Handbook §V, Employee Personal Conduct, “Secondary Employment.”

¹⁸ *Id.*

¹⁹ State of Illinois Code of Personal Conduct (rev. Mar. 17, 2021), <https://cms.illinois.gov/content/dam/soi/en/web/cms/personnel/employeeresources/documents/soi-code-personal-conduct.pdf>.

²⁰ DHS Employee Handbook §III, Time and Attendance.

²¹ DHS Administrative Directive 01.05.04.020, last revised April 1, 2009; see also DHS Employee Handbook, dated April 1, 2009, Section V- Employee Personal Conduct, “Telephones.”

of the 57 days sampled in which her calls with just a few numbers associated with her family and friends totaled more than 90 minutes per day. Moreover, as illustrated by the chart of her April 23, 2021 calls, Ms. Bush was on non-work calls throughout her workday, all of which could not have been made solely during two 15-minute breaks or one-hour lunch period. Ms. Bush's time abuse is especially notable, in light of the fact that she was responsible for other employees' timekeeping. Based on this evidence, there is reasonable cause to believe that Ms. Bush abused State time by making and receiving non-work calls during her DHS work hours that were not of reasonable duration and/or frequency, in violation of the State of Illinois Code of Personal Conduct and DHS policy.

V. [REDACTED] AND RECOMMENDATIONS

Based on the evidence detailed above, the OEIG has determined that there is **REASONABLE CAUSE TO BELIEVE THE FOLLOWING:**

- **[REDACTED]** – Tiffany Bush failed to timely report her secondary employment, and used DHS time and resources for her secondary employment in violation of DHS policy.
- **[REDACTED]** – Tiffany Bush abused State time by making and receiving non-work calls during her DHS work hours that were not of reasonable duration and/or frequency, in violation of the State of Illinois Code of Personal Conduct and DHS policy.

Because Ms. Bush is no longer a State employee, the OEIG recommends that DHS place a copy of this report in her personnel file and not rehire her.

In addition, the OEIG notes that DHS's timekeeping procedures, under which employees only record the total number of hours worked each day, do not comply with the State Officials and Employees Ethics Act's requirement to document time spent on State business to the nearest quarter-hour,²² and make it difficult to determine whether an employee may be conducting non-State business on State time. DHS's Monthly Attendance records only document employees' total hours worked, employees do not necessarily send their check-in and check-out emails at the actual times their work days begin or end, and there is no requirement for employees to document their lunch breaks. Especially given that many employees are working remotely for at least part of the week, proper timekeeping is important in allowing for effective supervisory oversight of employees. Therefore, the OEIG recommends that DHS implement a timekeeping system that requires employees to record their start times, end times, and lunch periods.

No further investigative action is needed, and this case is considered closed.

Date: January 25, 2023

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By: **Grace Donovan**
Assistant Inspector General

²² 5 ILCS 430/5-5(c).



JB Pritzker, Governor

Illinois Department of Human Services

Grace B. Hou, Secretary

Office of the General Counsel

69 West Washington • 9th Floor • Chicago, Illinois 60602

February 14, 2023

Via e-mail to Senior Paralegal Sherry Bult (via [REDACTED]@illinois.gov), on behalf of:

Susan M. Haling

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to the Final Report for Complaint 21-00883

Dear Executive Inspector General Haling:

This letter responds to the Final Report for Complaint Number 21-00883. The Report [REDACTED] two allegations [REDACTED] and makes three recommendations. The Department of Human Services (DHS) is reviewing the Report. Your office will receive an update regarding this matter by March 15, 2023. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

/s/ Grace B. Hou by /s/ Robert J. Grindle

Grace B. Hou
Secretary



JB Pritzker, Governor

Illinois Department of Human Services

Grace B. Hou, Secretary

Office of the General Counsel

69 West Washington • 9th Floor • Chicago, Illinois 60602

March 14, 2023

Via e-mail to Senior Paralegal Sherry Bult (via [REDACTED]@illinois.gov), on behalf of:

Susan M. Haling

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Updated Response to the Final Report for Complaint 21-00883

Dear Executive Inspector General Haling:

This letter updates a previous response to the Final Report for Complaint Number 21-00883. The Report [REDACTED] two allegations [REDACTED] and makes three recommendations. Two recommendations are being adopted.

The Final Report has been placed in Ms. Bush's personnel file. In addition, it has been marked such that she is not to be rehired.

The Final Report appears to suggest that Ms. Bush did not send emails indicating her actual start and end times. After review, Ms. Bush did send such emails. While such emails are not part of the Monthly Attendance Report (MAR), as suggested in the Final Report, they are required by Department of Human Services (DHS) policy and part of daily procedures. As such, DHS believes the current timekeeping procedures do comply with the timekeeping requirements of the State Officials and Employees Ethics Act. If your office disagrees, however, we welcome the opportunity to discuss the matter with you.

Finally, the Final Report recommends implementing a different timekeeping system that allows employees to record start times, end times and lunch periods. After careful consideration and internal discussion, that recommendation is not being adopted. As indicated above, employees are already required to indicate their start

and end times. Further, DHS is unaware of widespread issues suggesting time abuse related to lunch periods. Supervisors are responsible for monitoring the use of lunch periods, including by tracking employee work product and productivity. Additionally, as you may know, the State of Illinois is implementing a new timekeeping system, known as the Human Capital Module (HCM). It is scheduled to be available in 2024. Over 50 State agencies are implementing the system, with efforts driven by teams within the Department of Innovation and Technology (DoIT) and Central Management Services (CMS).

With the personnel-related activity complete, DHS considers this matter closed. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

/s/ Grace B. Hou by /s/ Robert J. Grindle

Grace B. Hou
Secretary