



2009
EMPLOYEE ETHICS SURVEY
OFFICES OF THE ILLINOIS STATE
ATTORNEY GENERAL
COMPTROLLER
TREASURER

Report prepared by the
Illinois Executive Ethics Commission

EXECUTIVE SUMMARY—

2009 Employee Ethics Survey, Offices of the Attorney General, Comptroller and Treasurer

During January 2009, the Illinois Executive Ethics Commission (EEC) conducted a mail-based survey of employees of the Offices of the Attorney General, Comptroller and Treasurer to evaluate the ethical climate, awareness and effectiveness of the ethics programs, and the ethical outcomes within these offices.

Surveys were mailed to employees' home addresses. A copy of the survey instrument sent to employees of the Office of the Attorney General is attached as Appendix 1. It, and the surveys sent to employees of the other offices were based on a survey conducted in 2000 by the Federal Office of Government Ethics in and is nearly identical to surveys the EEC conducted of employees of Governor's agencies in 2006-2007 and employees of the Secretary of State in 2008. Final reports of these surveys are available at <http://www.eec.illinois.gov/publications.htm>. Approximately half of the surveys were completed and returned from each office, which is sufficient for results to be generalizable to each population of employees.

The survey responses provided by employees of Governor's agencies were from a prior administration and may or may not accurately reflect the current ethical climate in those agencies. The Commission plans to conduct another survey of Governor's agencies in 2010.

Results in Brief

Awareness

1. Employees were aware of the ethics resources available to them.

Employees were generally aware of the ethics resources available to them, which include their Ethics Officer and ethics training. Secretary of State employees were less aware of the existence of the Ethics Officer compared to employees of other offices. Employees of all offices generally described themselves as familiar with the Ethics Act.

2. Employees lacked awareness of disciplinary aspects of the Ethics Act.

Although employees reported being reasonably familiar with the Ethics Act itself, they reported being less familiar with two very important objectives of the Act: 1) detecting unethical behavior; and 2) disciplining and prosecuting violators of the Ethics Act. Familiarity with these two objectives, however, was much lower among employees of Governor's agencies than those of the other four offices. The confidentiality provisions of the Ethics Act prevented employees from observing the work of the Executive Inspectors General in detecting unethical behavior and any prosecution and/or discipline that may follow their investigations. Recent amendments to the Ethics Act which serve to increase the transparency of the disciplinary process may increase awareness of Executive Inspector General activity in future years.

Communication

3. More supervisors and employees discussed ethics in the workplace.

While fewer than half the employees of Governor's agencies and the Secretary of State reported feeling comfortable talking about ethics, over two-thirds of employees of the Attorney General, Comptroller and Treasurer reported feeling comfortable. Likewise, more employees of the Attorney General, Comptroller and Treasurer reported that supervisors include discussions of ethics when talking to employees compared to employees of Governor's agencies and the Secretary of State.

4. Relatively few employees sought ethics advice or consulted their Ethics Officer.

A higher percentage of employees of the Attorney General and Treasurer reported seeking ethics-related advice in the past four years than employees of the other offices. Still, even at those offices only about one-third of respondents reported seeking ethics advice. Employees of the Attorney General, Comptroller and Treasurer, more than employees of Governor's agencies or the Secretary of State, who seek ethics advice tended to consult their Ethics Officer for that advice. Most who received advice from their Ethics Officer found the advice helpful.

Leadership

5. Leadership's concern for ethics was rated high in most offices.

About three-fourths of employees of the Attorney General, Comptroller and Treasurer reported that their leadership regularly demonstrated concern for ethics. Just over half of Secretary of State employees and less than 40% of Governor's employees, however, witnessed this level of concern among their leadership. Employees generally rate supervisors' concern for ethics higher than leaderships' concern. As might be expected, employees who rated their leadership's concerns for ethics high also saw consistent office rules and practice, consistent discipline of misconduct and less retaliation for reporting misconduct.

Training

6. The perceived effectiveness of ethics training varied among the offices.

Employees of the Attorney General, Comptroller and Treasurer found the ethics training they receive useful in identifying ethical issues and in guiding their decision-making in the workplace. Employees of the Secretary of State found their ethics training somewhat less useful in both respects, but more useful than employees of Governor's agencies found the training. A number of respondents suggested that more ethics training would help employees act ethically in the workplace. About 15-20% of employees the offices of Secretary of State and Treasurer, however, reported not receiving annual ethics training.

Overall Ethical Culture

7. Attorney General, Comptroller and Treasurer's employees reported a more ethical workplace culture compared to employees of the Secretary of State, who, in turn, reported a more ethical workplace culture compared to employees of Governor's agencies.

The survey measured eight elements of the ethical culture in the workplace including "ethics discussions in the workplace," "leadership's concern for ethics," and "retaliation for misconduct." According to all eight elements, the ethical culture was poorest for employees of agencies of the Governor compared to the other offices. For the elements of "employees being expected to do as they are told no matter what" and "ethics discussion in the workplace," employees of the Secretary of State joined those of the Governor in the lowest ranking among the offices.

By every measured element, the culture was better for employees of the Treasurer, Comptroller and Attorney General than for employees of the Governor or Secretary of State. Among the smaller three offices, the survey was unable to detect a difference in the elements of "leadership's concern for ethics," "consistent rules and practice" and "following direction without question."

Employees of the Attorney General scored somewhat lower than the other two smaller offices in areas of "follow up of reported ethical concerns" and "efforts to detect violations of ethics standards." As noted above, however, these scores were better than those of employees of Governor's agencies and the Secretary of State.

Employees of all offices had relatively high opinions of their supervisors' attention to ethics. Employees of Governor's agencies and the Secretary of State perceived their supervisors to be markedly more concerned with ethics than was office leadership.

Recommendations. The Commission recommends that issues identified by the survey be addressed as follows:

- 1. Leadership should make ethics part of employees' regular discussion.**
Many employees of all offices do not discuss ethics in the workplace. Leadership should remove any existing barriers to free ethics communications, such as fear of retaliation, and also actively encourage ethics communications. Decision making processes should reflect ethical considerations in the workplace.
- 2. Leadership should work to increase its concern for ethics in the workplace.**
Too many employees report that leadership does not demonstrate concern for ethics. Many elements of an ethical workplace, however, are within the control of leadership. For example, leadership should ensure that when ethics concerns are raised, appropriate follow-up is done. Also, leadership should make ethics rules and practice consistent and enforce ethics rules consistently among all levels of employees. Leadership is also in the best position to ensure that no employee suffers retaliation for reporting misconduct.
- 3. The role of Ethics Officer should be emphasized to employees.**
Ethics Officers guide employees in the interpretation and implementation of the Ethics Act. Employees who receive ethics guidance from their Ethics Officer generally report a high level of satisfaction, but few seek that guidance. Leadership should emphasize the importance of turning to the Ethics Officer when ethics questions and concerns arise and take steps to increase his or her visibility to employees.
- 4. Ethics training should be conducted often and provide useful information.**
Many employees see increased ethics training as a way to improve ethical behavior in the workplace. The trainings should be useful in helping identify ethical issues and in guiding decision-making in the workplace. Ethics training should be offered in several different formats. Efforts should be taken to confirm that each employee receives required ethics training and in a format or formats most helpful to the employees.

EMPLOYEE ETHICS SURVEY 2009: OFFICES OF THE ATTORNEY GENERAL, COMPTROLLER AND TREASURER

Final Report

Report prepared by the Illinois Executive Ethics Commission

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Purpose of the Study

The three specific purposes of the study were:

1. to assess the effectiveness of the ethics program within the Offices of the Attorney General, Comptroller and Treasurer
2. to assess the ethical culture in the Offices of the Attorney General, Comptroller and Treasurer from the employee perspective; and
3. to establish a benchmark against which change can be measured.

For the purposes of this study, the term “ethics” was narrowly defined to mean employee conduct within the Executive Ethics Commission’s jurisdiction, not as the term might be generally understood. The term, “unethical conduct,” for example, was understood to encompass only the types of misconduct addressed in the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq).

Examples of conduct not addressed by this study include sexual harassment, inappropriate behavior and language, lying or misrepresentation, and alcohol or drug abuse. The Ethics Act does not address these types of misconduct.

Policy Relevance

The Illinois Executive Ethics Commission (EEC) is the state agency with statutory responsibility for providing overall policy leadership for executive branch constitutional offices in the conduct of their employee ethics programs. Comprised of appointees from five executive branch constitutional offices, only five of the nine EEC commissioners may belong to any one political party. The EEC’s duties include advising agency ethics officers, conducting evidentiary hearings, overseeing ethics training and promulgating rules pertaining to the conduct of investigations by the Executive Inspectors General into wrongdoing.

The State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.) was enacted on December 9, 2003. It created the EEC, the five Offices of Executive Inspectors General (OEIG) and the positions of Ethics Officer. It also set forth laws governing annual ethics training, employee and officer conduct and a mechanism for enforcing these laws.

Each executive branch constitutional office and each agency of the Governor appoints its own Ethics Officer (EO). The EO advises office or agency officials and employees concerning standards of ethical conduct, reviews financial disclosure statements, and serves as a liaison between the office or agency and the OEIG and the office or agency and the EEC. Some EOs offer ethics training in addition to the annual training required by the OEIG to officials and employees, but they are not required to do so by statute or rule.

Ethics officers review statements of economic interest filed by employees and officers of their office or agency. EOs, in consultation with other ethics officials, help ensure that agency employees avoid situations that could place them at risk of violating the Ethics Act and agency rules. Overall, a critical objective of the ethics program is to prevent conflicts of interest and misconduct that undermine the public’s trust in Government.

The results of this survey have important implications for helping the EEC improve the ethical climate of the executive branch. Simply put, the public expects that taxpayer dollars be used for effective ethics programs and for improving and building on successful initiatives. The first purpose of the survey, to assess the effectiveness of the ethics program, is directly keyed to this objective. The survey was designed to identify program elements that are critical for promoting desired ethical outcomes, as defined by the measures in this study. This analysis will allow the EEC to target scarce public resources toward critical program elements in order to maximize the impact of the ethics program.

Specifically, the survey results will allow the EEC and other ethics officials to make key decisions regarding the following program areas:

1. Development and implementing of ethics training for executive branch employees. Survey questions addressed the frequency of training and employee perceptions of the effectiveness of different types of training. Based on these results, decisions could be made about how to allocate and target training resources.
2. Communication regarding the purpose, goals, and objectives of the ethics program. Awareness of the goals and objectives of the program were also addressed in the study. Based on these results, the need for new or different types of communications to increase awareness could be determined. In addition, awareness of available resources to answer ethics questions was assessed. Decisions about the allocation of resources toward these ends could be made based on the study results.
3. Helping employees to avoid at-risk situations. This is the overarching objective of the program. Training and communication increase awareness and will help employees recognize and avoid situations that may place them at risk of violating ethics standards. At a minimum, a preferred outcome is to encourage employees to seek advice when they have ethics questions, rather than “go it alone.”

The survey was also designed to assess the overall awareness and perceived effectiveness by employees of the ethics program instituted by the Ethics Act, by the Offices of the Attorney General, Comptroller and Treasurer. The EEC intends that the results of this survey serve as a benchmark against which change can be measured by future surveys.

The EEC also intends that the results of this survey will be used by leadership in the Offices of the Attorney General, Comptroller and Treasurer to improve the ethical climate in those offices, and consequently to enhance the public trust in State government.

METHODOLOGY

This section describes the methodology used to implement this project. The methodology involved several key phases:

1. Survey Development
2. Sampling
3. Data Collection
4. Data Processing and Analysis

Survey Development

In 2006-2007, and again in 2008, the Executive Ethics Commission conducted a virtually identical survey of employees of agencies of the Illinois Governor and Secretary of State, respectively. The final reports for those surveys are available at <http://www.eec.illinois.gov/publications.htm>. Those surveys, and the present survey, were adapted from the Federal Office of Governmental Ethics survey *Executive Branch Employee Ethics Survey 2000*. Only a few questions were changed to reflect differences between Federal law and Illinois' Ethics Act.

The present survey of Attorney General, Comptroller and Treasurer employees is virtually identical to the previous two employee surveys. Only a few questions were modified to reflect that the survey respondents are employed by a constitutional office and not an agency of the Office of the Governor. This final report contains comparisons between the results of the three surveys.

Measures

The four primary measures created to address the key research questions are:

1. Program Awareness
2. Program Effectiveness
3. Culture Factors
4. Culture Outcomes

These measures were grouped into three survey sections: Part A addressed the first two measures, Part B addressed Culture Factors, and Part C addressed Culture Outcomes. In addition, Part D of the survey contained two open-ended questions addressing barriers and enablers to compliance with standards of ethical conduct. Part E contained demographic questions. The final survey document for employees of the Attorney General is attached as Appendix 1.

Measure 1: Program Awareness

This measure addressed familiarity with the Ethics Act (QA1) and awareness of the presence of officials in each agency who are responsible for providing employees with advice on ethical issues (QA5). This measure is directly associated with a primary EEC responsibility—to raise awareness of ethical issues and to foster communication regarding the availability of ethics resources.

In addition, the degree to which employees believed that a series of statements were objectives of the Ethics Act was assessed (QA2a-g). These statements were designed to examine the degree to which employees understood Ethics Act objectives.

A potential influence in these responses was the introductory material provided in the survey booklet. This material defined the ethics program and described the types of behavior and conduct covered by the program. It is possible that this information increased understanding of the ethics program for those who read the introductory material.

Measure 2: Program Effectiveness

The helpfulness of resources consulted when ethics issues arise (QA7, 8) was addressed by this measure. A qualifying question (QA6) asked if an employee had sought advice for an ethics-related concern in the past four years to differentiate between employees who had

sought advice for ethics issues and those who had not during this time period. Additionally, the measure differentiated between the usefulness of the advice provided by ethics officials and the usefulness of advice provided by other resources that might have been consulted (QA8). This provided an assessment of the difference between the perceived usefulness of advice provided by ethics officials versus that provided by other parties. Lastly, reasons for not seeking advice from ethics officials (QA9) or not seeking advice at all (QA10) were assessed.

Training is a key component of the ethics program. As a result, the effectiveness measure also assessed the usefulness and effectiveness of training received by executive branch employees. First, the frequency of ethics training was assessed (QA11). This question was important because the Ethics Act requires annual ethics training of all employees.

For those who received some training, the usefulness of the training in making employees aware of ethics issues (QA12a) and in guiding decisions and conduct (QA12b) was assessed. Lastly, the effectiveness of several types of training was assessed. It should be understood that “training” is broadly defined within the context of the program. Training can encompass traditional classroom learning, computer-based self-study, review of standard reference materials, or review of direct agency communications, such as newsletters and memos. For each type of training, the survey assessed whether an employee received training via that method and the perceived effectiveness of the training (QA13a-h).

Measure 3: Culture Factors

Culture factors are characteristics of an organization that guide employee thought and action. For example, employees’ perception that ethical concerns are discussed openly in their organization is a cultural factor; likewise their perceptions that, in their organization, actions are consistent with policies is a cultural factor.

Research suggests that these characteristics are related to employee behaviors—what are called “culture outcomes” in this study. The factor, “discussion about ethics in the workplace,” for example, would be expected to be related to outcomes like ethics being integrated into decision making and decreased unethical behavior.

Assessments of culture factors are based on employee perception and may tell a different story than more objective measurement. However, it is generally accepted that perception of behavior defines culture. It should also be noted that the culture factors are not keyed to specific components of an organization’s ethics program (e.g., training requirements, reporting mechanisms). Rather, they represent an assessment of the broader ethical environment in an organization.

Measure 4: Culture Outcomes

Culture outcomes are observed in an organization with a strong ethical culture. This study explored both sets of relationships.

Three outcomes were defined in this study:

1. Employees seek ethics advice
2. Ethics training aids employees in decision making
3. Specific unethical behavior

Demographic Variables

There were four key employee demographic variables on which the primary measures were analyzed. The four variables were:

1. Length of State employment;
2. Whether the respondent filed a Statement of Economic Interest;
3. Work location in Sangamon County, Cook County or other location; and
4. Supervisory status.

Sampling and Data Collection

The population of interest for this survey was employees of the Offices of Attorney General, Comptroller and Treasurer. Given the relatively few employees of these Offices, surveys were mailed to all employees, rather than the random sampling that had been done in previous surveys. The identification of employees was made by the Office of the Comptroller, which maintains payroll records for the pool of employees targeted by the survey. Staff from the Office of the Comptroller compiled a list of employees of the Offices from the statewide payroll system Year To Date master file.

The Year To Date master file was further limited by excluding:

1. Household employees (non-State employees)
2. Contractual employees
3. Employees with a Year-To-Date gross payment of \$0.00

After the above exclusions, the remaining population included 693 employees of the Office of the Attorney General, 272 employees of the Office of the Comptroller and 182 employees of the Office of the Treasurer.

No history of the names and addresses was maintained. The mailing labels were affixed to envelopes that contained a cover letter, self-addressed and stamped return envelope and ethics survey. The envelopes were mailed during the first week of February 2009.

For the Office of the Attorney General, a total of 340 valid responses were received, for a 49.1% response rate. For the Office of the Comptroller, a total of 129 valid responses were received, for a 47.4% response rate. For the Office of the Treasurer, a total of 95 valid responses were received, for a 52.2% response rate. These response rates are considered excellent for a mail-based survey.

Data Processing and Analysis

Data were processed and analyzed using state-of-the-art tools and techniques. Data processing was conducted in two steps. First, quantitative survey data were keyed. Data were double-keyed to ensure complete accuracy. Second, qualitative data were transcribed into a Microsoft Access database. Open-ended responses were not edited, with the exception of removal of names and correction of grammar.

Many of the survey questions used a response range of 1-5. The meaning of the range endpoints varies by survey question. For example, a five indicates “very useful” for some of the questions and “very effective” for others. For these questions, results are presented as percentages of respondents answering with a particular rating, and occasionally, as average ratings.

The remaining survey questions were categorical. Results for these questions are presented as percentages of respondents answering with a particular response. Some categorical items are multiple response, or “check all that apply.” Findings for these items are presented as percentages of all survey respondents providing a given response. Typically, this results in percentages for all response categories totaling more than 100%.

Data were analyzed by personnel from the University of Illinois at Springfield’s Survey Research Office, using the Statistical Package for the Social Sciences (SPSS) data analysis software. Analysis proceeded according to the analysis plan established prior to the survey distribution. Descriptive statistics were calculated for all items. These included frequency distributions and, where applicable, means and standard deviations. Results for this survey of were also compared with results from earlier surveys of employees in agencies under the Office of the Governor and employees of the Secretary of State.

PROVISOS

One weakness that occurs in any anonymous mail-based survey is that participation is not mandatory. Those employees who have strong opinions about ethics, both positive and negative, may be more likely to respond to the survey than those whose opinions are less strong.

Altogether, these shortcomings are common to most surveying methods and do not seriously affect the generalizability of the results. The survey results do not identify any of the subdivisions of the three offices, so the findings cannot be applied to any particular subdivision of those offices.

Comparisons between the five executive branch constitutional offices must be made with the understanding that the surveys were conducted over a period of more than three years. Surveys for employees of agencies of the Governor were distributed in November 2006, for employees of the Office of Secretary of State, February 2008, and for employees of the Offices of Attorney General, Comptroller and Treasurer, February 2009. Results provide only a “snapshot” of the ethical climate as it existed at the time the surveys were completed.

When survey results of the five offices are compared, the relatively small number of employees of the Comptroller (272) and Treasurer (182) mean that only very large differences in responses between the offices can be deemed statistically significant.

Finally, many of the results describe employees’ perceptions of their ethical climate and ethical outcomes, but do not identify the specific cause of these perceptions or when these perceptions began. In other words, except for two open-ended questions, the survey results tell us little about who or what is to blame or is to be credited for the present ethical climate.

FINDINGS

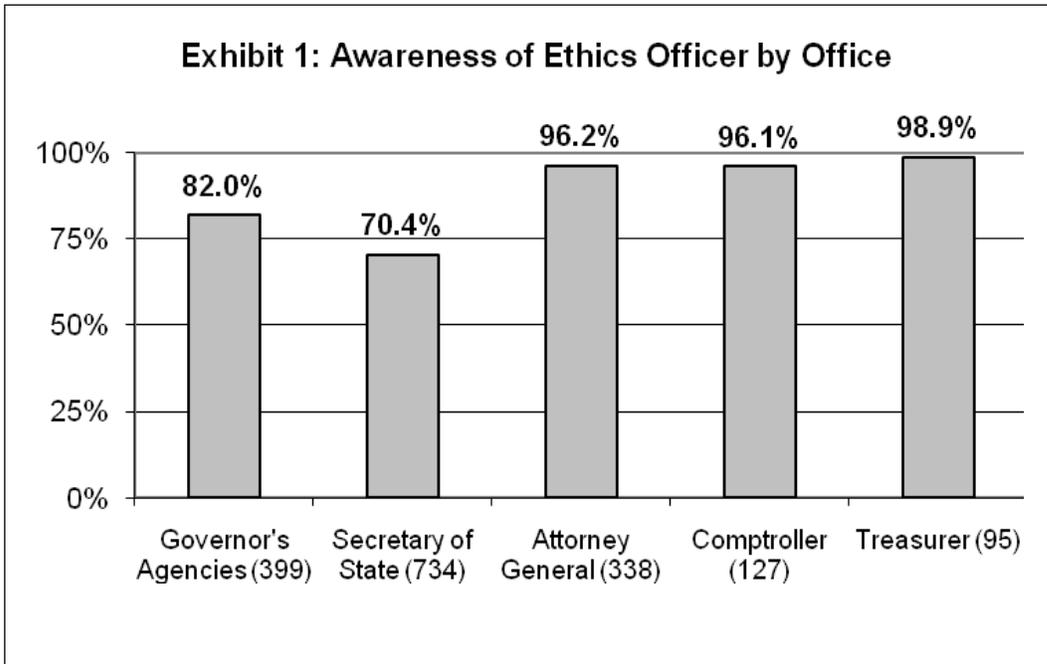
Measure 1: Program Awareness

The survey findings confirm that Attorney General, Comptroller and Treasurer employees are aware of and have a generally accurate perception of their office’s ethics program. In addition, they are reasonably familiar with the program objectives.

Attorney General, Comptroller and Treasurer employees are generally familiar with the ethics program and its resources. Awareness is highest among those who identify themselves as supervisors. The survey measured program awareness through two questions: (1) respondents were asked if they were aware that there are officials in their agency whose job responsibilities include providing advice to employees on ethics issues (QA5), and (2) respondents were asked to rate their familiarity with the State Officials and Employees Ethics Act on a scale of one to five (QA1).

Familiarity with the Ethics Officers

Over 95% of employees of AG, Comptroller and Treasurer’s offices indicated that they were aware that there are officials in their agency whose job responsibilities include providing advice to employees on ethics issues (QA5). Fewer employees of the Secretary of State (70.4%) and of Governor’s agencies (82%) reported being aware of the existence of their Ethics Officer. Exhibit 1 shows the difference between employees of the five executive branch constitutional offices.



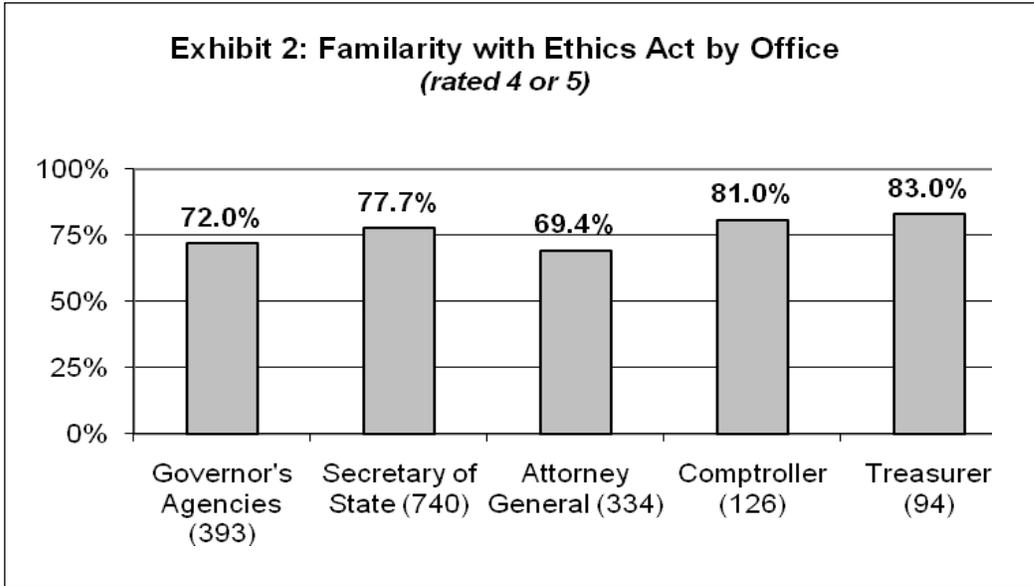
Ethics Officers are tasked with the duties of providing guidance in the interpretation and implementation of the Ethics Act. It is essential that employees know whom to turn to when ethical issues arise in the workplace.

Familiarity with the Ethics Act

In addition to awareness of Ethics Officers, the survey measured respondents’ self-reported familiarity with the State Officials and Employees Ethics Act. (QA1). Employees should become familiar with this Act through new-employee training and annual training required of each employee.

Employees of the Treasurer (83%) and Comptroller (81%) report themselves to be more familiar with the Ethics Act than employees of Governor’s agencies (72%) or the Attorney General (69.4%). Employees of the Attorney General describe themselves as less familiar

with the Ethics Act than employees of the Secretary of State (77.7%). Familiarity means a response of 4 or 5 on a scale of 1-5 where 1 means not at all familiar and 5 means very much familiar. See Exhibit 2.



The relatively low score by employees of the Attorney General was unexpected. More Attorney General employees report receiving annual ethics trainings than employees of any other office, and a very large number of Attorney General employees report receiving ethics training more than once per year. See Exhibit 9. As noted above, this question measures self-reported familiarity with the Ethics Act, a subjective measure. Attorney General employees, many of whom are attorneys, may be more critical of their own level of familiarity than employees of other offices.

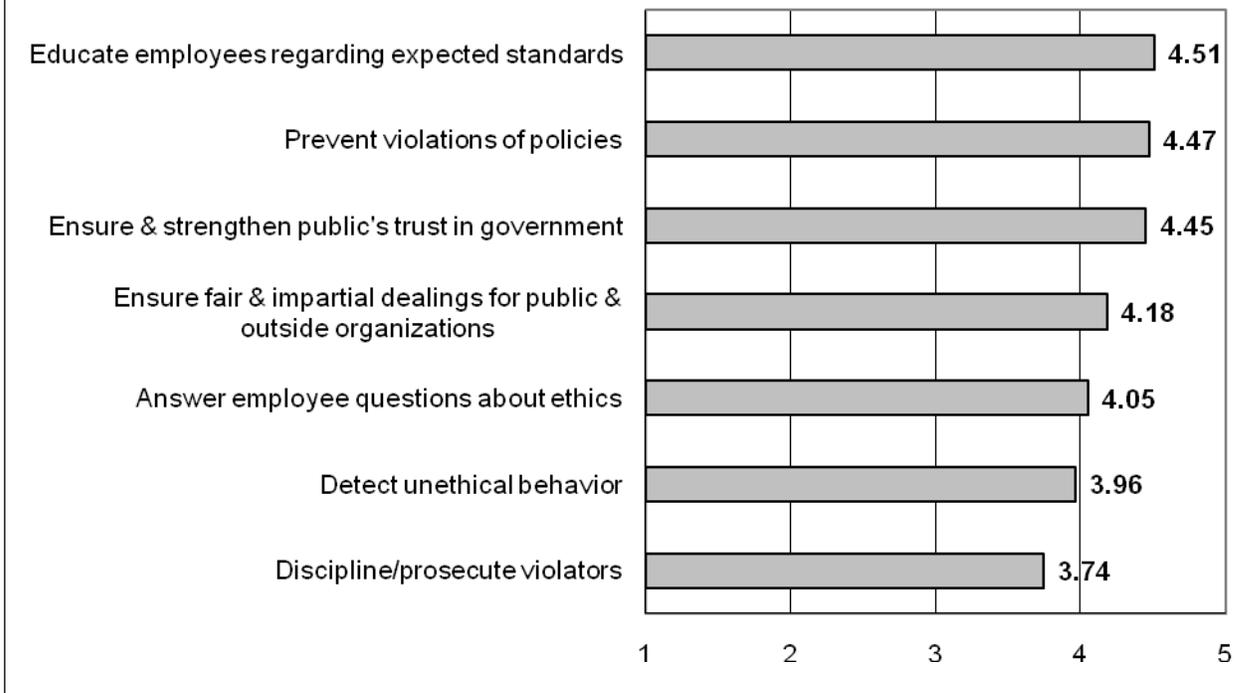
Perceived Ethics Act objectives

Respondents were asked to what extent they believed seven specific items described objectives of the Ethics Act (QA2a-g). Somewhat surprisingly, all five offices are in agreement as to which items rank highest and second-highest, and lowest and second-lowest as describing objectives of the Ethics Act. The three items ranked in the middle varied among the offices.

The objectives ranked highest by employees of all offices were educating employees regarding ethics standards (QA2b) and preventing violations of ethics policies (QA2a), respectively. All offices ranked two other very important items as Ethics Act objectives as lowest among the seven. Detecting unethical behavior (QA2d) and disciplining or prosecuting violators (QA2e) were ranked second-lowest and lowest, respectively, by all offices.

Employees ranked the objectives related to public trust (QA2c), fair treatment of the public and outside organizations dealing with the Government (QA2f), and answering employee questions about ethics (QA2g) in the middle. Exhibit 3, below, demonstrates the result from employees of the Attorney General. Respondents were asked to rate on a scale of 1-5 whether the item describes an objective of the Ethics Act, where 1 means not at all an objective and 5 means very much an objective.

Exhibit 3: Attorney General: Familiarity with Ethics Act Objectives - Mean Scores



Detecting unethical behavior and disciplining and prosecuting violators are important objectives of any ethics program. If employees fail to perceive these objectives as true objectives, the Ethics Act may be perceived as mere “window dressing.” Furthermore, if employees perceive that there are no consequences to violating ethics rules, the rules have no deterrent effect. Also, employees will have no reason to report misconduct they observe unless they believe that their report will result in violators being prosecuted and disciplined.

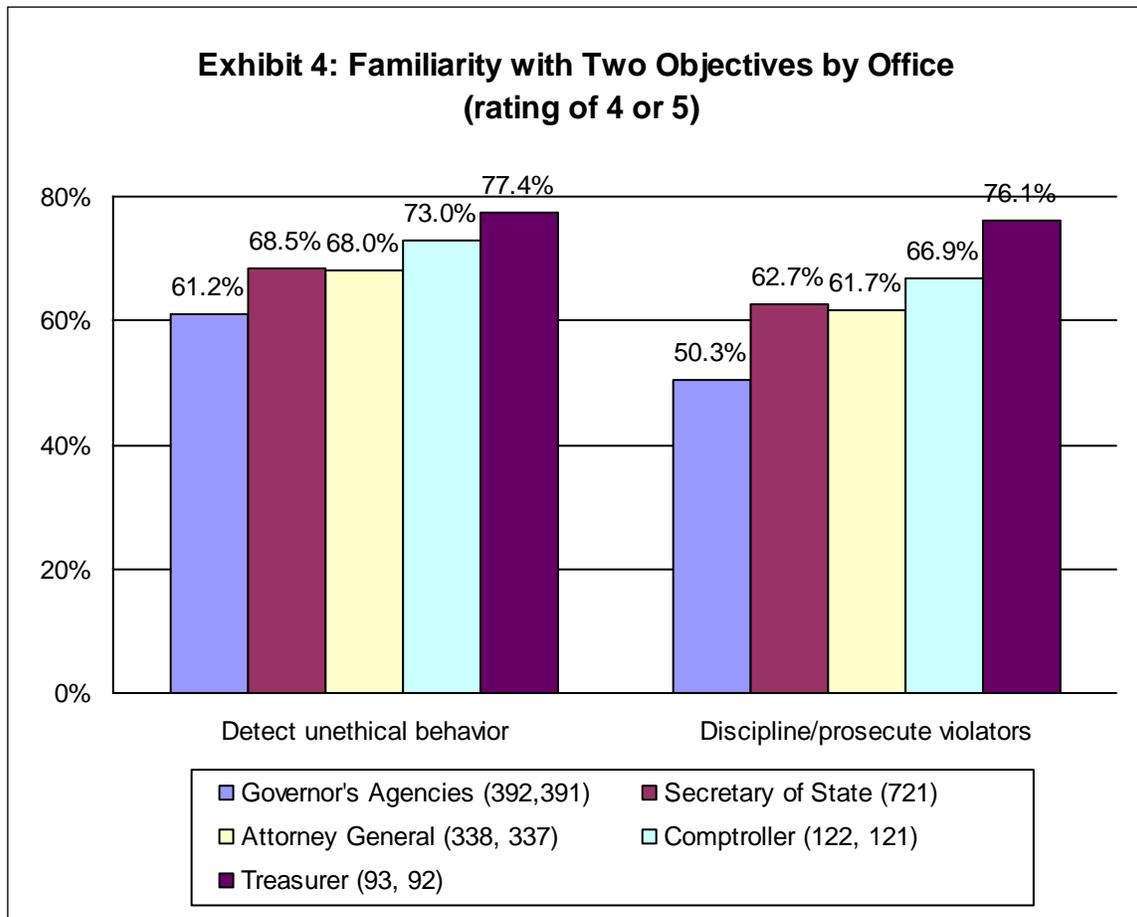
Part of the reason for employees’ lack of awareness of prosecutions and discipline may be explained by the lack of transparency concerning prosecution and discipline in the Ethics Act. Confidentiality provisions quite rightly protect the identity of employees who are being investigated for alleged wrongdoing during the pendency of the investigation. Until recently, however, the confidentiality provisions did not permit disclosure even when there had been a finding of wrongdoing and the employee or officer had been disciplined.

At the time the surveys were distributed, violations of the Ethics Act could be made public only after a finding of a violation by the Executive Ethics Commission. The Commission could make a finding only if a violation is referred to it by an Executive Inspector General. In the first three years following the enactment of the current Ethics Act, no employee ethics violations were referred to the Executive Ethics Commission. Since then, over one dozen matters have been referred, several have been resolved, and the rest are working their way through the system.

Changes contained in P.A. 96-555, effective August 18, 2009, require that all reports of wrongdoing be sent to the Commission, where they may be redacted and be made available to the public. The effect of these changes on the ethical climate may not be known for some time.

Office differences

As noted above, all five offices reported that detecting unethical behavior and disciplining and prosecuting violators were the lowest perceived objectives of the Ethics Act. Among these offices, however, some differences are remarkable. Fewer employees of Governor’s agencies perceived detecting unethical behavior and disciplining and prosecuting violators to be objectives of the Ethics Act than the other four offices. Employees of the Attorney General and Secretary of State were more likely to perceive these objectives. Still more Treasurer’s and Comptroller’s employees perceived both items to be objectives of the Ethics Act. See Exhibit 4.



Conclusions: Employees of the Attorney General, Comptroller and Treasurer are more aware of the existence of their ethics officer than employees of the Secretary of State and Governor’s agencies. Employees of the Treasurer and Comptroller report being more familiar with the Ethics Act than employees of the Secretary of State, Attorney General and Governor’s agencies. This familiarity with the Ethics Act is self-reported familiarity and, therefore, subjective.

All five offices report educating employees regarding ethics standards and preventing violations of ethics policies to be the most recognizable objectives of the Ethics Act. All five offices also perceive detecting unethical behavior and disciplining or prosecuting violators to be among the least recognizable objectives of the Act. More employees of the Treasurer and Comptroller recognize detecting unethical behavior and disciplining or prosecuting violators as objectives of the Ethics Act than employees of the Attorney General or Secretary of State. More employees of the Attorney General and Secretary of State recognize these objectives than employees of Governor’s agencies.

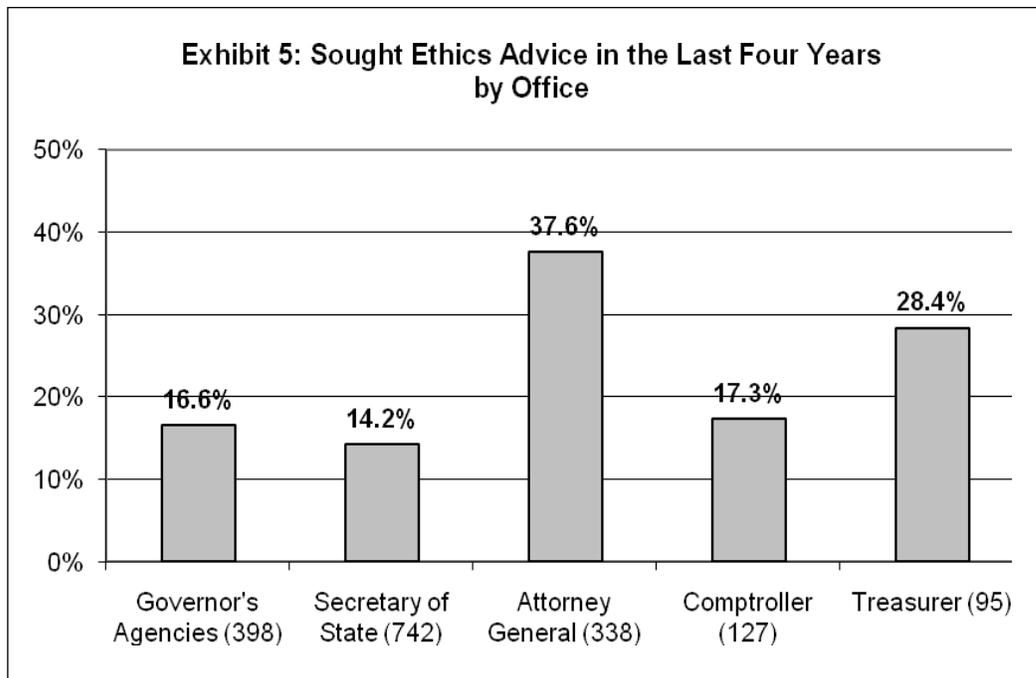
Recent statutory changes to increase transparency in the disciplinary processes may affect employee perceptions of the objectives of the Ethics Act in the future.

Measure 2: Program Effectiveness

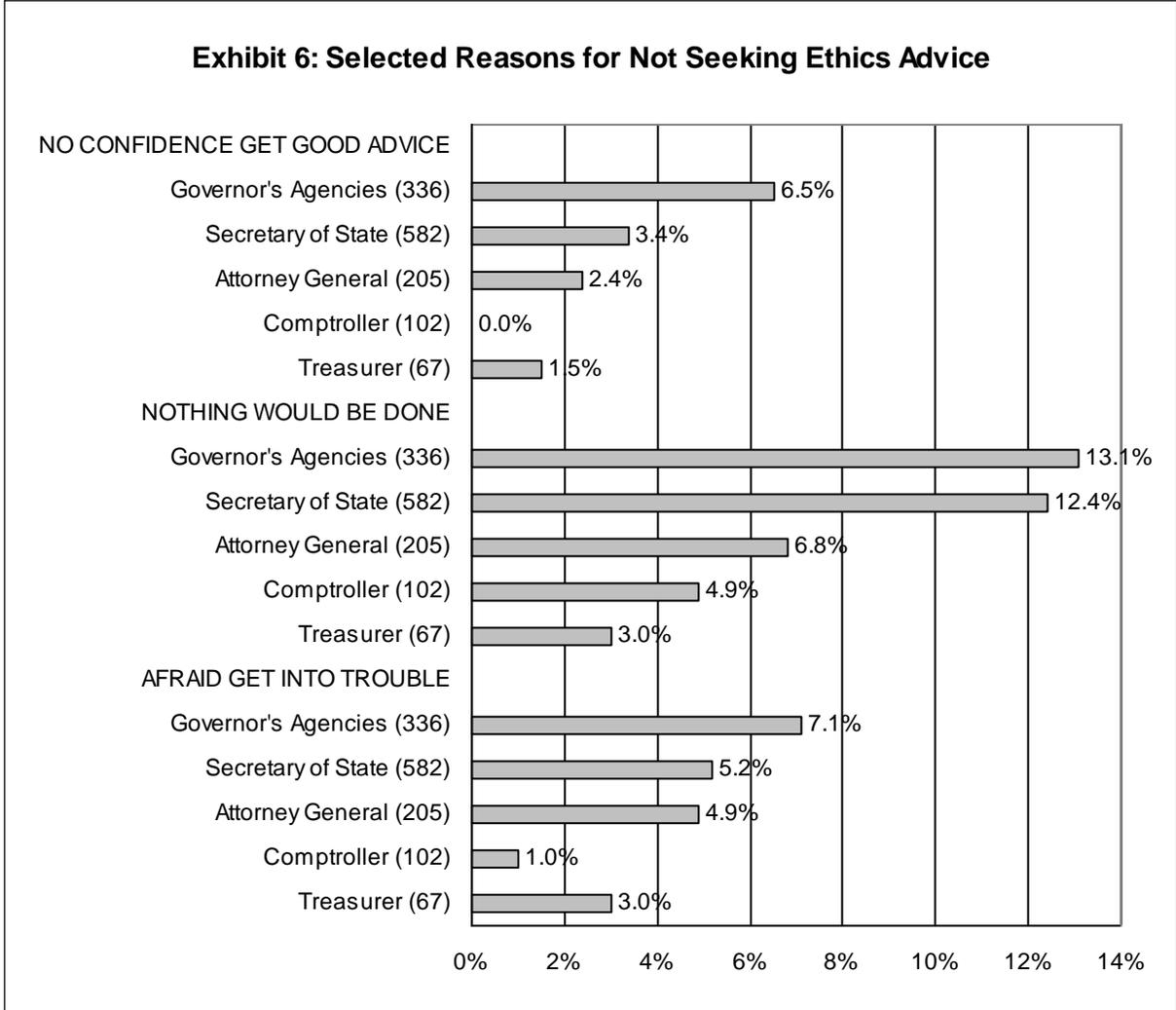
Employees of some offices seek ethics advice more than employees of other offices. Offices also differ concerning whether employees seek ethics advice from the Ethics Officer or from another person. Those who received advice from the Ethics Officer were generally satisfied with the advice they received. Ethics training is provided in a variety of formats, but the usefulness of the training varies among the offices.

Seeking ethics advice

More employees of the Attorney General (37.6%) and Treasurer (28.4%) sought ethics advice in the past four years than employees of the Comptroller (17.3%), Secretary of State (14.2%) and Governor’s agencies (16.6%) (QA6). See Exhibit 5.

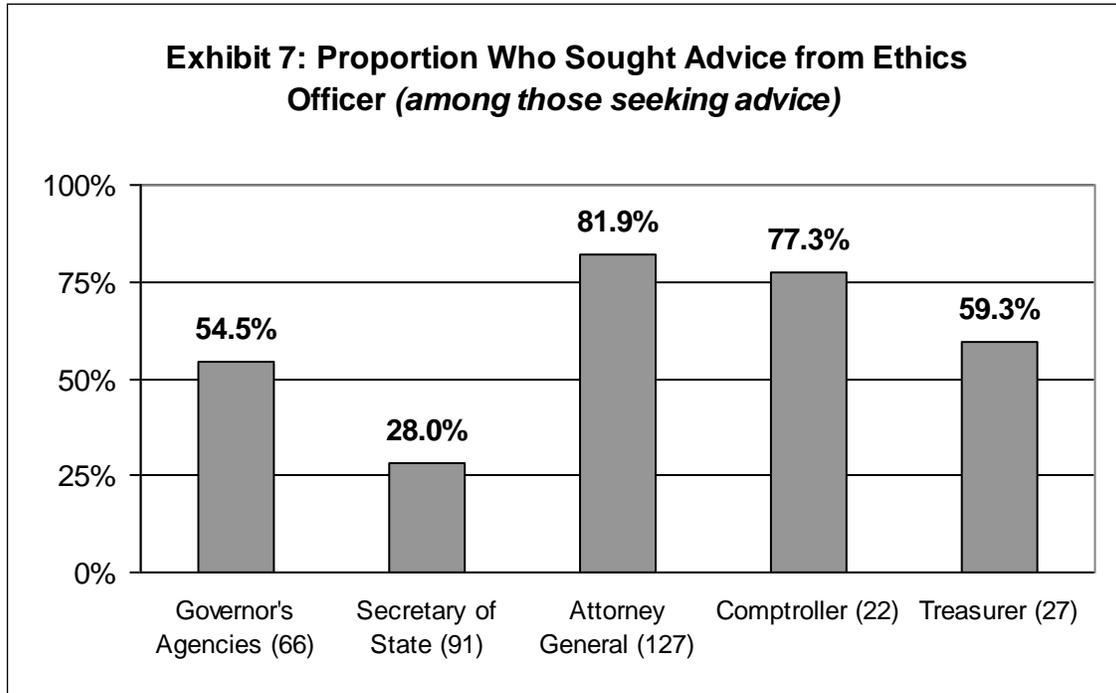


Some employees reported not seeking ethics advice for reasons that the Commission finds disturbing. Some report having no confidence in getting good advice (QA10-4), believing nothing would be done (QA10-5), and being afraid of getting into trouble (QA10-6). See Exhibit 6.



Use of Ethics Officer as a resource varies greatly

Ethics Officers are charged with the duty to “provide guidance to officers and employees in the interpretation and implementation” of the Ethics Act. 5 ILCS 430/20-23. There is a great difference between the five offices, however, in where employees go for ethics advice. Only 28% of Secretary of State employees who sought ethics-related advice in the previous four years chose their agency ethics officer to provide it (QA7). At the other end, 81.9% of Attorney General employees and 77.3% of Treasurer employees who sought ethics-related advice went to their Ethics Officer for that advice. See Exhibit 7.

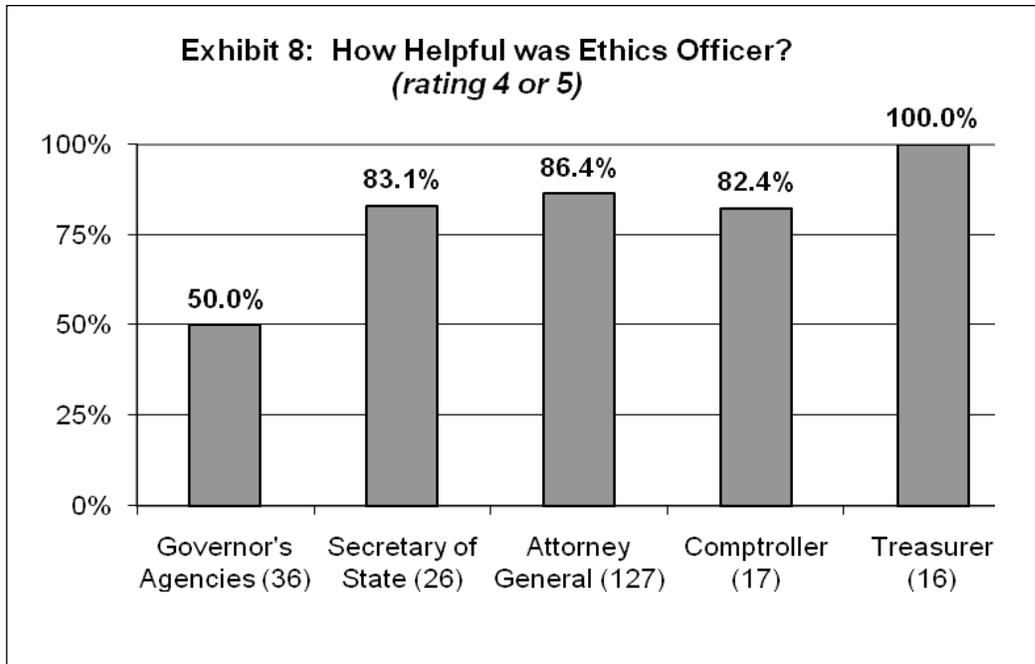


When employees did not seek out their Ethics Officer for advice, they consulted others, including the general counsel's office, the human resources office, the inspector general, supervisors, managers, and union officials.

There are several reasons why it is important for employees to turn to their Ethics Officer for ethics-related advice. As described above, Ethics Officers have a statutory duty to provide this guidance to employees. Many Ethics Officers receive special training from the Executive Ethics Commission in the interpretation of the Ethics Act. It is also important that all employees receive the same guidance in the interpretation of the Ethics Act and that employees not "shop around" for advice that they might find more agreeable.

Most employees seeking advice find their Ethics Officer helpful

With the exception of employees of Governor's agencies, most employees who sought ethics-related advice from their Ethics Officer describe him or her as helpful (QA7a). Respondents rated the helpfulness of their Ethics Officer on a scale of 1-5 with 1 meaning "Not Helpful" and 5 meaning "Very Helpful." For the Offices of Secretary of State, Attorney General, Comptroller and Treasurer, over 80% of respondents rated their Ethics Officer's helpfulness as 4 or 5. See Exhibit 8.



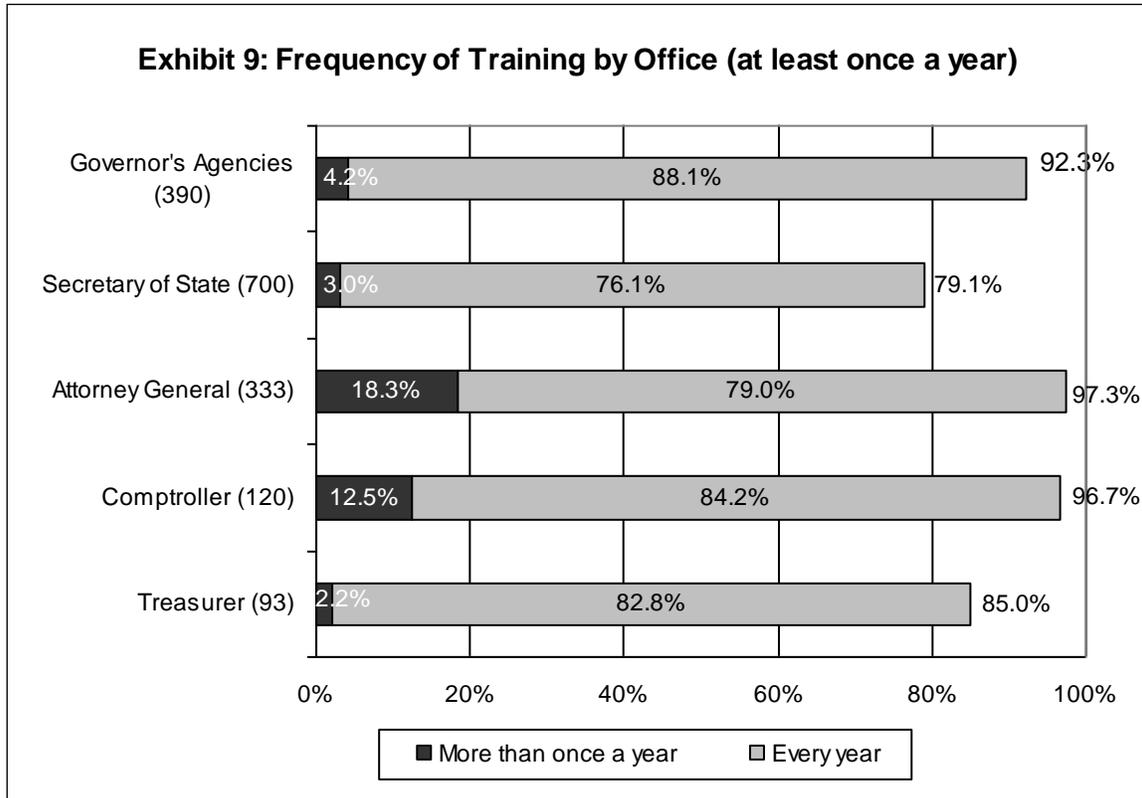
Employees of Governor's agencies rated their Ethics Officers much less helpful than employees of the other four offices. Unlike the other four offices, which have a single Ethics Officer, agencies of the Governor each have their own Ethics Officer. Since this survey did not distinguish between different agencies of the Governor, it cannot address which agency Ethics Officers were rated as helpful and which were not.

Ethics training

Attempts to provide ethics training annually, as required by the Ethics Act, are generally effective. As shown in Exhibit 9, the vast majority of employees report receiving annual training. A significant number of employees of the Secretary of State and Treasurer, however, report not receiving annual ethics training.

Well over 90% of employees of agencies of the Governor, the Attorney General and Comptroller reported receiving ethics training at least once per year, which is required by the Ethics Act (QA11). Newly-hired employees are required to receive ethics training within six months of their employment, so this might explain why some respondents reported not receiving ethics training. Also, some response error is inevitable, so a report of 100% annual training compliance is not realistic.

Still, these numbers raise questions about the annual training. From the responses received, it appears that some employees of the Secretary of State and Treasurer are not receiving the annual training required by law or that the employees are uncertain about receiving their training. Those employees responsible for annual ethics training should examine procedures to ensure that each employee receives the ethics training required by the Ethics Act.



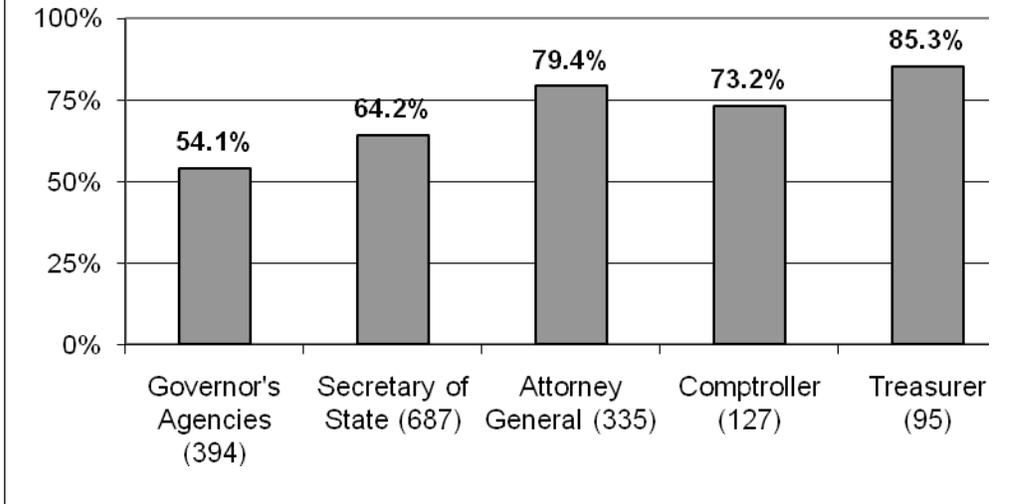
The offices with the highest percentage of employees receiving annual training also have the highest percentage of employees receiving training more than once per year. For the Attorney General, 18.3% of respondents reported receiving ethics training more than once per year. This suggests that employees of the Attorney General are receiving the ethics training despite their relatively-low subjective reports of familiarity with the Ethics Act. See page 9. For the Comptroller, 12.5% reported receiving training more than once per year. The Executive Ethics Commission encourages officials to provide employee ethics training more often than the statutorily-required once per year.

Usefulness of ethics training

The usefulness of ethics training was measured in two areas. First, respondents were asked to rate the usefulness of ethics training they received in making respondents more aware of ethics issues in connection with their work (QA12a). Second, respondents were asked to rate the usefulness of ethics training they received in guiding decisions and conduct in connection with work (QA12b). Respondents rated usefulness in both contexts on a scale from 1-5 with 1 being Not Useful and 5 being Very Useful.

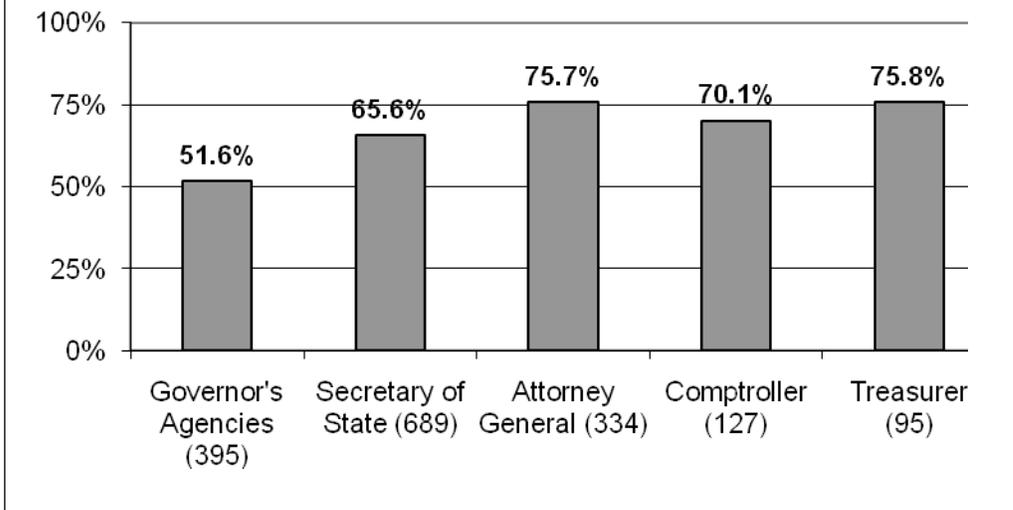
Employees of the Treasurer (85.3%) and the Attorney General (79.4%) and Comptroller (73.2%) rated their training more useful in making them aware of ethics issues in the workplace than employees of the Secretary of State (64.2%). Secretary of State employees, however, rated their training in this respect more useful than employees of Governor's agencies (54.1%). See Exhibit 10.

Exhibit 10: Usefulness - Making More Aware of Ethics Issues in Work (rating 4 or 5)



The offices' relative rankings remained the same when respondents evaluated the usefulness of the ethics training in guiding decisions and conduct in the workplace. Employees of the Treasurer (75.8%) and the Attorney General (75.7%) rated their training more useful in making them aware of ethics issues in the workplace than employees of the Secretary of State (65.6%). Secretary of State and Comptroller (70.1%) employees, however, rated their training more useful in this respect than employees of Governor's agencies (51.6%). See Exhibit 11.

Exhibit 11: Usefulness - Guiding Decisions and Conduct in Work (rating 4 or 5)



Conclusions:

The extent to which employees seek ethics advice varies greatly among the five offices. Employees of Governor's agencies report failing to seek ethics advice for some very negative reasons, such as having no confidence in the advice or fearing they would get into trouble. The extent to which employees seek ethics advice from their Ethics Officers also varies considerably. Those who do seek advice from the Ethics Officer find that advice helpful.

A surprising number of employees of the Treasurer and Secretary of State reported not receiving ethics training on at least an annual basis. Employees from both offices who receive ethics training, however, find the training to be very useful. Respondents from agencies of the Governor report their training to be much less useful than employees of the other offices.

Measure 3: Culture Factors

State employees make decisions within an ethical culture. This ethical culture, whether positive or negative, influences their decisions. Elements of the ethical culture include whether employees perceive that:

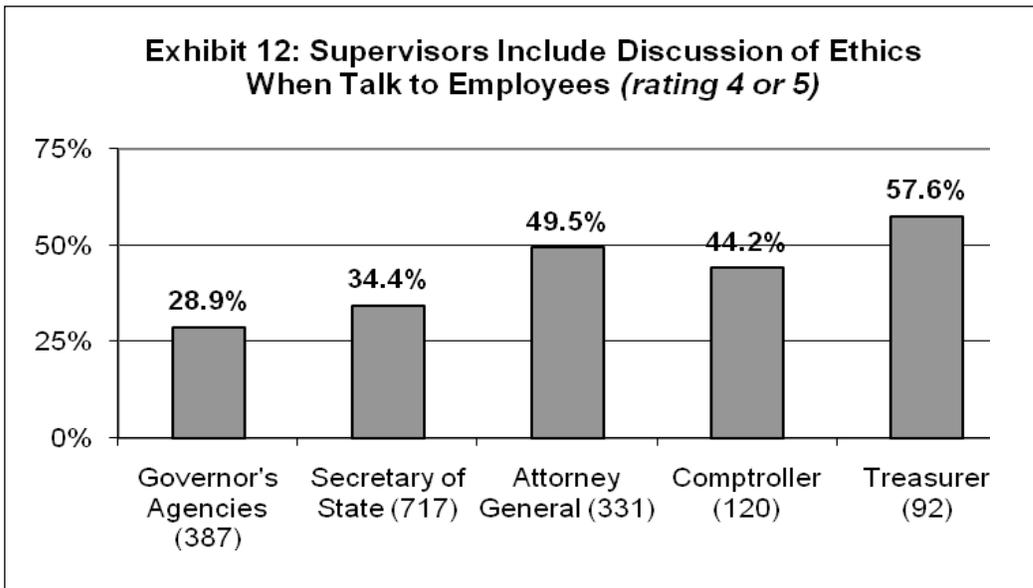
1. ethics is discussed in the workplace,
2. their concerns will receive appropriate follow-up,
3. leadership cares about ethics,
4. efforts are made to detect violations of ethics standards
5. ethics rules and agency practice are consistent,
6. ethics standards are enforced consistently at all levels,
7. they face retaliation for reporting misconduct,
8. employees are not expected to follow directions without question.

Negative perceptions of the ethical climate may influence the choices made by employees when ethical issues arise. Negative perceptions of the ethical climate may also compromise the effectiveness of attempts to improve the ethical climate by providing ethics advice and training.

According to most of the measures used in this study, the ethical climate is, on average, better in the workplaces of the Attorney General, Treasurer and Comptroller than in the Secretary of State and better in the workplaces of Secretary of State than those of agencies of the Governor. Recognizing these differences, the Commission suggests that there are still some elements of the ethical climate that all constitutional offices should attempt to improve.

1. Ethics discussions in the workplace.

More respondents employed by the Attorney General (49.5%), Treasurer (57.6%) and Comptroller (44.2%) agreed with the statement "Supervisors at my agency include discussions of ethics when talking to their employees." (QB1) than employees of the Secretary of State (34.4%) or Governor's agencies (28.9%). See Exhibit 12.

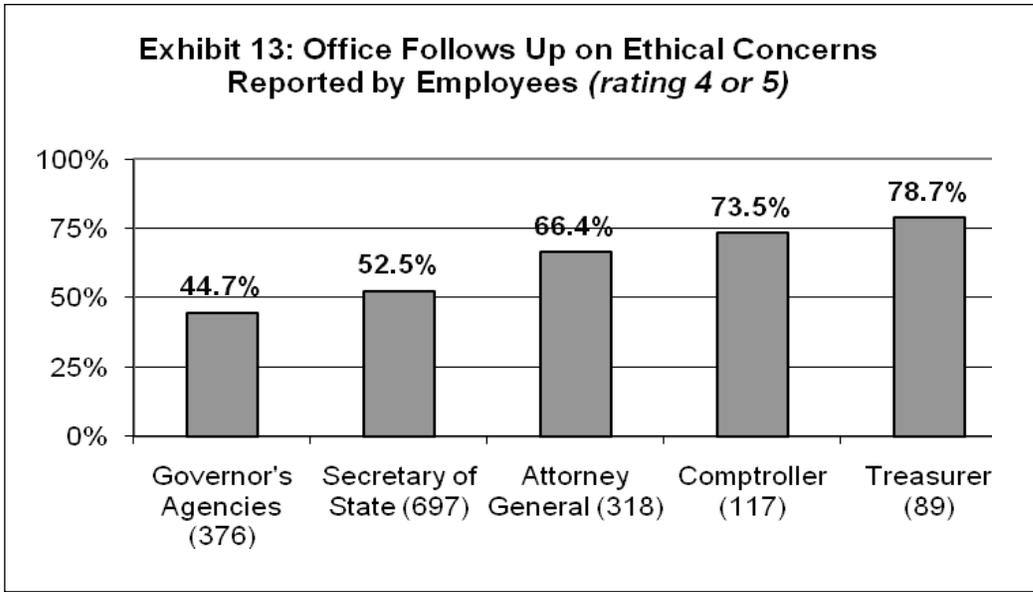


For some employees, the lack of ethics discussion in the workplace can be attributed to a lack of comfort discussing ethics. Fewer than half of Secretary of State respondents (45.4%) and Governor's agency respondents (39.8%) agreed or strongly agreed with the statement "Employees in this agency feel comfortable talking about ethics." (QB5) (cf. Treasurer 71.7%, Comptroller 70.5%, Attorney General 67.9%).

Employees tend to follow the lead of their supervisors when it comes to many aspects of workplace culture. When supervisors do not discuss ethics, employees may believe that discussing ethics is not an appropriate workplace activity and will feel uncomfortable when ethics issues arise. Feeling this discomfort, employees are less likely to raise important ethical issues or to use the resources provided to them, such as ethics officers, to resolve ethical issues.

2. Follow-up of reported ethical concerns

If employees believe that reporting wrongdoing is a fruitless exercise, they will not report it. In response to the statement "This office/agency follows up on ethical concerns that are reported by employees." (QB2), more employees of the Treasurer (78.7%), Comptroller (73.5%) and Attorney General (66.4%) agreed than employees of the Secretary of State (52.5%). More employees of the Secretary of State agreed with the statement than employees of the Governor's office (44.7%). See Exhibit 13.



These results are confirmed by response to the statement “If ethics concerns are reported to the office/agency, action is taken to resolve them.” (QB9). Employees of the Comptroller (82.8%) and Treasurer (79.3%) agree with this statement at a higher rate than employees of the Attorney General (65.9%), who agree at a higher rate than employees of the Secretary of State (51.1%) and employees of the Governor’s agencies (37.9%).

Before the enactment of P.A. 96-555, effective August 18, 2009, the Ethics Act prohibited the release of any information concerning an Executive Inspector General’s investigation, even after wrongdoing was discovered. Consequently, employees who reported wrongdoing may never have heard whether the wrongdoer was prosecuted or disciplined. Many employees have contacted the Executive Ethics Commission concerning the status of cases they reported to an Executive Inspector General a year or more earlier. But the Ethics Act did not permit the Executive Inspector General to relay this information to the whistleblower or even to the Commission, except under very specific circumstances.

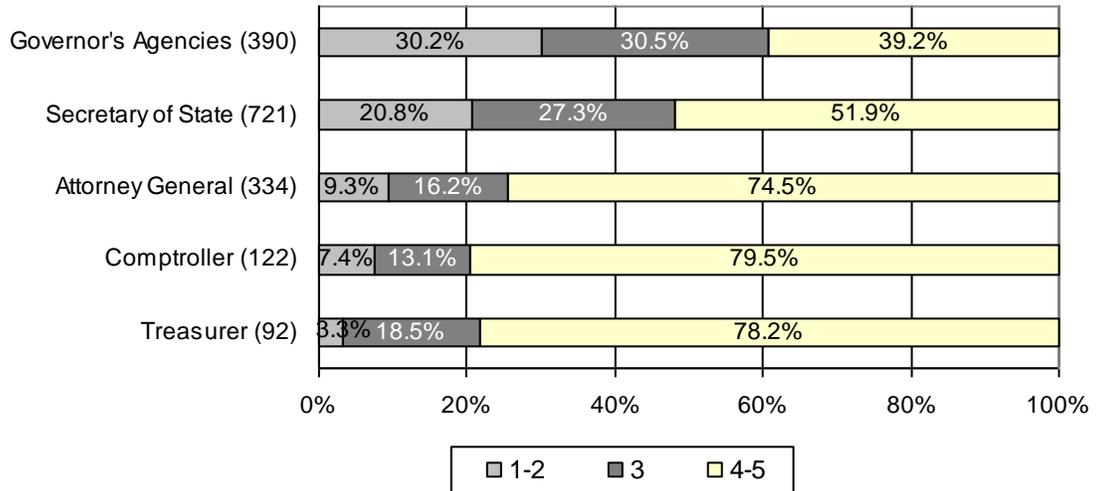
With the enactment of P.A. 96-555, founded investigation reports will be forwarded to the Executive Ethics Commission for consideration of release to the public. This change should increase employees’ confidence that their complaints will receive appropriate follow-up.

3. Leadership’s concern for ethics

Employees tend to model their behavior in the workplace after the example given to them by leadership. If employees do not perceive that officials care about ethics, employees will likely not care about ethics, either.

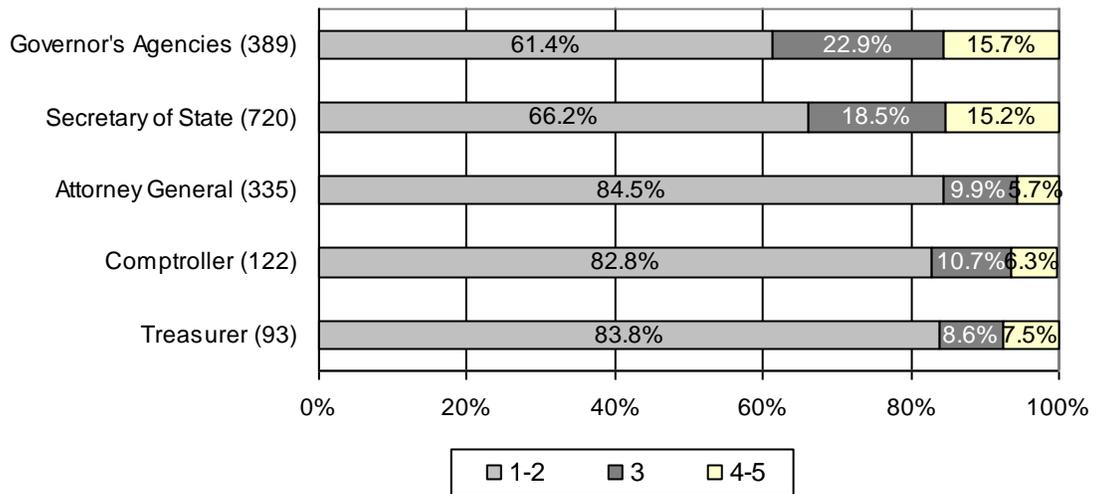
In response to the statement “Leadership of this office/agency regularly shows that it cares about ethics.”(QB7), more employees of the Comptroller (79.5%), Treasurer (78.2%) and Attorney General (74.5%) agreed or strongly agreed than employees of the Secretary of State (51.9%). Secretary of State responses were higher than those of Governor’s agencies (39.2%). See Exhibit 14.

Exhibit 14: Leadership Regularly Show it Cares about Ethics - Strongly Disagree (1) to Strongly Agree (5)



As noted in previous survey final reports, there is a disparity between employees' perception of supervisors' attention to ethics and their perception of agency leadership's attention to ethics among employees of Governor's agencies and the Secretary of State. This disparity also exists, though much less pronounced, among employees of the Attorney General. For the question: "Supervisors at my work location usually do not pay attention to ethics." (QB10), see Exhibit 15.

Exhibit 15: Supervisors Usually Do Not Pay Attention to Ethics -- Strongly Disagree (1) to Strongly Agree (5)



4. Efforts to detect violations of ethics standards

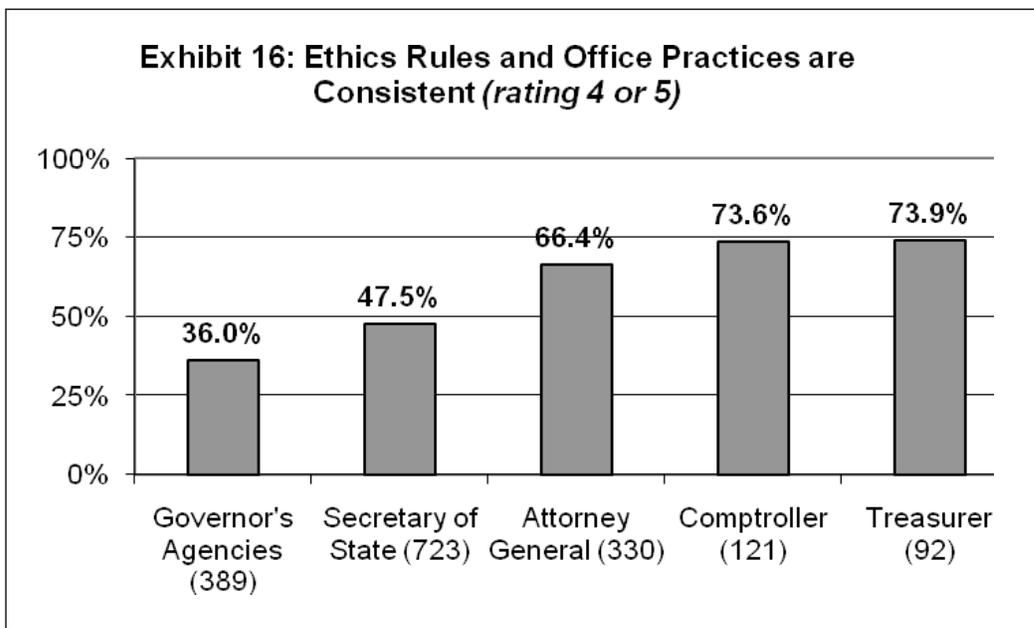
Employees should expect that leadership’s concern for ethics extends to trying to detect violations of ethical standards. Respondents were asked to evaluate the statement “This office/agency makes a serious attempt to detect violations of ethics standards.” (QB11). More employees of the Treasurer (75.3%) and Comptroller (73.3%) agreed or strongly agreed with that statement than employees of the Attorney General (62.4%). Fewer employees of the Secretary of State (52.9%) agreed, but that was more than employees of Governor’s agencies (33.3%).

This question measures employees’ perceptions of efforts to detect violations of ethics standards. Because investigations are conducted with high levels of secrecy and the results have up to now remained confidential, the reality of the efforts to detect violations may be different from the employees’ perceptions.

5. Consistent rules and practice

Employees also should expect leaders to act in a way that is consistent with ethics rules. It is often said that “talking the talk” is not the same thing as “walking the walk”. Leaders who express to employees the importance of obeying ethics rules, but who do not obey or enforce them themselves are perceived as inconsistent and insincere.

Respondents were asked to evaluate the statement “Ethics rules and agency practices are consistent.” (QB14). More employees of the Treasurer (73.9%) and Comptroller (73.6%) agreed or strongly agreed with that statement than employees of the Attorney General (66.4%). Fewer employees of the Secretary of State (47.5%) agreed, but that was still more than employees of Governor’s agencies (36.0%). See Exhibit 16.



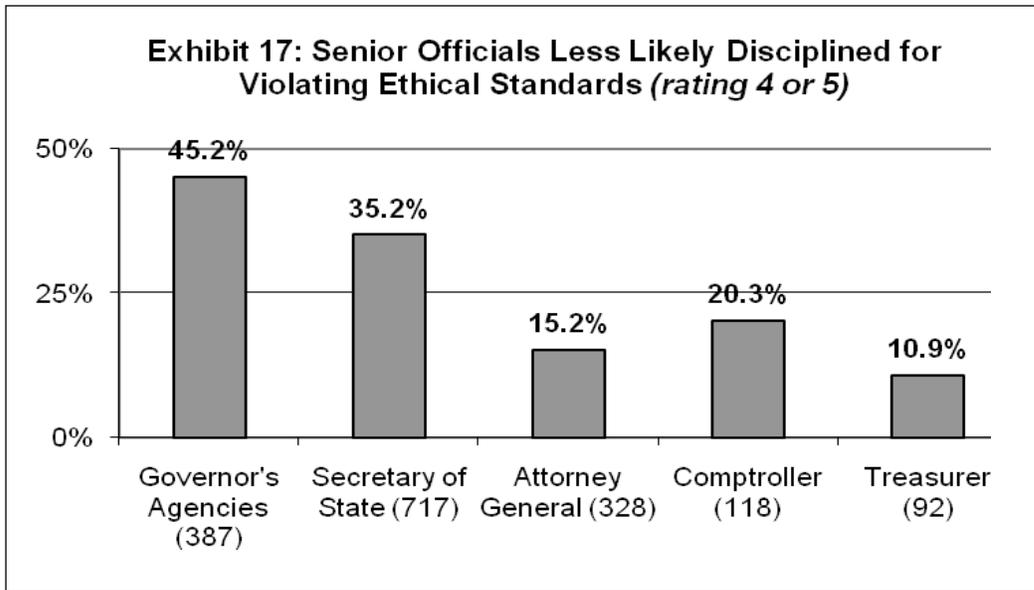
Similar results were obtained in response to the statement “This agency practices what it preaches when it comes to ethics.” (QB4). (Governor’s agencies 36.3%, Secretary of State 49.9%, Attorney General 75.6%, Comptroller 77.6% and Treasurer 82.6%).

6. Consistent enforcement at all levels

Consistent enforcement of ethics rules among all employees regardless of their status is an important element of any ethics program. Employees should expect that senior and junior employees, as well as those with and those without political clout, will all be treated the same when it comes to enforcing ethics rules.

As noted in past survey final reports, the most troubling responses in the survey may be from those who agreed or strongly agreed with the statement “Senior officials in this agency/office are less likely to be disciplined for violating ethical standards than other employees.” (QB8).

The perception of favored treatment for senior officials involved in ethics violations is higher among employees of Governor’s agencies (45.2%) than for those of the Secretary of State (35.2%), which is higher than for employees of the Comptroller (20.3%), and employees of the Attorney General (15.2%) and Treasurer (10.9%). See Exhibit 17.

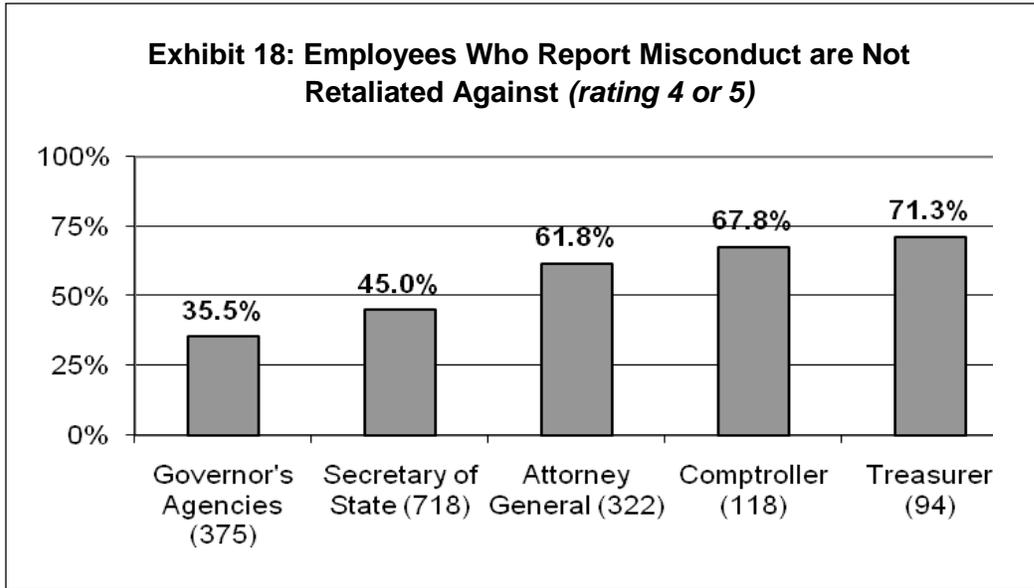


Responses were mostly similar to the positively-phrased statement “Employees at all levels in this agency are held accountable for adhering to ethical standards.” (QB16), though employees of the Comptroller (78.2%) did respond relatively better. (cf. Governor 41.2%, Secretary of State 54.1%, Attorney General 72.9% and Treasurer 81.7%).

7. Retaliation for reporting misconduct.

Retaliation for reporting misconduct is a serious problem in itself, but it can also lead to ethical problems not being promptly reported. These problems may continue until addressed by the press, law enforcement or by agency leaders. Many employees in certain offices are not confident that leadership will resolve these problems.

More employees of the Treasurer (71.3%), Comptroller (67.8%) and Attorney General (61.8%) agreed or strongly agreed with the statement “Employees who report misconduct are not retaliated against.” (QC10) than employees of the Secretary of State (45%). Employees of the Secretary of State reported less retaliation than employees of Governor’s agencies (35.5%). See Exhibit 18.

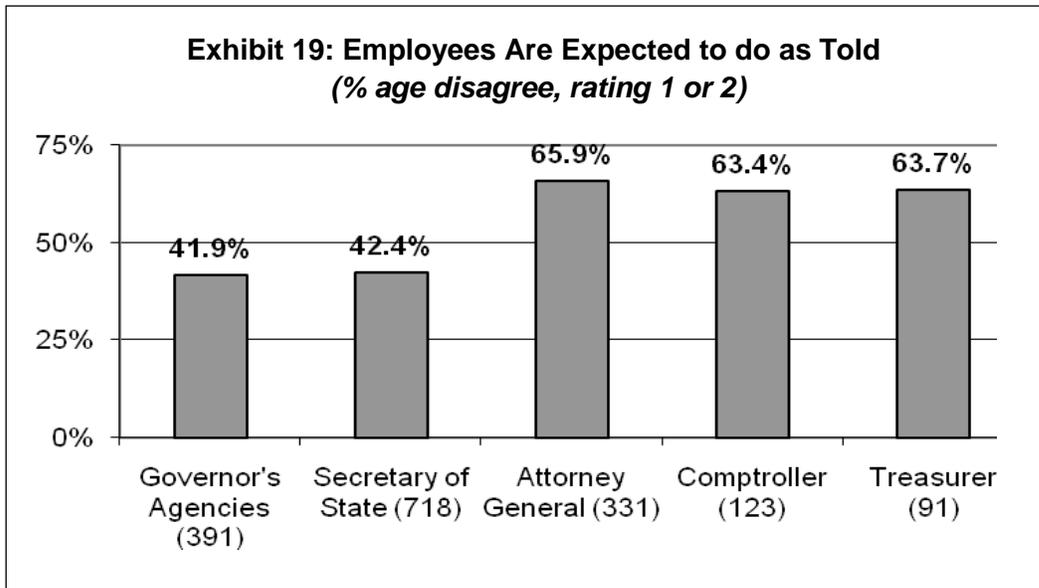


Similar results were achieved with respect to on a similar statement “Employees can talk with supervisors about problems without fear of having comments held against them.”(QC5) (Comptroller 71.8%, Treasurer 69.5%, Attorney General 60.9%, Secretary of State 48.4%, Governor 40%).

8. Following directions without question.

Among some employees there is a perception that they are expected to follow the direction of supervisors without question. Of course, employees should not be expected to carry out directions that are unethical. When they perceive that this is expected or that it can be used as an excuse for unethical behavior, however, the ethical climate suffers. Employees must be encouraged to raise ethical issues when they receive inappropriate instructions and not follow instructions blindly.

Respondents were asked to evaluate the statement “Employees in this agency are expected to do as they are told, no matter what.” (QB15). Disagreement with this negatively-phrased statement suggests an ethical environment. More employees of the Treasurer (71.3%), Comptroller (67.8%) and Attorney General (61.8%) disagreed with this statement than employees of the Secretary of State (45%) or of Governor’s agencies (35.5%). See Exhibit 19.



Conclusions:

For all eight elements of the ethical culture measured by this survey, the ethical culture is worst for employees of agencies of the Governor compared to the other four executive branch constitutional offices. For the elements of employees being expected to do as they are told no matter what and ethics discussion in the workplace, employees of the Secretary of State join employees of the Governor in the lowest ranking among the offices.

For all eight elements of the ethical culture measured by this survey, the culture is better for employees of the Treasurer, Comptroller and Attorney General than for employees of the Governor or Secretary of State. Among the smaller three offices, the survey was unable to detect a difference in the elements of leadership's concern for ethics, consistent rules and practice and following direction without question.

Depending upon how the question was phrased, the Comptroller's employees scored lower than the Attorney General and Treasurer's employees in discussion of ethics in the workplace and consistent enforcement of ethics rules at all levels. When phrased differently, the survey detected no difference among employees of all three offices.

Likewise, in response to one question employees of the Attorney General scored lower than Comptroller and Treasurer's employees in the area of retaliation. Phrased another way, however, the survey detected no difference among employees of all three offices.

Employees of the Attorney General scored lower than the other two smaller offices in areas of follow up of reported ethical concerns and efforts to detect violations of ethics standards. As noted above, however, these scores were higher than those of employees of Governor's agencies and the Secretary of State.

Employees of all offices have relatively high opinions of their supervisors' attention to ethics. Employees of Governor's agencies and the Secretary of State perceive their supervisors to be markedly more concerned with ethics than office leadership.

Measure 4: Ethical Outcomes

The ethical culture influences, to some extent, ethical outcomes. For example, where employees work in a culture that does not reward them for seeking ethics advice or that punishes them for seeking ethics advice, they are less likely to seek such advice.

Three outcomes were defined in this study:

1. Employees seek ethics advice
2. Ethics program usefulness
3. Specific ethics misconduct

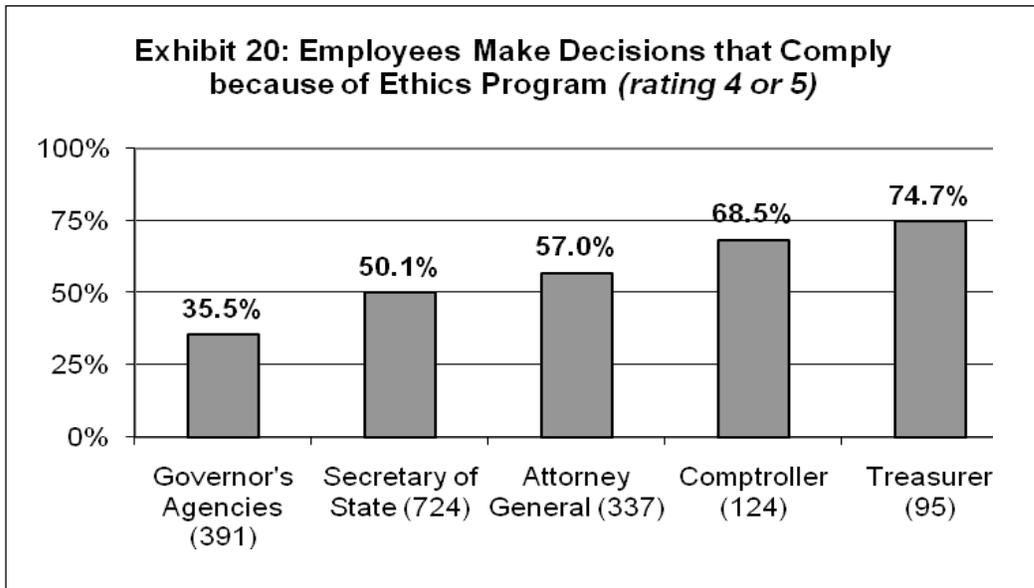
1. Seeking ethics advice

In response to the statement “Employees seek advice within the agency when ethics issues arise,” (QC2) only 33.1% of Governor’s agency employees agreed or strongly agreed. (cf. Secretary of State 44.9%, Comptroller 60.3%, Treasurer 62.1%, Attorney General 63.9%). Phrased another way, 38.6% of Governor’s agency employees agreed or strongly agreed with the statement “When ethical issues arise, employees look for advice within the agency.” (QC7) (cf. Secretary of State 48.1%, Comptroller 64.8%, Treasurer 60.6% and Attorney General 65.1%).

Seeking ethics advice when issues arise is an indication of a healthy ethical climate. The offices should encourage employees to seek ethics advice from their Ethics Officers, who are charged with the responsibility of giving ethics-related advice. In some cases the office or agency should take additional steps to promote the role and the identity of the Ethics Officer.

2. Usefulness of ethics programs

The ethics program consists of ethics guidance provided by ethics officers and ethics training. If this program does not help employees make ethical decisions, resources need to be redirected. Survey results demonstrate that perceived usefulness of agency ethics programs varies considerably among the constitutional offices. Asked to evaluate the statement “Employees here make decisions that comply with ethics policies because of the ethics program that is in place,” (QC4), only about one-third (35.5%) of employees of Governor’s agencies agreed or strongly agreed. About half (50.1%) of Secretary of State employees agreed or strongly agreed. Agreement was much higher among employees of the Attorney General (57%), Comptroller (68.5%) and Treasurer (74.7%). See Exhibit 20.



As discussed earlier, employees' perceived usefulness of ethics training also varies considerably among the offices. See Exhibits 10 and 11.

3. Specific ethical misconduct

Employees were asked to indicate how often, in their opinion, certain types of unethical conduct occurred at their agency. Employees were asked to rate the prevalence of each type of unethical conduct on a scale between one and five with one meaning that the conduct never occurs at the agency and five meaning that the conduct occurred very frequently at the agency. It would be ideal, but unrealistic to expect every employee to indicate that the each type of ethical conduct never occurs, but the results do show that some unethical conduct is more prevalent than other such conduct.

Employees of each of the five offices identified misusing official time (QC10f) as the most prevalent misconduct occurring in their offices. The second, third and fourth most prevalent misconduct reported for each office includes, misusing government positions (QC10e), misusing government property (QC10d), and engaging in inappropriate political activity (QC10b), though the actual position of the misconduct varies with each office.

The least prevalent misconduct reported in this survey included employees receiving financial benefit for doing their government work (QC10c) and (QC10g), and receiving inappropriate gifts (QC10a).

Qualitative Results

Employee comments add life and vitality to the quantitative data. They give us a snapshot of the ethical climate at the time of the survey. There were two-open ended questions about the barriers and enablers to compliance with ethics policies:

1. What, if anything makes it difficult for employees to comply with ethics polices?
2. What if anything would further assist employees to act ethically in connection with their work?

Approximately fifty-percent of respondents provided qualitative feedback about these two measures. Each response was evaluated and placed into a single category that best described the respondent’s remarks. Where a respondent offered more than one category of response, the response was categorized according to the “main theme.”

As the comparison of offices shows below, a majority of employees of Governor’s agencies in 2006 (50.8%) blamed leadership for making it more difficult to comply with ethics policies. Complaints about leadership also figured prominently among employees of the Secretary of State in 2008 (31.3%), but much less so among employees of the Attorney General (12.8%), Comptroller (4.8%) and Treasurer (6.1%).

For example, responses from Governor’s employees included, “Some employees get away with ethical problems and nothing is said. Management looks the other way,” whereas recent survey respondents (2009) from the Attorney General, Comptroller and Treasurers’ office said, credited leadership with remarks such as, “Our Ethics Officer takes it seriously.”

What makes it more difficult to comply with ethics policies?:

Comment Categories	Governor	Secretary of State	Attorney General	Comptroller	Treasurer
Leadership	50.8%	31.3%	12.8%	4.8%	6.1%
Need More Training	9.7%	19.0%	26.7%	11.3%	22.4%
No Barriers	24.8%	28.3%	36.6%	51.6%	36.8%
Lack of Morals	7.2%	12.4%	5.0%	11.3%	8.2%
Other	7.5%	9.1%	18.9%	21.0%	26.5%

Employees in the three smaller offices tended to see the need for more training as an obstacle to complying with ethics rules. Over one-fifth of employees of the Attorney General (26.7%) and Treasurer (22.4%) agreed that insufficient education was a barrier to creating an ethical climate. They wanted more detailed information about ethics policies, rules and procedures so frontline staff could better apply the rules. Responses included:

- “The complexity of the policy – paralegals and lawyers understand, but other staff does not.”
- “Too many internal rules that can be interpreted differently at different times.”

This result is somewhat surprising with respect to the Office of the Attorney General, whose employees receive the most training of any other office, according to this survey.

Lack of personal values or moral judgment was another barrier voiced across all offices. Many employees expressed that ethics boiled down to hiring the right people from the start. Some typical comments included:

- “Hire ethical people to start with.”
- “Most employees comply. It is not the policies; it is the individuals.”
- “Individuals’ own personality and professional demeanor or lack of it.”

Other situations conducive to misconduct included the lack of anonymity, peer pressure and fear of being fired. Below are some of the comments:

- “The fact that anonymity isn’t absolute deters reporting of ethical violations.”
- “Hard to report a fellow employee violating an ethical standard.”
- “Everyone is worried about their job, and I don’t want to start anything.”

When asked what factors would further assist employees to act ethically in connection with their work, 41% of the Governor’s agency respondents answering this question looked to leadership to model ethical behavioral compared to 14.8% of the Comptroller’s respondents, 12.4% of the Secretary of State’s respondents, 7.1% of the Attorney General’s respondents, and 4.2 % of the Treasurer’s respondents.

All five offices reported the need for more day-to-day communication about ethical issues in the workplace. Forty-eight percent of the Attorney General’s respondents, 36.2% of the Treasurer’s respondents, 27.7% of the Governor’s respondents, 26.6% of the Secretary of State’s respondents and 18% of the Comptroller’s respondents wanted more information beyond the annual ethics training. Survey respondents demonstrated their level of engagement by offering specific examples of the educational tools they needed to promote an ethical climate:

- “Pocket reference cards that put forth 10-12 of the most common ethical questions.”
- “Simple reminders as to where to find the ethics policies.”
- “Monthly emails that direct attention to certain types of situations”
- “Workshops where real-world situations are discussed.”

What would assist employees in acting ethically?:

Comment Categories	Governor	Secretary of State	Attorney General	Comptroller	Treasurer
Leadership	41.0%	12.4%	7.1%	14.8%	4.2%
More Communication	27.7%	26.6%	48.0%	18.0%	36.2%
Non-Issue	14.4%	26.6%	17.9%	36.1%	36.2%
Other	10.6%	23.7%	16.7%	18.0%	19.1%
Discipline	6.3%	10.7%	10.3%	13.1%	4.3%

Finally, survey respondents wanted to see more fair and consistent discipline as well as greater transparency of ethical violations. Below are some typical responses:

- “Knowing that those who have been caught are being disciplined in some way.”
- “Consistent examples set by management. Fair and even treatment of violations.”
- “Publish incidents of discipline to employees for ethics misconduct.”
- “Follow the rules. No exceptional treatment to anyone or special groups.”

Recommendations. The Commission recommends that issues identified by the survey be addressed as follows:

1. Leadership should make ethics part of employees' regular discussion.

Many employees of all offices do not discuss ethics in the workplace. Leadership should remove any existing barriers to free ethics communications, such as fear of retaliation, and also actively encourage ethics communications. Decision making processes should reflect ethical considerations in the workplace.

2. Leadership should work to increase its concern for ethics in the workplace.

Too many employees report that leadership does not demonstrate concern for ethics. Many elements of an ethical workplace, however, are within the control of leadership. For example, leadership should ensure that when ethics concerns are raised, appropriate follow-up is done. Also, leadership should make ethics rules and practice consistent and enforce ethics rules consistently among all levels of employees. Leadership is also in the best position to ensure that no employee suffers retaliation for reporting misconduct.

3. The role of Ethics Officer should be emphasized to employees.

Ethics Officers guide employees in the interpretation and implementation of the Ethics Act. Employees who receive ethics guidance from their Ethics Officer generally report a high level of satisfaction, but few seek that guidance. Leadership should emphasize the importance of turning to the Ethics Officer when ethics questions and concerns arise and take steps to increase his or her visibility to employees.

4. Ethics training should be conducted often and provide useful information.

Many employees see increased ethics training as a way to improve ethical behavior in the workplace. The trainings should be useful in helping identify ethical issues and in guiding decision-making in the workplace. Ethics training should be offered in several different formats. Efforts should be taken to confirm that each employee receives required ethics training and in a format or formats most helpful to the employees.



Illinois Executive Ethics Commission

Office of the Attorney General Employee Ethics Survey 2009

Please read the following BEFORE completing the survey.

PURPOSE

This survey is designed to gather feedback from employees about their awareness of the Office of the Attorney General's ethics program and their attitude toward ethical issues in the Office. It will be used to help the Illinois Executive Ethics Commission improve the ethics program and ethical climate of the State of Illinois.

This survey does not ask for any information that would reveal your identity (for example, your name, social security number or specific work location). The survey does not contain any identifying markings. No one will be able to identify you from your survey responses.

DEFINITION

For the purpose of this survey, the term "Office" refers to the Office of the Attorney General. For the purpose of this survey, the term "ethics" and "ethical" have a narrow meaning. They are intended to describe the rules of ethical conduct based on two fundamental principles. Office of the Attorney General employees—

- Should act impartially in carrying out their official duties and
- Should not use their public office for private gain.

The State Officials and Employees Ethics Act, for example, includes ethics restrictions and prohibitions that limit or bar employees from—

- Accepting gifts given to them because of where they work or what they do in their State jobs;
- Doing work for the State that could benefit them personally;
- Misusing official time;
- Using State property, time, or resources for inappropriate political activities;

Types of misconduct NOT covered by this survey include:

- Sexual harassment
- Discrimination
- Unfair treatment in terms of promotions, awards, discipline and evaluations
- Substance abuse

Your Office's ethics program involves activities that are undertaken to assist employees in understanding and adhering to the State Officials and Employees Ethics Act. Program activities include educating employees regarding the ethics standards expected of them and providing counseling and answering employee questions about ethics.

— *Thank you very much for taking the time to complete and return this survey.* —

EMPLOYEE ETHICS SURVEY 2008

General instructions

Please complete this survey only if you are an employee of the Office of the Attorney General.

Please respond within seven days of receipt.

The survey will take approximately 20 minutes to complete.

Please select the best response for each question based upon your experiences, opinions or perceptions.

Be sure to answer the front and back of all four survey pages.

Please return your completed survey (all four sheets) in the postage-paid envelope provided. If your envelope was misplaced, please send the survey to:

Executive Ethics Commission
401 S. Spring Street
403 William Stratton Building
Springfield, IL 62706

INSTRUCTIONS: Unless the instructions otherwise indicate, please select the **ONE** most appropriate response for each question.

PART A.					
	Not at all				Very Much So
1. How familiar are you with the State Officials and Employees Ethics Act?	1	2	3	4	5
2. To what extent do you believe each of the following items describes an objective of the Ethics Act?					
2a. To prevent violations of ethics policies.	1	2	3	4	5
2b. To educate employees regarding the ethics standards expected of them.	1	2	3	4	5
2c. To ensure and strengthen the public's trust in Government.	1	2	3	4	5
2d. To detect unethical behavior.	1	2	3	4	5
2e. To discipline/prosecute violators.	1	2	3	4	5
2f. To ensure fair and impartial treatment of the public and outside organizations in their dealings with the Office of the Attorney General.	1	2	3	4	5
2g. To answer employee questions about ethics.	1	2	3	4	5
3. How familiar are you with the rules of ethical conduct for the Office of the Attorney General?	1	2	3	4	5
4. How useful are the rules of ethical conduct in guiding your decisions and conduct in connection with your work?	1	2	3	4	5

PLEASE CONTINUE ON THE BACK OF THIS PAGE

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- | | <u>Yes</u> | <u>No</u> |
|---|------------|-----------|
| 5. Are you aware that there are officials in your Office whose job responsibilities include providing advice to employees on ethics issues? | Y | N |
| 6. In the last 4 years have you sought ethics-related advice in connection with your work?
<i>(If you selected "No" to Question 6, skip to Question 10.)</i> | Y | N |
| 7. If you have sought ethics-related advice in the last 4 years, did you consult your ethics officer?
<i>(If you selected "No" to Question 7, skip to Question 8.)</i> | Y | N |

	Not Helpful				Very Helpful
7a. How helpful was your ethics officer?	1	2	3	4	5
8. If you consulted someone other than your ethics officer, indicate whom you consulted (e.g. Supervisor, Human Resource Office, General Counsel's office, etc) and rate the helpfulness of each.					
	1	2	3	4	5
	1	2	3	4	5
	1	2	3	4	5
	1	2	3	4	5

9. If you have sought ethics advice in the last 4 years, but did not consult your ethics officer, why not? Circle all that apply.
1. There is no ethics officer
 2. Didn't know there was an ethics officer
 3. They don't have time for me
 4. No confidence I would get good advice
 5. Believed nothing would be done
 6. Afraid I would get into trouble
 7. Other _____
- (If you answered Question 9, skip to Question 11.)*
10. If you have not sought ethics-related advice in the last 4 years why not? Circle all that apply.
1. Never had a question
 2. Didn't know whom to ask
 3. Confident in my own ability to address issue
 4. No confidence I would get good advice
 5. Believed nothing would be done
 6. Afraid I would get into trouble
 7. Other _____

EMPLOYEE ETHICS SURVEY 2008

For the purposes of Questions 11 through 13, "ethics training" includes not only instructor-led training in a classroom setting but also the opportunity to review written materials, watch videotapes, participate in computer-based training, etc.

11. During the past 4 years, how often have you received ethics training?
1. Once, as part of my new-employee orientation
 2. Every few years
 3. Every year
 4. More than one time each year
 5. Have not received training in the last four years
 6. Have never received any training

INSTRUCTIONS: (If you selected 5 or 6 in Question 11, skip to Part B)

12. In general, how useful was the ethics training you received.....	Usefulness				
	Not Useful				Very Useful
12a. In making you more aware of ethics issues in connection with your work?	1	2	3	4	5
12b. In guiding your decisions and conduct in connection with your work?	1	2	3	4	5

13. For each of the following training methods, indicate whether you have received ethics training via that method circle Y for yes and N for no. If yes rate the effectiveness of the training you received.	Effectiveness				
	Not Effective				Very Effective
13a. In-person instructor-led lecture/discussion Y N IF YES:	1	2	3	4	5
13b. Teleconference or satellite broadcast Y N IF YES:	1	2	3	4	5
13c. Videotape Y N IF YES:	1	2	3	4	5
13d. Computer-based training. (e.g. Internet, Intranet) Y N IF YES:	1	2	3	4	5
13e. Reference materials Y N IF YES:	1	2	3	4	5
13f. Direct communications (e.g. newsletter, e-mail) Y N IF YES:	1	2	3	4	5
13g. Tri-fold brochures Y N IF YES:	1	2	3	4	5
13h. Other (Specify) _____ Y N IF YES:	1	2	3	4	5

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

INSTRUCTIONS: Please mark the response indicating your level of agreement with each of the following statements based on your experience, opinions, or perceptions
 In the following "the Office and "this Office" refers to the Office of the Attorney General.

Part B.					
	Strongly Disagree				Strongly Agree
1. Supervisors at the Office of the Attorney General include discussions of ethics when talking with their employees.	1	2	3	4	5
2. This Office follows up on ethical concerns that are reported by employees.	1	2	3	4	5
3. Our Office leadership cares more about getting the job done than about ethics.	1	2	3	4	5
4. This Office practices what it preaches when it comes to ethics.	1	2	3	4	5
5. Employees in this Office feel comfortable talking about ethics.	1	2	3	4	5
6. You can ignore ethics and still get ahead in this Office.	1	2	3	4	5
7. Leadership of this Office regularly shows that it cares about ethics.	1	2	3	4	5
8. Senior officials in this Office are less likely to be disciplined for violating ethical standards than other employees.	1	2	3	4	5
9. If ethics concerns are reported to the Office, action is taken to resolve them.	1	2	3	4	5
10. Supervisors at my work location usually do not pay attention to ethics.	1	2	3	4	5
11. This Office makes a serious effort to detect violations of ethics standards.	1	2	3	4	5
12. Employees who are caught violating ethics policies are disciplined.	1	2	3	4	5
13. Employees in the Office openly discuss the ethics of their decisions and actions.	1	2	3	4	5
14. Ethics rules and Office practices are consistent.	1	2	3	4	5
15. Employees in this Office are expected to do as they are told, no matter what.	1	2	3	4	5
16. Employees at all levels in this Office are held accountable for adhering to ethical standards.	1	2	3	4	5

EMPLOYEE ETHICS SURVEY 2008

INSTRUCTIONS: Please mark the response indicating your level of agreement with each of the following statements based on your experience, opinions, or perceptions

Part C.					
	Strongly Disagree				Strongly Agree
1. Employees in the Office of the Attorney General recognize ethics issues when they arise.	1	2	3	4	5
2. Employees seek advice within the Office when ethics issues arise.	1	2	3	4	5
3. Employees are comfortable delivering bad news to their supervisors.	1	2	3	4	5
4. Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	1	2	3	4	5
5. Employees can talk with supervisors about problems without fear of having their comments held against them.	1	2	3	4	5
6. I would feel comfortable reporting ethics violations.	1	2	3	4	5
7. When ethical issues arise, employees look for advice within the Office.	1	2	3	4	5
8. Employees in this Office do not recognize ethics issues that come up at work.	1	2	3	4	5
9. Ethics problem solving in this Office is better because of the agency's ethics program.	1	2	3	4	5
10. Employees who report misconduct are not retaliated against.	1	2	3	4	5

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

10. In your opinion, how often do these types of conduct occur at the Office of the Attorney General?

	Never				Very Frequently
10a. Office employees improperly accepting gifts given to them because of where they work or what they do in their Government jobs.	1	2	3	4	5
10b. Office employees misusing Government property, time or resources for inappropriate political activity.	1	2	3	4	5
10c. Office employees improperly benefiting financially from work they do for the Government.	1	2	3	4	5
10d. Office employees misusing Government property.	1	2	3	4	5
10e. Office employees misusing their Government positions.	1	2	3	4	5
10f. Office employees misusing official time.	1	2	3	4	5
10g. Office employees improperly accepting payment for doing their Government jobs from people outside of Government.	1	2	3	4	5
10h. Office employees engaging in inappropriate political activity during official time.	1	2	3	4	5

EMPLOYEE ETHICS SURVEY 2008

PART D.

Instructions: Please write your responses to the following questions in the space provided. Please write legibly.

1. In your opinion, what, if anything, makes it difficult for employees to comply with ethics policies?

2. In your opinion, what, if anything, would further assist employees to act ethically in connection with their work?

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

PART E.

Instructions: Please circle the one response for each question that most closely describes you.

1. How long have you worked for the Office of the Attorney General?

1. Less than 4 years
2. 4+ years to 10 years
3. 10+ years to 20 years
4. More than 20 years

2. What are your financial disclosure responsibilities?

1. I file an Economic Interest Statement.
2. I am not required to file an Economic Interest Statement.
3. I do not know my filing status.

3. What is your work location?

- a. Sangamon County
- b. Cook County
- c. Other

4. Do you hold a supervisory position?

- a. Yes
- b. No

THANK YOU FOR COMPLETING THE EMPLOYEE ETHICS SURVEY!

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Executive Ethics Commission
401 S. Spring Street
403 William Stratton Building
Springfield, IL 62706

2009 EMPLOYEE ETHICS SURVEY, OFFICES OF THE ILLINOIS STATE ATTORNEY GENERAL, COMPTROLLER, AND TREASURER
Report prepared by the Illinois Executive Ethics Commission

