

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: CHARLES DRAGER,) OEIG Case #11-00621

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and “any other information it believes should not be made public.” 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report’s factual allegations or legal conclusions before the Commission.

The Commission received a final report from the Governor’s Office of Executive Inspector General (“OEIG”) and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor’s Executive Inspector General and to Charles Drager at his last known addresses.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

EXECUTIVE SUMMARY

The Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) received a complaint alleging that Illinois Department of Labor (IDOL) Amusement Ride Inspector Charles Drager, who also works a second job as a vocal impressionist singer, engaged in misconduct by conducting his vocal performances on State time. As set forth in the attached Final Report, the OEIG concludes that Mr. Drager engaged in various types of misconduct, which included the following:

The Submission of False IDOL Inspection Reports

OEIG Investigators discovered that Mr. Drager – whom IDOL allowed to work full-time from home so that he could more easily travel to conduct inspections of such things as ski lifts, inflatable devices and carnival rides – knowingly submitted false IDOL inspection reports. The inspection reports represented that Mr. Drager conducted inspections when, in fact, he had not.

Specifically, in December 2011, Mr. Drager submitted an inspection report claiming to have observed a test measuring the capacity of a new ski lift when, in fact, he had not. On February 10, 2012, Mr. Drager reported that he inspected an inflatable device (similar to a “Moon Walk”), when, in fact, he had not conducted any inspections that day.

The Submission of Numerous False Travel Vouchers between 2005 and 2011

OEIG Investigators also discovered that Mr. Drager submitted numerous false travel vouchers. Specifically, Mr. Drager reported having paid the cash equivalent of toll charges, when, in fact, he had not. Rather, Mr. Drager paid a toll rate equivalent to only about half the amount he sought reimbursement for because he used a personal I-PASS device. Thus, Mr. Drager sought reimbursement for money he was not entitled to receive.

The Submission of Numerous False Time, Attendance, and Other Records

OEIG Investigators also discovered that Mr. Drager submitted multiple false timekeeping documents to his IDOL supervisor reporting that he was performing IDOL inspections when, in fact, he was not. Rather, Mr. Drager was actually performing as a vocal impressionist singer rather than conducting inspections as he reported.

In addition to the above misconduct, OEIG investigators also discovered that Mr. Drager failed to report his secondary employment on his annual Statement of Economic Interests or to his employer. Mr. Drager’s extensive misconduct was repeated, multi-faceted, and extended for years, resulting in a monetary loss to the State. More disturbing than the monetary loss was the fact that Mr. Drager’s misconduct potentially risked the well-being of children, adults, and others who put faith in the State to conduct competent and complete inspection of carnival rides, ski lifts, and inflatable devices.

Based upon the evidence, the OEIG recommends the termination of Mr. Drager’s employment, and also recommends that IDOL take whatever steps are necessary to re-inspect any apparatus that Mr. Drager did not inspect but said he had.

FINAL REPORT

I. ALLEGATIONS

The Office of Executive Inspector General (OEIG) received a complaint alleging that Illinois Department of Labor (IDOL) Amusement Ride Inspector Charles (“Chuck”) Drager engaged in misconduct. Specifically, the complaint alleged that Mr. Drager, who performs as a vocal impressionist as a means of secondary employment, [REDACTED] [unfounded allegation], falsified Statement of Economic Interests forms by failing to report his secondary employment, and abused State time by performing vocal impressions (i.e. non-State work) on State time. During the investigation, the OEIG also discovered evidence that Mr. Drager falsified IDOL documents – including an inspection report to reflect that he observed a test of a ski lift that he did not, in fact, observe.

II. BACKGROUND

A. Charles Drager’s Duties and Responsibilities

Charles “Chuck” Drager has worked for IDOL as an Amusement Ride Inspector within IDOL’s Carnival and Amusement Ride Safety Division for approximately sixteen years. As an inspector, Mr. Drager’s job duties and responsibilities include:

- inspecting various apparatuses, including inflatable bounce units, amusement and carnival rides, and ski lifts;
- issuing IDOL permits to certify that these apparatuses are safe to be used by the public; and
- completing IDOL paperwork regarding his inspections.

As part of his inspection duties and responsibilities, Mr. Drager is one of two IDOL employees¹ permitted to work from home. Mr. Drager is allowed to work from home in order to facilitate his travel to the various sites where the rides and units that he inspects are located. Mr. Drager’s assigned work hours are 8:00 a.m. to 6:00 p.m. Tuesday through Thursday, and 8:00 a.m. to 5:30 p.m. on Friday.

B. IDOL Forms

Mr. Drager is required to document both his work and travel through the submission of several documents to his supervisor, including:

- a weekly timekeeping and attendance report;²
- a weekly daily activity report;³

¹ The other employee permitted to work from home is also an IDOL Carnival and Amusement Ride Safety Division inspector.

² A timekeeping and attendance report is a document signed by Mr. Drager, attesting to its truthfulness and accuracy, which reflects the dates, times, and number of hours he worked, excluding lunch times.

³ On a daily activity report, Mr. Drager is expected to describe work performed (such as office work, travel, or inspections), the start/end times, and the location of each activity. Although there is a signature line on the forms, the OEIG was informed by Mr. Drager’s supervisor (until December 2012), that he did not necessarily require his

- a weekly itinerary;⁴
- a travel voucher (presently submitted twice a month);⁵ and
- inspection reports (submitted as inspections occur).

Mr. Drager's timekeeping and attendance report, daily activity report, and weekly itinerary indicate his activities and hours worked. The information to be recorded on IDOL travel vouchers and inspection reports is more fully discussed below.

1. Travel Vouchers

When traveling on State business, Mr. Drager uses his personal vehicle and his personal Illinois Tollway I-PASS, and prepares his own travel voucher wherein he lists reimbursable expenses, such as tolls. Thereafter, Mr. Drager is reimbursed by the State for expenses he listed.

2. Inspection Reports

As part of his IDOL duties, Mr. Drager must complete and submit an inspection report documenting each inspection he conducts. Each report identifies: the name of the inspector; the specific ride or object inspected; the date of the inspection; and the activity completed. An inspector is permitted to add comments to the inspection report, such as that the vendor was advised of any additional task that needed to be completed before an operating permit could be issued.

The inspection reports are kept in a centralized IDOL database known as the "RIDES system," which is maintained by IDOL personnel in Springfield, Illinois. Each inspector must manually upload the inspection reports to the RIDES system by submitting them to IDOL personnel in Springfield via email. Springfield personnel, in turn, upload the reports into the RIDES system.⁶ The RIDES system is how IDOL personnel keep track of completed inspections and are the basis for IDOL-issued permits.

In addition to emailing the inspection reports to IDOL personnel in Springfield, according to agency policy, each inspector must also print out a copy of each inspection report. A copy of the inspection report is then provided to the owner of the inspected item at the inspection site at the conclusion of the inspection or as soon as practical following the inspection.⁷

inspectors to sign each daily activity report; however, the truth and accuracy of the content of the report was implied by the inspector's act of completing and submitting the report to him (Mr. Drager's supervisor).

⁴ A weekly itinerary consists of an email noting the locations where Mr. Drager will be conducting his investigation each day of the upcoming week.

⁵ Travel vouchers reflect the dates, locations, and times of any travel necessitated for State business. By submitting a travel voucher and attesting that the expenses listed on that voucher were incurred for State business, Mr. Drager will be reimbursed for the expenses noted on the voucher, such as mileage and toll expenses. Prior to submission, each voucher must be signed by the inspector attesting to the truthfulness and accuracy of the information contained therein.

⁶ Each time an inspection report is created, a unique alpha numeric identifier is assigned to the report reflecting the time and date that the report was created, the vendor identification code, and the amusement device code. Inspectors are not given any access to change the unique identifiers.

⁷ Computer malfunctions are one reason that an inspector may have to submit an inspection report to an owner by mail, email, or fax transmission following the conclusion of the inspection.

III. INVESTIGATION

During its investigation, the OEIG conducted numerous interviews, including the interviews of Mr. Drager's IDOL supervisors and co-workers, and owners of the businesses where Mr. Drager was scheduled to conduct his inspections. The OEIG also obtained copies of Mr. Drager's IDOL timekeeping documents and compared them to documents related to his secondary employment performing vocal impressions.

During his first interview on October 28, 2011, Mr. Drager was generally asked if he had falsified any documents that he submitted to his employer. He said "no." However, when Mr. Drager was interviewed on February 7, 2013, he acknowledged falsifying numerous documents and making false representations to his supervisor, as set forth below.⁸

A. Inspection of █████ █████ Ski Lift in December 2011

During the fall of 2011, █████ █████, a golf and ski facility operated by the █████ Park District in █████, Illinois, was constructing a new ski lift. One of the tests that needed to be completed prior to the ski lift being issued a permit was the "acceptance test." The acceptance test involved a series of checks on the ski lift's design and capacity. One of the checks done as part of the acceptance test is referred to as the "load test." The inspection standard applicable to the acceptance test was the American National Standards Institute ("ANSI") B77, a national bench mark for inspecting ski lifts. ANSI B77 indicates that the acceptance test requires at least seven hours to complete and involves a test of the ski lift load capacity.

The OEIG's investigation revealed that Mr. Drager reported having been present at █████ █████ to conduct the required inspection on December 5 and 6, 2011, but was only present at █████ █████ for a short time on December 6, and did not view the load test while at █████ █████. Below is a description of the evidence upon which that conclusion is based.

1. Emails Between Charles Drager and Others About Scheduling the Load Test at █████ █████

On December 1, 2011, the Superintendent of Parks and Planning wrote Mr. Drager and his co-worker, IDOL Inspector █████ █████, stating:

"The █████ █████ load test is scheduled for Tuesday, Dec 6, starting first thing in the morning, around 8am. It will take a better portion of the day to perform the tests on the chair and the safety systems. . . . Chuck, if you want, they can start some of the electrical testing on Monday afternoon. We are assisting with the loading of the chairs with water bags for weight."

In response to the above email, Mr. Drager sent the Superintendent of Parks and Planning an email that same day, stating:

⁸ During his second interview, Mr. Drager explained that the inaccurate recordkeeping and other failures identified by the OEIG were, at least in part, the result of personal family health issues that necessitated him being home at times during the workday and his attendance at appointments that also occurred during his workday.

“I’ll plan on being there first thing on Tuesday morning, [I] will call you on Monday to confirm and possibly stop out and see the electrical testing on Monday afternoon.”

2. Charles Drager’s Emails with His IDOL Supervisor Regarding the Itinerary for December 5 and 6

Mr. Drager also communicated with his supervisor, [REDACTED], about the load test. At 1:47 p.m. on Sunday, December 4, 2011, Mr. Drager wrote an email to [REDACTED], stating that he (Mr. Drager) intended to visit [REDACTED] [REDACTED] on Monday, December 5 and Tuesday, December 6 to conduct activities related to the load test. In his email, Mr. Drager asked his supervisor if he (Mr. Drager) could flex his schedule to accommodate the work on Monday, given that Mr. Drager does not usually work on Mondays.

At 7:53 a.m. on Monday, December 5, [REDACTED] responded to Mr. Drager’s December 4 email, stating: “Chuck, That will be fine.” Later that day, at 6:20 p.m., Mr. Drager sent an email to [REDACTED] including his (Mr. Drager’s) weekly itinerary. That email stated, in pertinent part:

“MON.12-5-[REDACTED] PARK DISTRICT-ELECTRIC/LOAD TEST ON NEW LIFT.
TUES.12-6-[REDACTED] PARK DISTRICT-ELECT./LOAD TEST ON NEW LIFT.”⁹

3. Charles Drager’s Inspection Report Indicating Completion of the Load Test on December 6

On Wednesday, December 7, 2011, Mr. Drager completed an inspection report for the ski lift at [REDACTED] Park District representing that he had completed the inspection of the load test the previous day, and emailed that report to the Springfield IDOL office. The inspection report indicates that the ski lift was “Approved for Operation,” and Mr. Drager wrote in the “Additional Comments or Instructions” field: “Observed Load test on New Ski Lift-Load test was successfully completed.”

4. Report to IDOL Regarding Charles Drager’s Failure to Appear at [REDACTED] [REDACTED] on December 5 and 6

A representative from [REDACTED] [REDACTED] told OEIG investigators that she called [REDACTED], Mr. Drager’s supervisor, on either the afternoon of December 6 or morning of December 7, 2011 – she could not recall the date – to state that Mr. Drager had not been seen at [REDACTED] [REDACTED] on either Monday, December 5 or Tuesday, December 6, 2011.

5. The Ski Lift Manufacturer’s Acceptance Test Report

During its investigation, OEIG investigators discovered the existence of a report provided to IDOL by the manufacturer of the ski lift, entitled “Acceptance Test Procedure for Eco Drive Quad at [REDACTED] [REDACTED].” This report was related to the December 6 acceptance test and indicated that no “Authorities” were present at the December 6 acceptance test, only five non-IDOL individuals who were all employees of either the ski lift manufacturer or the [REDACTED] Park

⁹ In his February 7, 2013 interview, Mr. Drager stated that he routinely sent his weekly schedule to his supervisor at the start of his work week to keep his supervisor apprised of his (Mr. Drager’s) whereabouts.

District. [REDACTED] indicated that the ski lift manufacturer submitted the report to IDOL in the days following the load test.

6. Charles Drager’s Daily Activity Report for December 6

During the week of December 12, 2011, Mr. Drager submitted his daily activity reports for the previous week, which included the dates that the load test purportedly took place at [REDACTED]. Despite having submitted an itinerary on December 5, 2011, that indicated he had worked at [REDACTED] on Monday, December 5 and intended to work there on Tuesday, December 6, as well, Mr. Drager did not submit a daily activity report for Monday, December 5, and his daily activity report for Tuesday, December 6, 2011, stated that he did not observe the load test at [REDACTED]. Mr. Drager’s December 6, 2011 daily activity report contradicted his previous representation to his supervisor and the inspection report, both of which indicated that he had observed the load test. Mr. Drager’s December 6, 2011 daily activity report stated as follows:

- 8:00 a.m. – 9:30 a.m. “OFFICE/STAFF MEETING”
- 9:30 a.m. – 10:15 a.m. “TRAVEL FROM HOME TO [REDACTED]”
- 10:15 a.m. – 11:30 a.m. “OBSERVED CRATES BEING FILLED WITH WATER FOR LOAD TEST [AT] [REDACTED] [REDACTED] [REDACTED]”
- 11:30 a.m. – 12:30 p.m. “TRAVEL FROM [REDACTED] TO HOME

TOOK SICK DAY FOR REMAINDER OF DAY (SEVERE MIGRAINE)

NOTE: I RECEIVED A CALL FROM [REDACTED] PARK SUPT. [REDACTED] LATER IN AFTERNOON STATING THAT THE LOAD TEST WAS COMPLETED[.] I INFORMED MR. [REDACTED] THAT HE NEEDED TO SEND ALL DOCUMENTATION TO SPRINGFIELD OFFICE FOR APPROVAL.”

7. Charles Drager’s Timekeeping and Attendance Record for December 5 and 6

During the week of December 12-16, Mr. Drager also submitted the following timekeeping and attendance report covering the previous week, the week of the load test inspection:

- Monday, Dec. 5, 2011 Mr. Drager left the “In” and “Out” fields blank on Monday indicating that he had not worked that day.
- Tuesday, Dec. 6, 2011 Mr. Drager indicated that he was in at “8 am” and out at “12:30 pm” and used “5.0” hours for employee illness.

8. IDOL Issued an Operating Permit for [REDACTED] Ski Lift

On December 22, 2011, IDOL Inspector [REDACTED] issued an operating permit that approved the ski lift for operation based, in part, on the reportedly successful completion of several interim operating tests, including the load test.

9. Charles Drager's Interview Regarding the Load Test

On February 7, 2013, Mr. Drager was interviewed regarding his observation of the ski lift load test. Mr. Drager explained to OEIG investigators that, in total, on Tuesday, December 6, 2011, he was at [REDACTED] for only a short period of time, probably about an hour and one half. Mr. Drager stated that during the time he was at [REDACTED] he never saw the ski lift in operation and that he had no firsthand knowledge of who actually performed any test done that day, whether any test was conducted properly, or whether the results of any test were recorded accurately. Mr. Drager nevertheless indicated that he considers an accident on a ski lift to be a major event due to the potential for serious injury, and saw the importance of his job as an inspector to ensure that all rides inspected are safe for children, adults, and seniors to use. Mr. Drager stated that he always inspects rides and inflatable units with the thought in mind that he should report that something passed inspection if he feels safe allowing his children and grandchildren to use it.

In addition to the above information, Mr. Drager stated in his interview that:

- He emailed a false weekly itinerary to his supervisor on the evening of Monday, December 5, 2011, which reported that he had attended the load test that day.
- He falsified an inspection report when on Wednesday, December 7, 2011, he submitted an inspection report that stated that he observed the load test on Tuesday, December 6, 2011.
- By not attending the load test, he violated the Illinois Administrative Code requirement that IDOL personnel witness a new ski lift's load test.
- He violated IDOL policy when he failed to notify his supervisor that he was taking sick time during the afternoon of Tuesday, December 6, 2011.

B. Inspections of Inflatable Units at [REDACTED] and [REDACTED]

The OEIG's investigation revealed that Mr. Drager mis-reported the date upon which he inspected the inflatable units at [REDACTED] and submitted false documentation indicating what he was doing on two dates in February 2012. Below is a summary of the evidence upon which these conclusions are based.

1. February 2012 IDOL Inspection of the Inflatable Units

One of the numerous apparatuses that IDOL inspects are inflatable units, which often are used by children, and are referred to colloquially as “bounce houses” or “moon walks.” These inflatable units must be inspected on an annual basis before they can be made available for public use. Several of these inflatable units are owned by two companies, [REDACTED] and [REDACTED]. Both companies are owned by the same family.

On February 10 and 15, 2012, Mr. Drager informed his supervisor via two weekly itineraries¹⁰ and daily activity reports, that he would be inspecting the inflatable units at [REDACTED] (on February 10) and [REDACTED] (on February 15). Mr. Drager subsequently reported on his travel voucher that he traveled to [REDACTED] on February 10 to [REDACTED] and on February 15 to [REDACTED] and conducted inspections on each of those days.

2. Charles Drager’s IDOL Inspection Report – February 10, 2012

On February 10, 2012, Mr. Drager sent an email to personnel at the Springfield IDOL location submitting inspection reports to be included in the RIDES system. Included in that email was an inspection report reflecting that on February 10, 2012, he had completed an inspection at [REDACTED]. Mr. Drager also sent an email submission of inspection reports to be included in the RIDES system on February 15, 2012. That submission included only inspection reports for [REDACTED].

3. Interview of the Manager of [REDACTED] and the Owner of Both [REDACTED] Companies

OEIG investigators interviewed the manager of [REDACTED]. The manager of [REDACTED] is also the son of the owner of [REDACTED]. Both the manager and owner stated that no inspections took place at either [REDACTED] or [REDACTED] on February 10, 2012. The manager of [REDACTED] stated that he communicated with Mr. Drager, and he would have known if any inspections took place at either location on February 10, 2012, because he would have been present for the inspection.

According to the manager of [REDACTED], in advance of February 10, 2012, Mr. Drager called and asked the manager if all the inflatable units from both companies could be inspected at one location, [REDACTED], on one day, February 15, 2012. Further, on February 15, 2012, Mr. Drager was at the [REDACTED] location for approximately 1-2 hours and inspected all of the inflatable units belonging to both [REDACTED] and [REDACTED]. When shown the February 10, 2012 inspection report completed by Mr. Drager, the manager of [REDACTED] indicated that the written representation on the inspection report that the inspection took place on February 10, 2012, is inaccurate.

4. Interview of Charles Drager Regarding the February 10 and 15 Inspections

During his second interview, Mr. Drager acknowledged sometimes filling out inspection reports for indoor inflatable units prior to the inspections being completed. In response to OEIG questions, Mr. Drager confirmed that filling out inspection reports before they were actually inspected violated the IDOL operations manual. During his second interview, Mr. Drager

¹⁰ February 10, 2012 fell on a Friday, and February 15, 2012, fell on a Wednesday in the following week.

admitted that he did falsify records pertaining to his inspection report of [REDACTED] on February 10, 2012, but maintained that he eventually conducted the inspections.

C. Charles Drager's Submission of Inflated Expenses on Travel Vouchers

During his first interview with the OEIG, Mr. Drager stated that he travels for State work 90% of the time using his personal I-PASS transponder. Investigators showed Mr. Drager copies of travel vouchers he submitted to IDOL, as well as tollway records. OEIG investigators asked Mr. Drager how he established the rates for which he requested toll reimbursement. Mr. Drager responded that he sought reimbursement from the State for the amount it would cost the State of Illinois in tolls if he had not used his personal I-PASS transponder, even though he had in fact used it. Mr. Drager stated that he sought reimbursement in this way because the State did not supply him with an I-PASS, and he assumed this approach was the correct way to calculate reimbursement. He stated, "This is how I always did it . . . I didn't think about it."

During the interview, OEIG investigators identified records revealing that Mr. Drager was charged an average of \$0.40 or \$0.50 per toll, using his personal I-PASS, and also showed him travel vouchers he had submitted in which he was seeking reimbursement from the State of Illinois for more than the amount, or about \$1.80 to \$2.00 for most tolls. In response, Mr. Drager stated that nobody instructed him to complete his travel vouchers in this way, and that there was "probably a policy" that indicates that he cannot charge the State more money than what he actually paid in tolls.

OEIG investigators subsequently reviewed the travel vouchers submitted by Mr. Drager from January 1, 2005, through October 15, 2011, and confirmed that between 2005 and 2011 Mr. Drager sought over \$2,850 in reimbursement from the State for the cash rate for his use of Illinois toll roads even though he had not paid the cash rate. Specifically, his travel vouchers sought reimbursement for:

- over \$350 in tolls in 2005;
- over \$450 in tolls in 2006;
- over \$350 in tolls in 2007;
- over \$375 in tolls in 2008;
- over \$450 in tolls in 2009;
- over \$525 in tolls in 2010; and
- over \$350 in tolls in 2011.

An examination of Illinois State Toll Highway Authority records revealed that as of 2005, cash toll rates have been approximately double that of I-PASS tolls rates. Again, in total, OEIG investigators calculated that Mr. Drager received over \$2,850 in toll reimbursements from the State, approximately double the amount that he actually expended using the I-PASS.¹¹

D. Charles Drager's Representations on His State Time Sheets

¹¹ In his February 7, 2013, interview, Mr. Drager indicated that he had stopped seeking reimbursements for his tolls after his October 28, 2011 interview with OEIG investigators in which his overcharges were discussed.

The OEIG's investigation revealed that Mr. Drager represented on his timekeeping records that he was working for the State when in fact he was not. Below is the summary of the evidence upon which that conclusion was based.

1. Charles Drager's Vocal Impressionism Business

During his interview on October 28, 2011, Mr. Drager stated that he had a secondary job as a vocal impressionist singer, which he had been doing for approximately 15 years. He stated that he has a website for his vocal impressionist business, [REDACTED].com. Mr. Drager explained that he receives the majority of his work from his booking agent, [REDACTED], and that he signs a contract to perform at [REDACTED] events, after which he typically receives a check.

2. Charles Drager's Vocal Impressionism Performance Records

The OEIG obtained and reviewed Mr. Drager's 2010 and 2011 vocal impressionist performance records from [REDACTED]. These performance records included copies of checks issued by [REDACTED] to Mr. Drager, and performance contracts, which identified dates, times, and locations of scheduled performances.

The OEIG compared Mr. Drager's IDOL submissions (i.e. his timekeeping and attendance records, his daily activity reports, his weekly emailed itinerary, and his inspection reports) to his vocal impressionism performance records and personal I-PASS records.

The OEIG's review revealed several occasions between January 2010 and mid-April 2011, when performance contracts and canceled checks confirm that Mr. Drager was working as a vocal impressionist, despite also reporting on his IDOL timekeeping and attendance records and travel vouchers that he was working for the State.

During his first interview on October 28, 2011, when Mr. Drager was asked about the conflicting documentation indicating that he was conducting non-State work on State time on May 27 and July 2, 2010, and March 11, March 17, and April 15, 2011, he was unable to confirm whether his IDOL timekeeping records or his performance records were accurate. In fact, at his first interview, on October 28, 2011, Mr. Drager generally represented that he does not falsify documents. During Mr. Drager's second interview on February 7, 2013, he made the following representations regarding his performances and absences from his State work that confirm that, in fact, he made several false representations to his employer:

- **May 27, 2010 Geneva Performance:** On this date, Mr. Drager left an IDOL inspection site early so that he could travel to an afternoon performance in Geneva, Illinois. He stated that he likely left around 12:30 p.m. He was not sure whether he returned to the inspection venue later, after his performance, to complete his work. Mr. Drager stated that the IDOL timekeeping records he submitted for this date indicate that he was working until 6 p.m., and therefore, they were false.
- **July 2, 2010 Lake in the Hills Performance:** On this date, Mr. Drager left his IDOL inspection site in Oswego early in order to perform in Lake in the Hills, likely around 2:45 p.m. Mr. Drager acknowledged that he completed one of his

inspection reports before the inspection actually occurred. He stated he knew the IDOL documents he signed and submitted for that date indicating that he was working until 5:30 p.m. were false.

- **March 11, 2011 Lake in Hills Performance:** On this date, Mr. Drager left work early, around 3:00 p.m., to travel to a performance in Lake in the Hills. He stated he thought he may have made up the time for leaving early, but could not remember, and stated he did not receive permission to flex his schedule that day and the timekeeping forms that he submitted indicating that he was working from 8 a.m. through 5:30 p.m. were false.
- **March 17, 2011 Mundelein Performance:** Mr. Drager recalled that on this date he performed at a party in Mundelein, though his IDOL timekeeping records reflected a full day of State work. He acknowledged that toll records showed he was on the tollway around 1:00 p.m., and not at an IDOL inspection in Tinley Park, as indicated on his daily report. He stated that the timekeeping and attendance records that he submitted indicating that he was working from 8 a.m. through 5:30 p.m. were false.
- **April 15, 2011 Unexplained Absence:** On this date, Mr. Drager left work early, likely around 1:00 p.m. He acknowledged that the timekeeping documents he completed and signed falsely indicated that he was conducting IDOL inspections of apparatuses, including some rides at [REDACTED], a large amusement park in [REDACTED], Illinois. Mr. Drager also acknowledged that he falsely indicated on his timekeeping documents that he was working from 8 a.m. through 5:30 p.m. When queried, Mr. Drager was unable to recall what he was actually doing that day, but admitted that it was not IDOL work.

In addition, during Mr. Drager's second interview, he was asked by OEIG investigators whether he ever diverged from his regular schedule. Mr. Drager acknowledged that at times he was required to work outside of his regular scheduled hours due to the availability of the items he inspected. He initially explained that he would notify his supervisor of any major schedule changes, as well as his need to use sick leave as the needs arose, not after-the-fact, which would have been contrary to IDOL policy. Yet, Mr. Drager admitted later in the interview that he did not always work the hours that he reported on his timekeeping and attendance records as a matter of course. He explained, for instance, that if he was short on hours for one day, he would make them up on another day without documenting the extra hours. Mr. Drager indicated that the time would always balance out. Mr. Drager stated that he completed his timekeeping and attendance forms in this manner because he was trained that as long as the job got done without incurring compensatory time, the times he recorded on his timekeeping and attendance records did not matter, even if those times were inaccurate. Mr. Drager estimated that he had probably submitted approximately 50 incorrect time and attendance records during his 16 years with IDOL. Mr. Drager indicated that he did not utilize his benefit time to compensate for his early departures.

E. Charles Drager's Failure to Report His Secondary Employment on Statement of Economic Interests Forms

As shown by the evidence discussed below, the OEIG's investigation revealed that Mr. Drager failed to report his secondary employment as a vocal impressionist on his Statement of Economic Interests forms.

1. The Policy Applicable to Statement of Economic Interest Forms

The Illinois Governmental Ethics Act, 5 ILCS 420/4A-102, requires certain individuals, including specified State employees, to disclose their economic interests by completing a Statement of Economic Interests (SOEI) form. The SOEI form applicable to State employees requires a response to eight inquiries, including the following:

- (6) List the name of any entity doing business in the State of Illinois from which income in excess of \$1,200 was derived during the preceding calendar year, other than for professional services, and the title or description of any position held in that entity

The same SOEI form also contains a verification statement that requires a State employee to sign below the following attestation:

I declare that this Statement of Economic Interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$1,000 or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both fine and imprisonment.

Any State employee required to file a SOEI form who "willfully files a false or incomplete statement shall be guilty of a Class A misdemeanor." 5 ILCS 420/4A-107.

2. Charles Drager's Statement of Economic Interest Forms

The OEIG obtained and reviewed copies of Mr. Drager's 2009, 2010, and 2011 SOEI forms. Each year, Mr. Drager signed his SOEI forms, stating that he had no financial interests to report from the preceding calendar year.

When shown these documents during his October 28, 2011 interview, Mr. Drager confirmed that these copies were what he submitted to IDOL, that they were on file with the Illinois Secretary of State, and that he identified no outside financial interests on the forms. When inquiry (6), referenced above, was shown to Mr. Drager, he responded that although he receives approximately \$5,000-6,000 per year from his vocal impressionism business, he did not list it in on the form because he thought the form only required employees to identify income from entities doing business *with* the State, not those operating *in* the State. Mr. Drager said any falsification was unintentional, and he probably should have listed his vocal impressionism business.

F. Charles Drager's Failure to Report His Secondary Employment to IDOL

As set forth below, the OEIG's investigation revealed that Mr. Drager failed to report or seek permission for his secondary employment as a vocal impressionist from his employer.

1. IDOL Secondary Employment Policy

The section on "Outside Employment" of the IDOL Policy Manual requires its employees to obtain written permission from the Director of IDOL before accepting any outside employment. Approved requests for outside employment are only valid for 24 months from the date of approval. Employees are responsible for resubmitting requests for outside employment after the expiration of each 24-month period.

2. Charles Drager's Interview

IDOL employment records reflected that Mr. Drager has never requested or obtained written permission from the IDOL Director to hold any outside employment. When asked during his first interview about his secondary employment, after reviewing the IDOL Policy Manual section on "Outside Employment,"¹² which obligates reporting of that secondary employment to IDOL, Mr. Drager said that he did not recall reading this section and confirmed that he never obtained written permission to perform as a vocal impressionist. Mr. Drager explained that he "didn't feel [he] had to obtain permission." He then recalled that he informed his former supervisor about his performing career during his initial job interview with IDOL.

G. [REDACTED] [Unfounded allegations]

[REDACTED]

[REDACTED]

- [REDACTED]

¹² The IDOL policy regarding outside employment requires employees to obtain written permission before accepting outside employment, and to resubmit requests for outside employment every 24 months.

¹³ These three entities had been identified in the complaint as entities that have relationships with IDOL.

¹⁴ Midway through 2011, the listed booking agent was changed to "[REDACTED]" at Drager Entertainment." OEIG investigators learned that "[REDACTED]" referred to Mr. Drager's son.

[REDACTED]

IV. ANALYSIS

A. Charles Drager Falsified Official Records

IDOL policy informs its employees that they “must not make misleading verbal or written statements in matters of official interest.” IDOL Policy Manual, section on “Making False Statements.” The Policy Manual defines “matters of official interest” to include items such as “work reports of any nature” and vouchers. *Id.* The OEIG concludes that there is reasonable cause to believe that Mr. Drager violated IDOL policy as outlined below.

1. Inspection Report of [REDACTED]

On December 7, 2011, Mr. Drager sent an email to personnel at the Springfield IDOL office. In that email, he included an inspection report indicating that he had witnessed the December 6, 2011 load test. Mr. Drager’s submission of that document the next day, on December 7, 2011, became part of the official RIDES system. He filed it knowing that he did not attend the load test. In fact, he told OEIG investigators that he sat in his vehicle for an hour and a half on December 6, never spoke to anyone about the test during that time, and never saw the ski lift in operation on that day. Nevertheless, he affirmatively wrote on the report “Observed Load test on New Ski Lift-Load test was successfully completed.” This failure to observe the load test is particularly egregious given that as Mr. Drager himself stated, an accident on a ski lift is a major event due to the potential for serious injury of anyone subsequently riding that ski lift. Accordingly, the allegation that Mr. Drager violated IDOL policy by submitting a false inspection report on December 7, 2011, is **FOUNDED**. In addition, the allegation that Mr. Drager violated IDOL policy by submitting a false weekly itinerary to his supervisor regarding his presence at [REDACTED] on December 5, 2011 is **FOUNDED**.

2. Inspection Report of [REDACTED]

On February 10, 2012, Mr. Drager did not inspect the inflatable units at [REDACTED]. Instead, he inspected them on February 15, 2012, in conjunction with the inspection of the inflatable units belonging to [REDACTED]. Regardless, on February 10, 2012, he submitted an inspection report to be included in the RIDES system that indicated that an inspection had been done. He did this knowing that he had not inspected the inflatable unit on that date as he had arranged with [REDACTED] in advance to inspect all of the units on February 15, 2012. At the time, Mr. Drager was aware that he is not supposed to submit inspection reports in advance, and he knew on that day that he did not inspect the inflatable units at [REDACTED]. Based on this action, the allegation that Mr. Drager violated IDOL policy by submitting a false inspection report on February 10, 2012, is **FOUNDED**. In addition, the allegations that Mr. Drager violated

[REDACTED]

IDOL policy by submitting a false daily activity report to his supervisor regarding his February 10 and 15, 2012 activities is **FOUNDED**.

3. 2009, 2010, & 2011 Statement of Economic Interests Forms

On his 2009, 2010, and 2011 SOEI forms, Mr. Drager reported to the Illinois Secretary of State that he had no outside financial interests. During his interview, however, Mr. Drager confirmed that he generally earned more than \$5,000 annually as a vocal impressionist, and he should have reported this fact on his SOEI forms in 2009, 2010, and 2011. Mr. Drager denied any intentional falsification, claiming that he misunderstood the SOEI form as only requiring a response where the sources of his outside income had contracts with the State.

While the OEIG has found no evidence that Mr. Drager's falsification of the forms was willful, which would otherwise amount to a violation of the Illinois Governmental Ethics Act, nonetheless, Mr. Drager violated IDOL policy by submitting SOEI forms that contain misleading statements. Thus, the allegation that Mr. Drager submitted false information on his SOEI forms in violation of IDOL policy is **FOUNDED**.

4. IDOL Daily Attendance Records, Timekeeping and Attendance Reports, and Travel Vouchers

Although Mr. Drager initially denied falsifying his travel vouchers, timekeeping and attendance reports, and daily activity reports, he eventually confirmed that on several occurrences, he submitted records that were false and indicated that he was on State business when, in fact, he was not. Mr. Drager admitted violating IDOL policy by submitting false travel vouchers, timekeeping and attendance reports, and daily activity reports reflecting State work times and locations, in 2010 (on May 27 and July 2); in 2011 (on March 11, March 17, and April 15); and in 2012 (on February 10 and 15). Mr. Drager's misconduct in February 2012 is especially egregious given that he was interviewed by the OEIG on October 28, 2011, several months earlier, about his failure to conduct State work on State time and keep to his scheduled hours. For these reasons, the allegation that Mr. Drager intentionally falsified his daily activity reports, timekeeping and attendance reports, and travel vouchers in 2010 (on May 27 and July 2); in 2011 (on March 11, March 17, April 15); and in 2012 (on February 10 and 15), is **FOUNDED**.

5. Excess Reimbursement for Toll Charges

The "Travel Reimbursement Policies" section of IDOL's policy manual states that IDOL employees "will be reimbursed for expenses incurred in authorized travel required by the Department." Each travel voucher requires IDOL employees to certify that the amount listed for reimbursement was "correct and just."

During his first interview, Mr. Drager acknowledged completing and signing the travel vouchers shown to him by OEIG investigators that reflected excess toll charges on July 2, 2010, and March 11 and April 15, 2011. He further indicated that he always listed the cash rate as a general practice going back to 2005 even though he used his personal I-PASS, which charged him half of the rate that he charged to the State. Additionally, during his second interview, he acknowledged that the travel voucher indicating that he incurred expenses due to his travel to

██████████ on February 10, 2012, was false. The 2011 falsifications caused Mr. Drager to receive reimbursement for approximately double his actual cost for toll charges, despite his signature on the travel vouchers by which he attested that the expenses listed were correct and just. The 2012 falsifications also led him to receiving mileage reimbursement for a trip that he did not make. The toll charges that he listed were not correct or just, and contradicted his certification on each form.¹⁶ Accordingly, the allegation that Mr. Drager falsified toll expenses on his travel vouchers is **FOUNDED**.

B. Charles Drager Violated the Administrative Code

The Illinois Administrative Code that applies to “Ski Lifts, Aerial Tramways, and Rope Tows” states that where new construction is involved, the “tramway¹⁷ shall be subjected to an acceptance test and inspection[,] as defined in the ANSI B77.1¹⁸ for the installation being inspected[,] before the installation is used by the public. *These tests shall be witnessed by the Department.*” Ill. Admin. Code tit. 56, § 6000.290(a)(3) (emphasis added).

On December 6, by his statement, Mr. Drager arrived at ██████████ to witness the load test. Yet, he also stated that he did not leave his vehicle or speak with anyone at the facility. He stated that he merely witnessed the ski lift at a standstill for about an hour and a half and eventually left the site. He did not inform his supervisor that he was not at the site until the following week, after the operator of ██████████ had complained to Mr. Drager’s supervisor about his absence. In fact, he attempted to hide his absence by submitting emails to this supervisor indicating that he was at ██████████ and later an inspection report that stated that on December 6, 2011 he “Observed Load test on New Ski Lift” and the “Load test was successfully completed.” In failing to witness the load test, Mr. Drager violated the Illinois Administrative Code, which requires that IDOL witness the tests that go into the acceptance test. By not informing his supervisor of his absence, Mr. Drager thwarted the ability of anyone at IDOL to cover for his absence. Accordingly, the allegation that Mr. Drager violated the Illinois Administrative Code by not witnessing the load test of the ski lift at ██████████ is **FOUNDED**.

C. Charles Drager Abused State Time

The IDOL Policy Manual section on “Tardiness and Absenteeism” states: “It is the policy of the Department of Labor that all employees are expected to provide the office with a full workday” In violation of this policy, Mr. Drager admitted that he sometimes ceased his State duties prior to the end of his scheduled workday so that he could attend vocal impressionist performances at least once or twice per year. Mr. Drager also admitted that he did not use benefit time to compensate for his early departures. Mr. Drager admitted to abusing time in this

¹⁶ Albeit, Mr. Drager stopped seeking any reimbursement from the State for his toll charges after he was confronted with these allegations during his October 2011 interview with OEIG investigators, his behavior does not remedy his receipt of improper overpayments from the State for nearly six years.

¹⁷ According to Ill. Admin. Code tit. 56, § 6000.260, “tram” is defined as “any tram, open car, or combination of open cars or wagons pulled by . . . [a] motorized device which is not licensed by the Secretary of State, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted” By this definition it appears that a ski lift qualifies as a tram.

¹⁸ “ANSI B77.1” is the standard set forth by the American National Standards Institute related to ski lift operation. It states that an acceptance test requires, at minimum, seven hours of time to complete, depending on the number of power units.

manner once or twice a year, and the OEIG's investigation revealed at least six instances between May 2010 and February 2012. Those dates occurred in 2010 (on May 27 and July 2); in 2011 (on March 11, March 17, April 15); and in 2012 (on February 10). On these occasions, Mr. Drager failed to provide IDOL with a full workday. Thus, the allegation that Mr. Drager abused State time, in violation of IDOL policy, is **FOUNDED**.

D. Charles Drager Violated the Sick Leave Policy

IDOL policy requires IDOL employees to report the use of sick leave prior to the start of the employee's shift, not after the leave was utilized. By his own admission, Mr. Drager did not report his use of benefit time on December 6, 2011, to his supervisor until the following week. Accordingly, the allegation that Mr. Drager violated the IDOL policy manual by failing to report his use of sick leave on December 6, 2011 until the following week is **FOUNDED**.

E. Charles Drager Failed to Report His Secondary Employment

The IDOL Policy Manual, section on "Outside Employment," states that IDOL employees "must obtain written permission from the Director of Labor before accepting any outside employment." Further, the policy states that "a newly hired employee [who] already ha[s] outside employment . . . must report this employment to [the employee's] supervisor or the Director of Labor immediately" The policy also states that "all approved requests for outside employment will be valid for 24 months from the date of approval by the director or his or her designee," and it is "the responsibility of the employee for timely resubmittals."

Mr. Drager never received written permission from the Director of Labor to engage in outside employment. Even assuming that Mr. Drager told his prior supervisor about his secondary employment during his initial interview with IDOL, Mr. Drager never obtained any subsequent written approval on a bi-annual basis after any initial approval had lapsed. It was his responsibility to do so according to IDOL policy. Thus, the allegation that Mr. Drager failed to report outside employment in violation of IDOL policy is **FOUNDED**.

F.

[Redacted] [Unfounded allegation]

[Redacted]

V. LOSS TO THE STATE

The OEIG estimates the monetary loss to the State exceeds \$1,650 (calculated as approximately \$1,000 for the overpayment of Mr. Drager's tolls¹⁹ and approximately \$650 based on the loss of salary for the times when Mr. Drager admitted to not doing State work on State time).²⁰ Yet, the more meaningful and immeasurable loss to the State is the potential harm to the wellbeing of the children, adults, and seniors who have put faith in the State to competently and completely inspect all carnival rides, ski lifts, and inflatable devices in operation in the State prior to them being made available to the public. By his misconduct, Mr. Drager has strained that trust, and the OEIG must rely on IDOL to take any necessary actions to attend to any inadequacies in the inspection process brought to light by Mr. Drager's misconduct.

VI. CONCLUSIONS

As a result of its investigation, the OEIG issues these findings:

- **FOUNDED** – On December 7, 2011, Charles Drager submitted a false inspection report in violation of IDOL policy.
- **FOUNDED** – On December 5, 2011, Charles Drager made a false weekly itinerary submission to his supervisor in violation of IDOL policy.
- **FOUNDED** – Charles Drager violated IDOL policy by submitting a false inspection report on February 10, 2012.
- **FOUNDED** – Charles Drager violated IDOL policy by submitting a false daily activity report to his supervisor regarding his February 10, 2012 activities.
- **FOUNDED** – Charles Drager violated IDOL policy by submitting a false daily activity report to his supervisor regarding his February 15, 2012 activities.
- **FOUNDED** – Charles Drager submitted false information on his SOEI forms, in violation of IDOL policy.

¹⁹ Mr. Drager has also sought over \$2,850 in reimbursement for tolls since 2005. He told OEIG investigators that this amount was based on the cash rate, which he always charged despite having a personal I-PASS. Since 2005, the cash rate has been about double the I-PASS rate. Based on this data, \$1,000 is a conservative estimate of the amount that Mr. Drager overcharged the State.

Since October 15, 2011, the OEIG notes that Mr. Drager has not sought reimbursement for any toll charges. The OEIG will leave it to IDOL to determine whether it would be appropriate to offset the amount of overpayment by any potential "savings" to the State resulting in Mr. Drager's failure to seek reimbursement for toll expenses to which he was otherwise entitled.

²⁰ The basis of the calculation is as follows. Approximately 19.75 hours (which amounts to the time over the course of May 27 and July 2, 2010; and March 11, March 17, and April 15, 2011) multiplied by Mr. Drager's hourly wage, \$32.86 (the hourly wage calculation is based upon the Illinois Department of Central Management Services' formula of converting base salary to daily or hourly equivalents pursuant to Ill. Admin. Code tit. 80, § 310.70, wherein his base salary of \$5,339/month was multiplied by 12 months and then divided by 1,950 or the number of hours full-time State employees work in a year), equates to approximately \$650.

- **FOUNDED** – On May 27, 2010, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On July 2, 2010, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On March 11, 2011, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On March 17, 2011, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On April 15, 2011, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On February 10, 2012, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On February 15, 2012, Charles Drager falsified State work times and locations on his travel voucher, timekeeping and attendance report, and daily activity report, in violation of IDOL policy.
- **FOUNDED** – On July 2, 2010, Charles Drager falsified toll expenses on his travel vouchers, in violation of IDOL policy.
- **FOUNDED** – On March 11, 2011, Charles Drager falsified toll expenses on his travel vouchers, in violation of IDOL policy.
- **FOUNDED** – On April 15, 2011, Charles Drager falsified toll expenses on his travel vouchers, in violation of IDOL policy.
- **FOUNDED** – On February 10, 2012, Charles Drager falsified toll expenses on his travel vouchers, in violation of IDOL policy.
- **FOUNDED** – On December 6, 2011, Charles Drager violated the Illinois Administrative Code by not witnessing the load test of the ski lift at [REDACTED].
- **FOUNDED** – On May 27, 2010, Charles Drager abused State time in violation of IDOL policy.
- **FOUNDED** – On July 2, 2010, Charles Drager abused State time in violation of IDOL policy.

- **FOUNDED** – On March 11, 2011, Charles Drager abused State time in violation of IDOL policy.
- **FOUNDED** – On March 17, 2011, Charles Drager abused State time in violation of IDOL policy.
- **FOUNDED** – On April 15, 2011, Charles Drager abused State time in violation of IDOL policy.
- **FOUNDED** – On February 10, 2012, Charles Drager abused State time in violation of IDOL policy.
- **FOUNDED** – On December 6, 2011, Charles Drager violated the IDOL policy manual regarding the use of benefit time by failing to report his use of sick leave until the following week.
- **FOUNDED** – Charles Drager failed to report outside employment, in violation of IDOL policy.
- **UNFOUNDED** – [REDACTED]

Based upon the evidence, the OEIG recommends that IDOL terminate Mr. Drager. The OEIG also recommends that IDOL take whatever action it deems necessary to recover any sum inappropriately paid to Mr. Drager as a result of Mr. Drager's misrepresentations. Finally, the OEIG recommends that IDOL take whatever action it deems necessary to address the inspection inadequacies noted herein.

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

Date: **February 28, 2013**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
32 W. Randolph Street, Ste. 1900
Chicago, IL 60601

By: **Tiffany A. Stedman**
Assistant Inspector General #146

Francis Foley
Investigator #156



ILLINOIS DEPARTMENT OF LABOR

Pat Quinn
Governor

Joseph Costigan ✓
Director

March 18, 2013

Ricardo Meza
Executive Inspector General
Office of Executive Inspector General
32 West Randolph Street, Suite 1900
Chicago, Illinois 60601

Re: **OEIG Case No. 11-000621**

Dear Executive Inspector General Meza:

I am writing this letter in response to the report of the investigation in Case No. 11-00621 regarding Charles Drager. Please be advised the Department has taken the following action. The Department has reviewed the Report and has presented the Report to Mr. Drager to receive his response to the allegations and findings. The Report was presented in the presence of the Union. Mr. Drager was informed the Department was considering taking appropriate disciplinary action and that it considered the violations to be serious, but wanted to provide Mr. Drager the opportunity to respond prior to the Department reaching a final decision and taking formal action. Mr. Drager was given until March 27 to respond to the Report. At that time and after receiving the response, the Department intends to make a final determination of the appropriate discipline based upon the recommendation of the OEIG and the input from CMS.

In addition, prior to the receipt of the Report of the OEIG, the Department had instituted changes in the procedures regarding accounting for permits and documenting inspections and visits by staff to Carnival locations and has instituted the changes to assist in holding staff accountable for their time.

Finally, when the Department reaches a conclusion regarding the appropriate discipline and receives approval for CMS for the disciplinary action, the Department will advise the OEIG of the disciplinary action that has been taken and the Department's next actions.

Sincerely,

Joseph Costigan
Director

cc: Erin K. Bonales, Deputy Inspector General

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Office of Executive Inspector General
for the Agencies of the Illinois Governor
www.inspectorgeneral.illinois.gov

OEIG RESPONSE FORM

Case Number: 11-00621

Return By: _____

Please check the box that applies. (Please attach additional materials, as necessary.)

We have implemented all of the OEIG recommendations. Please provide details as to actions taken:

We will implement all of the OEIG recommendations but will require additional time. We will report to OEIG within 60 days from the original return date.

We do not wish to implement any of the OEIG recommendations. Please provide details as to actions taken, if any, in response to OEIG recommendations:

Signature

Joseph Costigan

Print Name

Department of Labor, Director

Print Agency and Job Title

3/18/13

Date



ILLINOIS DEPARTMENT OF LABOR

Pat Quinn
Governor

Joseph Costigan
Director

April 29, 2013

Ricardo Meza
Executive Inspector General
Office of Executive Inspector General
32 West Randolph Street, Suite 1900
Chicago, Illinois 60601

Re: OEIG Case No. 11-000621

Dear Executive Inspector General Meza:

In response to the Final Summary Report issued by the Office of Executive Inspector General involving allegations of misconduct by Illinois Department of Labor Amusement Ride Inspector Charles Drager, the Department of Labor presented the Report to Charles Drager in the presence of an AFSCME representative at a Pre-disciplinary hearing. Mr. Charles Drager later resigned on March 29, 2013 from the position of Amusement Ride Inspector for the State of Illinois, prior to the Department taking any disciplinary action.

If you have any questions regarding this matter or otherwise require further assistance, please do not hesitate to contact me at (312)

Sincerely,

Joseph Costigan
Director

cc: Erin K. Bonaes, Deputy Inspector General

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Letter of Resignation

Drager, Chuck

Sent: Friday, March 29, 2013 4:43 PM

To: Costigan, Joe

Cc: mross@afscme31.org; Willis, Ron

After 15 plus years of service to the State of Illinois/Dept. of Labor/Carnival & Amusement Division
I hereby resign as Amusement Ride Inspector effective at the end of this work day 03/29/13

Thank You
Chuck Drager

3/29/13



ILLINOIS DEPARTMENT OF LABOR

Pat Quinn
Governor

Joseph Costigan
Director

May 29, 2013

Mr. Charles Drager:

Re: Excessive Expense Reimbursement

Dear Mr. Drager:

I have been requested to write this letter on behalf of the Department regarding the excessive expense reimbursement for tolls that the Department paid to you based upon the travel vouchers identified as false by the Office of the Inspector General in its Report dated February 28, 2013 ("Report"). The Department has provided you with a copy of the Report.

The Office of the Inspector General estimated in the Report that the monetary loss to the State of Illinois exceeded \$1,000. However, the Inspector General also found it appropriate for the Department to consider any offset for tolls that you incurred during your business activities on behalf of the Department that did not submit since approximately October 15, 2011 until the severance of the employment relationship.

Thus, the Department hereby demands that you repay this excess reimbursement. If you believe there is an offset that should be considered and can document that offset, the Department will consider same. You have thirty days from the date of this letter to submit the requested payment with any offset documented or to dispute the amount requested, and provide evidence to substantiate your position. After that period the matter of the overpayment will be submitted to the Comptroller's office for further action and for offset consistent with its procedure.

Very truly yours,

Ronald M. Willis
Chief Legal Counsel

RMW/hs

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