



Illinois Ethics Matters

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Honesty, Integrity, Service

A newsletter from the Office of Executive Inspector General for the Agencies of the Illinois Governor

Office of Executive Inspector General

Susan M. Haling
Executive Inspector General

Neil P. Olson
General Counsel

Fallon Opperman
Deputy Inspector General & Chief of Chicago Division

Erin K. Bonales
Director, Hiring & Employment Monitoring Division

Christine Benavente
Deputy Inspector General-Executive Projects

Angela Luning
Deputy Inspector General & Acting Chief of Springfield Division

Ogo Akpan
Chief Fiscal Officer & Chicago Operations Manager

Chicago Office:

69 W. Washington St.
Suite 3400
Chicago, IL 60602
(312) 814-5600

Springfield Office:

607 E. Adams St.
14th Floor
Springfield, IL 62701
(217) 558-5600

Hotline:

(866) 814-1113

TTY:

(888) 261-2734

Announcements

- The OEIG’s Hiring & Employment Monitoring (HEM) Division released its quarterly report for the third quarter of calendar year 2023. That quarter HEM issued twenty advisories, six of which combined reviews of multiple hiring sequences with similar issues. One common issue involved the Relationship Disclosure and Conflict of Interest form. HEM reminds agency staff that the form should be properly vetted by a non-participant. The quarterly report can be found on the OEIG website [here](#).

Secondary Employment Issues

Some public employees hold employment or receive income outside of their primary public employment, generally referred to as “secondary employment” or “outside employment.” This has become more prolific with the onset of remote working. It is essential that any secondary employment does not interfere with an employee’s public duties, either by taking up public time or resources, or substantively creating a conflict of interest. Therefore, agencies should ensure effective secondary employment policies are in place that require appropriate disclosure and approval processes. Elements of an effective policy include the following:

- ❖ Clear definitions of what secondary employment is, noting that it includes self-employment and any other receipt of outside compensation, and requires staff to specifically disclose the type of outside work, their outside employer, and the hours when it will occur.
- ❖ Annual administration of a uniform secondary employment disclosure form that requires an employee to affirmatively attest to having “no secondary employment” if none exists or adequately detail the secondary employment, and requiring the submission of the form prior to starting secondary employment at any time, including between annual disclosure periods.
- ❖ A thorough and objective vetting process for approving secondary employment that includes further inquiries of the employee when necessary to ensure no conflicts exist and emphasizing that the secondary employment will not be done on public time or by using any public resources.
- ❖ Training or review of the secondary employment policies with employees and individuals who vet and approve the requests.

Two OEIG investigative reports that were recently published provide examples of problems that can occur in the area of secondary employment.



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OEIG Case: 21-02372

In this case, the agency’s policy required employees to “obtain written approval from his/her supervisor and Human Resources *before accepting any outside employment that conflicts, or has the potential to conflict, with this policy*” (emphasis added). This policy, in effect, placed it in the hands of the employee to determine whether the secondary employment constituted a conflict and thus required to be reported to management. The OEIG recommended that the agency revise its outside employment policy to require all proposed outside employment to be reported so that it could then be objectively vetted. The agency revised its policy in accordance with the OEIG’s recommendation. OEIG Case No. 21-02372 is available on the OEIG website [here](#).

OEIG Case: 21-01474

A recent investigation looked at allegations that a married couple, both of whom were State employees, were working on self-employment business ventures during State time. The investigation revealed that the husband had worked on his outside businesses during State time, appeared to have improperly used sick time for that outside work, and failed to disclose his secondary employment to his employer. The wife, who was working remotely part of the time, also had not disclosed her outside employment even though the income far exceeded her State income; she maintained that she did not consider the sales from her “craft hobby business” as outside employment. The husband received a 25-day suspension as a result of the investigation; the wife received a written reprimand. OEIG Case No. 21-01474 is available on the OEIG website [here](#).

With more employees working remotely, the risk of employees abusing time by working an additional job during their work hours has increased. The phenomenon of working multiple jobs while working remotely has been referred to as being “overemployed.” The secondary employment approval process is a good time to provide direction and reminders to employees about what they can and cannot do relating to their outside employment, to ensure they comply with agency policies.

Supervisors should also ensure that their employees who are working secondary employment are not doing so during compensated time, especially when they are working remotely. Some measures that supervisors could employ are regular check-ins or documentation of work to be completed. Any questions about reporting, vetting, and monitoring secondary employment should be raised with the appropriate managerial staff and/or an agency’s Ethics Officer. A list of Ethics Officers is available [here](#).