

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: ROBERT SPENCE,) OEIG Case #11-00693

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 Robert Spence 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

As an Illinois Department of Human Services (DHS) caseworker, Robert Spence’s duties and responsibilities include conducting intake interviews of persons seeking to obtain public benefits, in other words, DHS clients. The Office of Executive Inspector General for the Agencies of the Illinois Governor investigation revealed that between the months of May and July 2011, while Mr. Spence conducted intake interviews of DHS clients, he inappropriately touched four of them, all female. Specifically, the investigation revealed that Mr. Spence inappropriately:

- touched four clients’ hands, shoulders, arms, feet, and backs;
- hugged a DHS client; and
- stared at DHS clients’ chests.

In addition to engaging in the above-referenced inappropriate conduct, the investigation also revealed that Mr. Spence engaged in improper conduct with five DHS employees, all female. Specifically, the investigation reflects that Mr. Spence:

- touched DHS employees during work hours;
- sent inappropriate emails to DHS employees; and
- made unwelcome advances towards employees during work hours.

The OEIG investigation revealed that Mr. Spence engaged in a pattern of conduct through which he persistently touched female DHS clients and made inappropriate advances towards female DHS employees in the workplace.

The OEIG makes several findings against Mr. Spence including findings that he sexually harassed DHS clients and employees, adversely affected the public confidence, and misused State time and resources. The OEIG recommends Mr. Spence be terminated.

FINAL REPORT

I. INTRODUCTION

In May 2011, the Office of Executive Inspector General (OEIG) received complaints alleging that Illinois Department of Human Services (DHS) Caseworker Robert Spence acted inappropriately towards female DHS clients. Specifically, it was alleged that in May 2011,¹ Mr. Spence inappropriately touched DHS clients' hands, shoulders, arms, feet, backs, and hugged one client.² The OEIG's investigation revealed that Mr. Spence did act inappropriately towards four female clients,³ and therefore concludes that these allegations are **FOUNDED**.

In addition, the investigation reflected that Mr. Spence also engaged in improper conduct with several DHS employees by making inappropriate advances, sending them personal emails, and touching them. The OEIG concludes that Mr. Spence's conduct violated DHS's sexual harassment policies; therefore, those allegations with respect to five female employees are **FOUNDED** and with respect to one female employee is **UNFOUNDED**.

In addition, because Mr. Spence sent personal emails during State working hours, the OEIG further concludes that the allegation that he improperly used State time and resources is **FOUNDED**. The investigation further established that some of Mr. Spence's coworkers, specifically caseworkers [Caseworker 6], [Caseworker 7], and [Caseworker 3], responded to Mr. Spence's personal emails: [unfounded allegations and allegations against an employee resulting in less than three days' suspension redacted.]

¹ Since August 2011, Mr. Spence has only been permitted to conduct DHS intake interviews with male clients.

² [Reference to unfounded allegations redacted.]

³ The OEIG interviewed a DHS client with whom Mr. Spence allegedly acted inappropriately. This report is not referencing this client's statements even though much of what she said was consistent with what other DHS clients said because this client also made inconsistent statements, calling into question her credibility.

II. BACKGROUND

A. DHS Employee Expectations

DHS employees “hold[] a position of public trust and [are] expected to conduct [themselves] in a responsible, professional manner, refraining from conduct which could adversely affect the confidence of the public.” DHS Employee Handbook, Employee Personal Conduct, V-1 (April 2009). As such, DHS employees must demonstrate appropriate behavior with clients, coworkers, and applicants. *Id.* at V-2. Employees that violate the public trust or fail to act in a professional manner will be subject to discipline, including discharge. *Id.* at V-1.

B. DHS Sexual Harassment Policy

DHS has several policies prohibiting sexual harassment, which include two directives and a policy in the DHS Employee Handbook. Every DHS policy provides that a violation can result in discipline, up to and including discharge. The two DHS directives each include a definition of sexual harassment as “any unwelcome, unwanted sexual advance or request for sexual favors, or any other verbal or physical conduct of a sexual nature when: . . . [s]uch conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.” DHS Directive 01.01.01.020, *Nondiscrimination/Anti-Harassment Regarding Employees and Individuals*; see also DHS Directive 01.01.01.050, *Sexual Harassment*. In addition, the below referenced DHS Directives note:

01.01.01.020, Nondiscrimination/Anti-Harassment Regarding Employees and Individuals –

- [DHS] employees, applicants for employment, *recipients of services*, and *applicants for services* will be free from discrimination and harassment. (emphasis added).
- In determining whether the conduct is severe or pervasive enough to create a hostile work environment, the alleged harasser’s conduct should be evaluated both from the objective standpoint of a “reasonable person” and the subjective perspective of the individual.

01.01.01.050, Sexual Harassment –

- Sexual harassment will not be tolerated in the [DHS] workplace and each employee will be free from this unlawful behavior.
- Sexual harassment may involve sexual innuendos, sexual propositions, touching, and email messages.

The DHS Employee Handbook also includes a policy prohibiting sexual harassment. See DHS Employee Handbook, Mandated Policies, VI-3. That policy does not use the “unwelcome” or “unwanted” language set forth in the directives, but instead gives examples of sexual harassment. Those examples include sexual innuendos, suggestive comments, sexual propositions, repeated requests for dates, touching, and unwelcome hugging or kissing.

C. DHS Caseworker Robert Spence

Robert Spence has been a State employee for 14 years. Mr. Spence has been employed as a caseworker at the Will County Family and Community Resource Center (FCRC) for seven years. Mr. Spence is currently assigned to the intake unit and his job responsibilities include conducting intake interviews to determine an applicant's eligibility for certain DHS benefits.

Mr. Spence begins his interviews by leading DHS clients to his cubicle for the interview. There, Mr. Spence requests the client to take a seat while he collects his or her identification. Mr. Spence is required to complete at least seven benefit eligibility interviews per day. Mr. Spence approves or denies applicants for DHS benefits based on the information they provide.

III. INVESTIGATION OF MR. SPENCE'S CONDUCT TOWARDS DHS CLIENTS

The investigation revealed that during May and July 2011, four female DHS clients – [REDACTED], [REDACTED], [REDACTED], and [REDACTED] – independently and separately met with Mr. Spence. After meeting with Mr. Spence, the four females reported that he had engaged in inappropriate conduct during their DHS benefits interview.⁴ Each of the clients provided a detailed account of her interaction with Mr. Spence, and three of the clients provided written statements and also informed an uninvolved third party of Mr. Spence's conduct.

As part of its investigation, the OEIG obtained documents and interviewed several individuals, including the DHS clients who made the initial allegations, the third parties who were contemporaneously informed of what Mr. Spence had done, various DHS clients that met with Mr. Spence between May and July 2011, and a DHS manager that spoke with Mr. Spence about his conduct towards the females. Investigators also corroborated the events surrounding the allegations by reviewing the written statements made by DHS clients as well as Mr. Spence's own written statements about how he conducts DHS client interviews, among other things.

A. Two DHS Clients State Mr. Spence Acted Inappropriately Towards Them During Their May 2011 Intake Interviews

i. May 4, 2011: Meeting with DHS Client [REDACTED]

On May 4, 2011, DHS client [REDACTED] met with Mr. Spence regarding her application for DHS benefits. That same day, she informed DHS Local Office Administrator Gayle Stricklin about Mr. Spence's conduct. In addition, [REDACTED] also drafted a handwritten statement about what had occurred during her meeting with Mr. Spence.

The OEIG interviewed [REDACTED] on December 8, 2011, at which time, she reiterated the information she had previously provided in her written statement. [REDACTED] stated that

⁴ Investigators contacted female DHS clients Mr. Spence met between May and July 2011 and asked if, among other things, they were satisfied with Mr. Spence's service. During the calls, two women, [REDACTED] and [REDACTED], said that Mr. Spence acted inappropriately during their DHS interview. A third woman, not discussed in this report, informed investigators that she "didn't appreciate the way [Mr. Spence] touched [her] shoulder." The visitor information logs reflect that this female did not meet with Mr. Spence on the day about which investigators asked.

during her meeting with Mr. Spence, he touched her inappropriately. Specifically, ██████████ stated Mr. Spence:

- Touched her foot with his foot three times, including once when he rubbed his foot across the top of her foot. ██████████ said she saw Mr. Spence's foot moving under the desk "attempting to find [her] foot," and that if it had occurred once she might have thought it was a mistake, but not three times.
- Left the cubicle and touched her shoulder and also touched her shoulder and back when he returned. ██████████ stated this occurred three times.
- Gave her identification (ID) card back and when he placed the card in her hand, he stroked her hand with his fingers.
- Walked her to the waiting area after the interview and ran his hand slowly down her back to her waistline.

██████████ described Mr. Spence's behavior as inappropriate and unusual, and stated that she had never been treated that way at a DHS office. ██████████ further described Mr. Spence's touching as being "overly friendly and sexual," and said that she felt she was sexually harassed. ██████████ stated that she "would have said something to him, but [she] needed that Link card and it was [her] word against his."

Investigators also interviewed ██████████ via telephone on March 18, 2013. During the interview, investigators asked if ██████████ notified anyone besides Ms. Stricklin about Mr. Spence's conduct. ██████████ said she told her mother.⁵

ii. May 11, 2011: Meeting with DHS Client ██████████

a. Interview with ██████████

On May 11, 2011, DHS client ██████████ met with Mr. Spence regarding her application for DHS benefits. On that same day, she informed [Administrator 1] and [Employee 1] about Mr. Spence's conduct. In addition, ██████████ also drafted a handwritten statement about what had occurred during her meeting with Mr. Spence.

On December 8, 2011,⁶ the OEIG interviewed ██████████, at which time, she reiterated much of the information she provided in her written statement.⁷ ██████████ stated that during her meeting with Mr. Spence, he touched her inappropriately. Specifically, ██████████ stated Mr. Spence:

⁵ Investigators did not interview ██████████'s mother.

⁶ Investigators also interviewed ██████████ via telephone on March 15, 2013.

⁷ ██████████ said that after her meeting with Mr. Spence, she put a copy of her handwritten statement and other documents she received from him away and had not looked at them because she was traumatized by his conduct.

- Slid his foot under his desk and touched the top of her foot. ██████ said she believed this touching was deliberate because after he touched her, he smiled at her and said, “you’re getting full benefits.” ██████ stated that Mr. Spence’s demeanor made it seem like he was doing her a favor by providing the benefits.⁸
- Exited the cubicle and while doing so touched her shoulder with his hand in a patting motion and slid his hand down her bicep area. ██████ stated that when he returned, he placed his hand in the middle of her back and caressed her back and shoulder area. Mr. Spence repeated that pattern of touching every time he left and obtained documents or made copies.
- Took her driver’s license and while doing so touched her wrist area, in a soft stroking manner, and she described the conduct as a “deliberate intimate touch, not accidental.”
- Quickly hugged her and slid his hand down her back to her buttocks at the end of the interview at which time she pushed him away with both arms and stated, “don’t ever do that again.” In response, Mr. Spence smiled but did not say anything.⁹

██████ said that on May 11, 2011, she met DHS client ██████ whom she had not known nor met prior to May 11, 2011. According to ██████, ██████ was sitting in the waiting room when she completed her interview with Mr. Spence. ██████ said she told ██████ about her interactions with Mr. Spence and that she (██████) told her to tell a DHS supervisor about the Spence incident. ██████ stated that she then asked ██████ to accompany her because she did not fully trust anyone at the facility.

██████ described to investigators the way she felt during her meeting with Mr. Spence. Specifically, ██████ stated that she “felt [she] was at his mercy, because [she] needed these benefits.” ██████ also said that the meeting made her feel “humiliated” and “demeaned.” ██████ stated that she does not trust DHS and does not feel safe at any government office. ██████ stated that Mr. Spence sexually harassed her when he inappropriately and suggestively touched her that day, May 11, 2011.

b. Interview of Witness and DHS Client ██████

On May 11, 2011, ██████ met ██████, and on that same day she too drafted a handwritten statement about her interactions with her (██████).

On December 8, 2011, the OEIG interviewed ██████ regarding her observations on May 11, 2011, at which time, she reiterated the information provided in her written statement.

⁸ A review of ██████’s and ██████’s DHS benefits revealed that they received the proper amount.

⁹ ██████ did not note the touching of her buttocks or that she pushed Mr. Spence away in her written statement.

██████████ said she was sitting in the DHS office waiting room when she first saw ██████████. ██████████ said that ██████████ seemed very upset, and that “it looked like she was nervous, like she had seen a ghost.” ██████████ stated that she asked ██████████ if she was okay and ██████████ informed her that she felt she was inappropriately touched by her caseworker while she applied for benefits and that the caseworker had inappropriately touched her hand, shoulder, back, and feet. ██████████ said she encouraged ██████████ to report the misconduct to a DHS supervisor.

c. Interview of ██████████’s Son

On March 20, 2013, the OEIG conducted a telephone interview with ██████████’s son, a ██████████ Police Officer. According to the officer, his mother called him crying the day of her DHS interview.

The officer recalled that the call occurred sometime between May and July 2011 because that is when his mother moved and was out of work. The officer also said his mother informed him that the meeting was “horrible” and that a caseworker touched her, hugged her, and touched her buttocks. ██████████’s son also said his mother told him about a woman she met in the waiting area and that she (██████████) made a complaint.

B. DHS Management is Informed of Mr. Spence’s Conduct

On March 1, 2012, the OEIG interviewed DHS [Employee 1]. [Employee 1] stated she met with DHS client ██████████ and also met with ██████████ on the day Mr. Spence interviewed ██████████. [Employee 1] recalled that when she met ██████████, she appeared visibly and physically shaken, and said ██████████ “was so upset that she could not even speak clearly.” According to [Employee 1], ██████████ said she was afraid of Mr. Spence and that he had inappropriately touched her hand, feet, back, shoulder, and had also hugged her. [Employee 1] stated that she immediately identified ██████████’s allegations as being serious in nature, and asked [Administrator 1] to join the meeting. [Employee 1] stated that when she told [Administrator 1] about the allegations, [Administrator 1] told her that there was another woman (██████████) who had made similar statements about Mr. Spence’s conduct.¹⁰

On March 1, 2012, the OEIG interviewed [Administrator 1] who said she had met separately with ██████████ and ██████████ at the Will County FCRC on the same day as their interviews with Mr. Spence. [Administrator 1] stated that the women made similar statements about Mr. Spence’s conduct, and also said Mr. Spence had touched them inappropriately on their feet, shoulders, and backs.

C. Two Additional DHS Clients State that Mr. Spence Acted Inappropriately Towards Them in Their July 2011 Meetings

¹⁰ [Employee 1] said she attempted to identify if other clients may have been inappropriately treated by Mr. Spence by randomly calling 16 females Mr. Spence met between August 4 and September 27, 2011. [Employee 1] stated that of the 16 women, she only reached six, but none said Mr. Spence mistreated them.

In order to determine whether Mr. Spence had acted inappropriately with any other DHS client, investigators randomly selected 32 female clients that had met with Mr. Spence between May 23 and July 20, 2011. Of the clients interviewed, two said Mr. Spence acted inappropriately during their interview for benefits: [REDACTED] and [REDACTED].

i. July 8, 2011: Meeting with DHS Client [REDACTED]

Investigators interviewed DHS client [REDACTED] three times, twice on the telephone on March 22, 2012 and March 15, 2013, and once in-person on October 11, 2012. [REDACTED] said she met with Mr. Spence on July 8, 2011 to apply for food benefits. [REDACTED] described several times that Mr. Spence made her uncomfortable. Specifically, [REDACTED] stated that Mr. Spence:

- Put his hand on her shoulder for 3-5 seconds and looked her in the eyes. [REDACTED] said she felt uncomfortable and said Mr. Spence appeared as if he was “coming on to [her].”
- Stared at her chest during the interview, which she felt was sexually harassing.¹¹

[REDACTED] described Mr. Spence’s actions as very unusual and said they could not be described as accidental. [REDACTED] told investigators that she thought Mr. Spence was “unprofessional and inappropriate.” [REDACTED] said it was difficult for her to verbalize the events during her interview with Mr. Spence because he spoke professionally during the interview, but at the same time acted inappropriately. [REDACTED] stated that when she met with Mr. Spence, she felt vulnerable because she was having personal issues and needed State assistance. [REDACTED] stated that she did not say anything to Mr. Spence during the interview because she did not want to jeopardize her benefits. [REDACTED] said that she informed her friend about Mr. Spence’s conduct.¹²

ii. July 11, 2011: Meeting with DHS Client [REDACTED]

On April 10, 2012, an investigator conducted a telephone interview with DHS client [REDACTED].¹³ [REDACTED] described several times that Mr. Spence made her uncomfortable. Specifically, [REDACTED] stated that Mr. Spence:

- Extended his foot under the desk and intentionally touched her foot.
- “Rubbed” her hand when he exchanged a set of documents.
- Was “speaking to [her] chest” during the interview and rarely made eye-contact.¹⁴

¹¹ On October 11, 2012, [REDACTED] said she was unsure if Mr. Spence stared at her chest and said it had been a long time since the Spence meeting.

¹² OEIG investigators attempted, but were unable, to interview [REDACTED]’s friend.

¹³ [REDACTED] initially reported no issues with her Spence meeting but called back about ten minutes later. [REDACTED] said she was unable to candidly answer questions before because her “significant other” was jealous and was standing next to her and said this is why she had not previously spoken to anyone about her Spence interactions.

- Asked personal, inappropriate questions about her children's father.¹⁵

D. In June 2011, DHS Notifies Mr. Spence That He Should Not Touch Clients

i. Interview with DHS Local Office Administrator Gayle Stricklin

On June 18, 2012, investigators interviewed LOA for the Will, Kendall and Kane County FCRCs, Gayle Stricklin. Ms. Stricklin stated that after becoming aware of allegations that Mr. Spence had inappropriately touched clients, she met with him to notify him of the allegations and allow him to provide a rebuttal.¹⁶ According to Ms. Stricklin, Mr. Spence admitted that he does occasionally touch clients' hands, arm, or shoulder to comfort them, and that he might have accidentally touched a client's foot while stretching. Ms. Stricklin stated that Mr. Spence's explanation seemed "plausible," but she could not render a fair judgment because she was aware that other DHS clients reported misconduct by Mr. Spence. Ms. Stricklin said that, during the meeting, she informed Mr. Spence that initiating any kind of contact with a client, outside of a handshake, is inappropriate and should never happen. Ms. Stricklin also said she told Mr. Spence that he should not touch clients to comfort them.

Ms. Stricklin said she asked Mr. Spence to draft an email describing the manner in which he conducts intake interviews. Ms. Stricklin said that after she received Mr. Spence's email, she again informed him that initiating any touching of clients is inappropriate.

ii. Mr. Spence's Email Regarding the Manner in Which he Conducts Intake Interviews

As noted above, at Ms. Stricklin's request, Mr. Spence emailed her and described the manner in which he conducts intake interviews. In his June 6, 2011, email Mr. Spence states in part:

During the course of an interview some clients do become very emotional and may even cry. At these times I do halt the interview and ask if the customer needs any tissue and I have gone to get some clients tissue if needed. I have during these times placed my hand on the clients [sic] shoulder only as I leave to let them know that everything is ok and there is no need to feel bad about requesting help. I have never done more than this in an attempt to comfort anyone including male clients. I have never tried to make anyone feel uncomfortable by doing this and I have never been told by a client that this makes them [sic] feel awkward. I would never do this to anyone. The only other times I have ever touched a client is as I conclude the interview. I will always shake the clients [sic] hand and escort them out of the office. . . . [A]ny other contact with a customer is completely by accident, I am referring specifically to my foot hitting a client's during the interview.

¹⁴ [REDACTED]. Investigator surveillance of Mr. Spence's cubicle calls into question the credibility of this statement.

¹⁵ For example, [REDACTED] said Mr. Spence asked her: "When was the last time you had sex with your children's father?" and "Why do you continue to have children with someone who doesn't support them?"

¹⁶ Ms. Stricklin did not inform Mr. Spence of the identity of the clients who made allegations against him.

I am not tall and for me to reach my feet out from under my desk is not possible. The clients [sic] seats are always placed against the back wall in the cubicle to provide the most space possible. There is more than enough room for a client to reposition themselves so that their [sic] foot would never come close to mine which is always under my desk. I always try to treat each client I interview with respect and compassion for what they [sic] may be going through and will never knowingly [sic] do anything to make someone feel awkward [sic] or taken advantage of.

E. Investigators Examine Mr. Spence's Cubicle

In light of what several of the women had stated regarding Mr. Spence touching their feet, investigators sought to determine whether it was possible for Mr. Spence's feet to reach a client's foot. A 5 foot 4 inch tall OEIG investigator visited Mr. Spence's cubicle and sat in the chair designated for DHS clients. Another person who is 5 feet 7 inches tall sat in Mr. Spence's chair. The desk Mr. Spence uses has a rectangular opening at the bottom large enough to fit a person's foot. The person sitting in Mr. Spence's chair could easily touch the investigator's feet.

According to Mr. Spence's driver's license, he is 5 feet 9 inches tall.

IV. INVESTIGATION OF MR. SPENCE'S CONDUCT TOWARDS COWORKERS

During the interview of Ms. Stricklin (discussed above), she noted that two or three years ago, DHS Caseworker [Caseworker 1] stated that Mr. Spence inappropriately attempted to kiss her at the office.

The OEIG interviewed [Caseworker 1], who said Mr. Spence had made what she described as repeated sexual advances, made her uncomfortable, and said she had felt sexually harassed. [Caseworker 1] also named several other DHS caseworkers and a caseworker manager that have spoken with her about being sexually harassed by Mr. Spence.¹⁷ To investigate these allegations, OEIG investigators conducted numerous interviews, as set forth below. In addition, the OEIG reviewed certain of Mr. Spence's State emails as well as State emails of certain DHS caseworkers. Mr. Spence's emails reflect that he exchanged over two hundred personal emails with DHS coworkers, some of which coworkers described as "inappropriate" or "sexual in nature."

A. Mr. Spence's Conduct Towards DHS [Caseworker 1]

i. Interview with DHS [Caseworker 1]

¹⁷ [Caseworker 1] identified five caseworkers and a manager who had spoken with her about being sexually harassed by Mr. Spence. [Caseworker 1] could not provide timeframes of when she spoke with these women, except for one of them whom she recalled speaking with in about May 2012. The OEIG interviewed one of the five caseworkers who said Mr. Spence sent her approximately 10 to 15 personal emails, which made her uncomfortable. On July 26, 2012, another coworker of Mr. Spence was interviewed, and she said Mr. Spence is a "big flirt," but has never made her uncomfortable. She also said she had never witnessed him behaving inappropriately with coworkers or clients.

On June 18, 2012, the OEIG interviewed DHS [Caseworker 1]. [Caseworker 1] stated that in 2010, Mr. Spence made what she described as sexual advances towards her, some of which were made through emails.¹⁸ [Caseworker 1] described one such encounter, which she said occurred at work during a break. [Caseworker 1] said Mr. Spence emailed her about his personal problems and asked her to meet him during a break to discuss his personal issues. [Caseworker 1] said she met Mr. Spence and during that meeting he attempted to hug and kiss her. [Caseworker 1] said she rejected Mr. Spence's advances, which caused him to apologize for his conduct, but then he made further sexual advances. According to [Caseworker 1], Mr. Spence's behavior made her very uncomfortable and she felt sexually harassed.

[Caseworker 1] said that she informed [Administrator 1] of Mr. Spence's conduct and Mr. Spence was then moved from [Caseworker 1]'s unit. [Caseworker 1] said that she has not had any interaction with Mr. Spence after he was moved from her unit.

ii. Interview with LOA Gayle Stricklin

On June 18, 2012, investigators interviewed LOA Gayle Stricklin regarding Mr. Spence's alleged misconduct. Ms. Stricklin said that approximately two or three years ago, [Administrator 1] informed her that [Caseworker 1] had said Mr. Spence attempted to kiss her ([Caseworker 1]) at the office. Ms. Stricklin also said [Caseworker 1] subsequently retracted her complaint. Ms. Stricklin believed that the DHS Bureau of Civil Affairs was informed of the allegation, but does not think the incident was recorded in Mr. Spence's personnel file because she ([Caseworker 1]) did not want to follow through with the complaint.¹⁹

B. Mr. Spence's Conduct Towards DHS [Caseworker 2]

On July 26, 2012, investigators interviewed DHS [Caseworker 2] regarding her interactions with Mr. Spence. [Caseworker 2] estimated that over two years ago, she participated in email exchanges with Mr. Spence that were non-work related.

[Caseworker 2] recalled one email where Mr. Spence said she looked nice, and recalled another time when Mr. Spence invited her to meet him outside. [Caseworker 2] said she never met Mr. Spence outside. [Caseworker 2] said that during that time-period, Mr. Spence intentionally touched her hand when he passed her documents. [Caseworker 2] said that the touching made her feel uncomfortable so she informed Ms. Stricklin about his conduct.²⁰ In response, Ms. Stricklin requested the email exchanges between her and Mr. Spence, at which point [Caseworker 2] acknowledged that the emails were not "one-sided." [Caseworker 2] said she told former DHS [Caseworker 4] about Mr. Spence's conduct. [Caseworker 2] also said she believed she told Ms. Stricklin not to take any action because she thought that it may have been her ([Caseworker 2]) fault that Mr. Spence acted towards her as he did. [Caseworker 2] is not

¹⁸ [Caseworker 1] said she did not have any of the emails because DHS acquired a new email system.

¹⁹ Ms. Stricklin said she was unaware of any other DHS employees making allegations against Mr. Spence, but did hear a rumor that Mr. Spence was having a relationship with DHS [Caseworker 3].

²⁰ [Caseworker 2] also said that she did not think Mr. Spence's conduct was a "big thing" and would not have told anyone if she had not learned that [Caseworker 1] made similar complaints about Mr. Spence.

sure what action, if any, Ms. Stricklin took. [Caseworker 2] said she told Mr. Spence that she was uncomfortable and to stop emailing her and touching her, and he did.

C. Mr. Spence's Conduct Towards DHS [Caseworker 5]

i. Interview with DHS [Caseworker 5]

On July 26, 2012, investigators interviewed DHS [Caseworker 5]. During the interview, [Caseworker 5] said that approximately two or three years ago, she had a relationship with Mr. Spence that was more than that of coworkers.

[Caseworker 5] described Mr. Spence as "persistent" and stated that he will continue until he is threatened by a husband or boyfriend.²¹ [Caseworker 5] said Mr. Spence asked her to meet outside of work and passed her notes at work. [Caseworker 5] said that she approached Mr. Spence and communicated that nothing further was going to happen between them, but Mr. Spence continued to pursue her. [Caseworker 5] said after their "relationship" ended, Mr. Spence slapped her buttock when she was making copies at work, and also touched her breast at work.

[Caseworker 5] said after those incidents, and after her attempts to reject Mr. Spence were not working, she told her union steward, [Union Steward 1], about Mr. Spence's conduct. [Caseworker 5] said that she told [Union Steward 1] that she had initially expressed an interest in engaging in a relationship with Mr. Spence. [Union Steward 1] said that she would talk to [Union Steward 2] to resolve the issue with Mr. Spence. [Caseworker 5] said she was not sure what conversations Mr. Spence had with the union stewards, but since that time, Mr. Spence has left her alone.

ii. Interview with DHS [Union Steward 1]

On October 11, 2012, investigators interviewed DHS [Union Steward 1]. [Union Steward 1] vaguely recalled [Caseworker 5] asserting that Mr. Spence was sending her State emails on her State email account, which she ([Caseworker 5]) wanted stopped. [Union Steward 1] said that [Caseworker 5] said she was romantically interested in Mr. Spence for a brief time, and then decided that she no longer wanted him to email her.

[Union Steward 1] recalled that one of the issues that led [Caseworker 5] to terminate her contact with Mr. Spence was that she learned Mr. Spence was corresponding with other DHS caseworkers, namely [Caseworker 3] and [Caseworker 6], at the same time he was corresponding with her ([Caseworker 5]). [Union Steward 1] said she advised [Caseworker 5] to send Mr. Spence a "strong" email telling him to stop sending her emails. [Union Steward 1] also recalled that she may have spoke with [Union Steward 2] and decided that [Union Steward 2] would speak to Mr. Spence. [Union Steward 1] did not recall the details of [Union Steward 2]'s conversation with Mr. Spence nor did she recall [Caseworker 5] telling her that Mr. Spence

²¹ [Caseworker 5] said she talked with Mr. Spence about [Caseworker 1], and he claimed they had a "relationship."

touched her.²² [Union Steward 1] said she never witnessed Mr. Spence speak inappropriately towards her, clients, or coworkers.

iii. Interview with DHS Caseworker [Union Steward 2]

On July 26, 2012, investigators interviewed DHS Caseworker [Union Steward 2]. [Union Steward 2] said she heard that Mr. Spence made inappropriate advances and sent inappropriate emails to [Caseworker 5] and other workers. Sometime after learning about Mr. Spence's inappropriate conduct, approximately one year before her OEIG interview, [Union Steward 2] said she approached Mr. Spence and cautioned him to watch how he acted with coworkers because he could be jeopardizing his job. [Union Steward 2] said Mr. Spence was not upset when she talked to him and said he did not admit or deny the allegations. [Union Steward 2] said that she never witnessed Mr. Spence act inappropriately towards clients or coworkers.

D. Mr. Spence's Conduct Towards DHS [Caseworker 6]

The OEIG interviewed DHS [Caseworker 6] twice regarding her interactions with Mr. Spence, first on July 26, 2012, and again on January 15, 2013. During her first interview, [Caseworker 6] informed investigators that Mr. Spence sent her personal emails and said at one point she became uncomfortable with Mr. Spence's emails.²³ [Caseworker 6] said Mr. Spence suggested meeting outside of work. When discussing Mr. Spence's emails, [Caseworker 6] said he did not take "no for an answer."

After her interview, [Caseworker 6] provided investigators with the emails she had exchanged with Mr. Spence, which she had saved. In these emails, the OEIG identified approximately 40 non-work related emails exchanged between Mr. Spence and [Caseworker 6] from September through December 2008 and five non-work related emails exchanged in July 2009. A sample of email exchanges is set forth below:²⁴

- On September 19, 2008 beginning at 10:31 a.m.: Mr. Spence writes, "wow!" [Caseworker 6] responds by asking a question about her case. Mr. Spence responds with an answer about her case. Then [Caseworker 6] thanks him. Mr. Spence responds, "Anytime! although I know how you can repay me! lol." [Caseworker 6] responds by asking another case related question and Mr. Spence states: "ok we are leaving early and have to do more than earlier!!!" Then, in a separate email thread on that same day, at 12:01 p.m., Mr. Spence writes: "come on!!!!" [Caseworker 6] responds: "we better not . . .sorry[.]"
- On December 29, 2008 beginning at 10:15 a.m.: Mr. Spence writes [Caseworker 6]: "So when do i get you alone again?" [Caseworker 6] responds: "I would bet probably

²² During [Union Steward 1]'s interview, she said that around March 2012, she met a DHS client, whose name she could not recall, who said Mr. Spence rubbed her hand in a manner that made her uncomfortable. [Union Steward 1] said she notified Ms. Stricklin, but that that no action was taken because the client did not want to file a complaint and so much time had passed since the alleged incident.

²³ During [Caseworker 6]'s first interview, she also said that she did not feel Mr. Spence acted inappropriately.

²⁴ Email content is set forth verbatim in the bulleted and ensuing entries, except that the capitalization of words that were all capitalized (all caps) has been changed.

not ... sorry!" At 11:00 a.m., Mr. Spence writes, "can I still feel yo[u] up?" [Caseworker 6] responds: "You are absolutely crazy" Mr. Spence then asks, "is that yes or no?" and [Caseworker 6] responds "I am not sure" At 1:01 p.m. Mr. Spence writes, "Hey do you like it when I flirt and do more?" [Caseworker 6] responds: "It is very flattering . . ."

After reviewing the emails, investigators interviewed [Caseworker 6] a second time. [Caseworker 6] said her responses to Mr. Spence's emails were friendly, but surrounded work topics. [Caseworker 6] also said Mr. Spence sent her sexually suggestive emails, but she ignored them. [Caseworker 6] said she did not tell anyone about Mr. Spence's emails even though they made her uncomfortable. Investigators asked [Caseworker 6] about an email from November 2009 where Mr. Spence apologizes for offending her and she responds that she "was not offended at all." [Caseworker 6] said she did not think she was offended but said, "maybe [she] was. It was over, I accepted his apology. I do like him as a person."

During her interview, [Caseworker 6] also described a time when she gave Mr. Spence a pen and he touched her hand in a way that made her uncomfortable. [Caseworker 6] showed investigators how Mr. Spence reached his fingers up towards her wrist and brushed downward to her fingertips when she passed the pen. [Caseworker 6] said because of the way he touched her hand, she no longer directly hands items to Mr. Spence.

Investigators asked [Caseworker 6] if she violated DHS policy by using State equipment for non-State business. [Caseworker 6] stated that she had no intention of violating State policies, but acknowledged that she violated DHS policy by using State equipment for non-State business. [Caseworker 6] stated that she never thought that she was doing anything against policy, and said Mr. Spence initiated the emails. [Caseworker 6] said she was friendly in her email exchanges because she did not want to alienate Mr. Spence as a coworker and that he provided her with guidance on work-related issues. [Caseworker 6] stated that she has been "above board" regarding the standards and policies, and is a good employee.

E. Mr. Spence's Conduct Towards DHS [Caseworker 7]

When reviewing Mr. Spence's emails, investigators located emails exchanged between Mr. Spence and DHS [Caseworker 7]. A sample of a State email thread from May 23, 2011 beginning around 2:00 p.m is set forth below:

Mr. Spence: Is that a no again? lol

[Casewrkr 7]: Silly.

Mr. Spence: we can get a hotel

[Casewrkr 7]: what would we need a hotel for. U got jokes I take it.

Mr. Spence: come on lets just go and have some fun no pressure for more we can just play it by ear if we want more later we can cross that bridge then. lets just have

some fun u know it will be!!

[Casewrkr 7]: How about u bring ur wife and I bring my honey – we’ll all do dinner.

Mr. Spence: why not you n I just use each other for a little fun? What is so bad about that!? lol

[Casewrkr 7]: Wrong chica. Sorry : (-

Mr. Spence: u r the right one u just won’t give in! lol I know we’d be great. Whats so bad about u n me enjoying each other as long as noone gets hurt.

In a separate email thread on that same day at 2:13 p.m., Mr. Spence emails [Caseworker 7]: “well?” [Caseworker 7] responds: “Really? Well what? Wrong chica.”²⁵

On May 15, 2012, investigators interviewed [Caseworker 7] regarding her email exchanges with Mr. Spence. Investigators showed [Caseworker 7] email threads she and Mr. Spence exchanged during State working hours in May 2011. [Caseworker 7] stated that Mr. Spence’s email did not offend her, but described the email as “inappropriate,” and said Mr. Spence’s language was “crude.” [Caseworker 7] also stated that Mr. Spence asked her out to dinner and lunch. [Caseworker 7] stated that, “He doesn’t like ‘no’ for an answer.” [Caseworker 7] added that she did not feel Mr. Spence’s emails constituted sexual harassment.

Investigators also showed [Caseworker 7] the DHS policy requiring employees to report misconduct. [Caseworker 7] said that she did not report Mr. Spence’s conduct because she did not see it as sexual harassment. Investigators showed [Caseworker 7] the DHS policies prohibiting use of the State email for personal use. [Caseworker 7] acknowledged that the emails she exchanged with Mr. Spence were personal, not related to business, and not allowed.

F. Mr. Spence’s Conduct Towards DHS Caseworker [Caseworker 3]

The OEIG interviewed [Caseworker 3] twice, first on July 26, 2012, and again on January 15, 2013. During her first interview [Caseworker 3] said she did not recall receiving any inappropriate emails from Mr. Spence.

After [Caseworker 3]’s interview, investigators obtained emails from her State email account and identified approximately 200 non-work related emails sent or received from her and Mr. Spence from April and July 2012. A sample of the emails exchanges is set forth below:

- On May 7, 2012 around 3:15 p.m. – [Caseworker 3] writes to Mr. Spence: “please come over here...” Mr. Spence responds: “I would but I really am not comfortable being too obvious here. I do want to believe me!!! I told u I have already risked too much and that just seems too dangerous to me.”

²⁵ Investigators identified one email on May 10, 2011, where [Caseworker 7] gives Mr. Spence her personal email address.

- On May 7, 2012 around 3:45 p.m. – Mr. Spence writes to [Caseworker 3]: “ok lol so too rough or not enough.” [Caseworker 3] responds: “ROB!!!!” Mr. Spence responds: “I need to know what u like!”
- On May 8, 2012 around 2:40 p.m. – [Caseworker 3] writes to Mr. Spence: “ur a still reminding me of a dreamcicle.. and the ice cream cone I had last night.” Mr. Spence responds: “u better start writing that stuff on paper lol ur going to get me in trouble!”

During [Caseworker 3]’s January 15, 2013 interview, [Caseworker 3] acknowledged exchanging emails with Mr. Spence and stated that the emails were not work related. [Caseworker 3] said that by exchanging the emails, she violated DHS policy. [Caseworker 3] also said that Mr. Spence wrote her three handwritten notes, but said the notes were not sexually explicit. [Caseworker 3] said she would meet Mr. Spence at the mailbox.

V. INTERVIEW WITH DHS CASEWORKER ROBERT SPENCE

On April 2, 2013, investigators interviewed DHS Caseworker Robert Spence regarding his conduct towards DHS clients and coworkers, and his misuse of State resources. Below is a summary of his statements.

A. Mr. Spence’s Statements Regarding Conduct Towards DHS Clients

Mr. Spence said he recalled meeting with Ms. Stricklin in June 2011 about his interactions with DHS clients. Mr. Spence said he told Ms. Stricklin that he does not touch clients. Mr. Spence said that he discussed touching clients’ shoulders and feet in the emails he wrote to Ms. Stricklin in June 2011 because Ms. Stricklin probably asked him if he touched clients in that manner.

Mr. Spence did not recall whether Ms. Stricklin advised him that any contact with a client besides a handshake is inappropriate. Mr. Spence said he knew it was inappropriate to touch clients before he met with Ms. Stricklin, but thought it was okay if the client was distraught.

Mr. Spence said prior to meeting with Ms. Stricklin, if clients cried, he would be more sympathetic and “pat” them on the shoulder and let them know it would be okay. Mr. Spence said some clients are emotional during the interview and are usually seeking benefits because of a life change. Mr. Spence said that if clients cry, he assures them everything will be okay, but does not provide them with a tissue and does not keep tissue in his office. Mr. Spence said it is better to stay “neutral.”

Mr. Spence denied inappropriately touching clients. Mr. Spence said, “I think it’s being sympathetic if you touch someone who is crying. I think it’s appropriate.” When asked about touching clients’ feet, he said that it was “impossible” based on where his chair is located in his office, he does not recall touching a client’s foot, and said any touching of the feet is inadvertent.

Mr. Spence initially said he has not touched any client since he met with Ms. Stricklin, but later said he does not recall when he stopped touching clients that were distraught. Mr. Spence stated, "I don't remember the exact client I stopped with." Mr. Spence further said that it was possible that he could have continued to touch clients' shoulders after he met with Ms. Stricklin. Mr. Spence said he has not touched any clients in 2012.

Investigators then asked Mr. Spence about his interaction with DHS clients, like [REDACTED] and [REDACTED].²⁶ Mr. Spence did not recall meeting with either [REDACTED] or [REDACTED], but confirmed that he met with them if the DHS visitor information log reflects he did meet with them.²⁷

In response to investigators' specific questions about Mr. Spence's alleged pattern of touching clients' hands, shoulders, backs, and feet, he stated that he never touched clients inappropriately or acted inappropriately with a client in any way. However, when investigators asked Mr. Spence if he hugged [REDACTED], he stated that he may have hugged a client one time. Mr. Spence said he did not remember what client he may have hugged.

Mr. Spence said he did not know whether DHS clients [REDACTED], [REDACTED], [REDACTED], and [REDACTED] knew each other. Mr. Spence said if several clients made a similar complaint against him, they were wrong and untruthful. Mr. Spence said if several clients said he touched their foot, it was "not on purpose."

B. Mr. Spence's Statements Regarding Conduct Towards DHS Coworkers [Caseworker 7] and [Caseworker 6]

Mr. Spence said he understands the DHS sexual harassment policies and did not have any questions about what constitutes sexual harassment when he first read those policies. Mr. Spence defined sexual harassment as any unwarranted contact or unwanted behavior that makes another person feel uncomfortable.

Prior to showing Mr. Spence any emails, investigators asked him if he sent emails containing sexual propositions. Mr. Spence said he did not remember sending those types of emails.

Investigators then showed Mr. Spence several emails that he exchanged with [Caseworker 7]. After reviewing the emails, Mr. Spence said that some of his emails to [Caseworker 7] violated DHS's sexual harassment policy because he continued to pursue her after she said she was not interested. Mr. Spence said that sometime in 2011, [Caseworker 7]

²⁶ Mr. Spence was shown a flyer that [REDACTED] said he gave her. The flyer contained the handwritten comment "call anytime" and Mr. Spence's business telephone number. Mr. Spence said he wrote that information to communicate in a professional manner that [REDACTED] could call if she had questions.

²⁷ The DHS visitor information logs reflect that Mr. Spence met with [REDACTED] on May 4, 2011, and with [REDACTED] on May 11, 2011.

requested that he stop emailing her and he did. Mr. Spence said he had non-email conversations with [Caseworker 7] who seemed interested in him.²⁸

Investigators showed Mr. Spence several emails that he exchanged with [Caseworker 6]. Mr. Spence stated that he flirted and joked with [Caseworker 6] through emails and also emailed her sexual propositions. Mr. Spence was asked about an email he sent where he apologized to [Caseworker 6]. Mr. Spence said he apologized because he was embarrassed about flirting openly and did not want to be a “joke” in the office. Mr. Spence also stated that he could see how one of his email exchanges with [Caseworker 6] could constitute sexual harassment. Mr. Spence said he did not intend to harass anyone. Mr. Spence said he believed [Caseworker 6] welcomed his emails because he has a friendly relationship with [Caseworker 6].²⁹

C. Mr. Spence’s Statements Regarding His Use of State Resources and Time

Mr. Spence acknowledged that he is familiar with the DHS policies that prohibit employees from using State computers for personal use and engaging in personal matters during work hours.

Mr. Spence stated that he sent non-work related emails to [Caseworker 7], [Caseworker 6], and [Caseworker 3], and violated DHS policies by sending those emails. Mr. Spence further stated that the content of some of the emails he sent to [Caseworker 7], [Caseworker 6], and [Caseworker 3] contained sexual propositions or sexual innuendos. Mr. Spence also stated that he may have given [Caseworker 3] a handwritten note that was sexual in nature during work hours, but was unsure if he gave her more than one. Mr. Spence said he would meet [Caseworker 3] by the employee mailboxes to communicate about personal matters. Mr. Spence said that exchanging notes and meeting [Caseworker 3] by the mailboxes to discuss personal matters violated DHS policies.

Mr. Spence said that he has utilized his State computer to access his personal yahoo email account. Mr. Spence was unaware of how much time he spent on his personal email account, but said it was more than during break time. Mr. Spence said sending personal emails did not affect his ability to complete his work. Mr. Spence said he emailed [Caseworker 7] from his yahoo email account during work hours, but could not quantify the number of times he emailed her. Mr. Spence said he could have emailed her a couple times per week. Mr. Spence said during the past year he has not sent emails from his yahoo account and has not sent personal emails from his work computer since May 2012. Later, Mr. Spence again said he stopped because he was embarrassed and he did not want to be a “joke” at the office.

VI. ANALYSIS

²⁸ [Redacted.]

²⁹ As set forth more fully below, investigators had planned to ask Mr. Spence about his interactions with DHS caseworkers [Caseworker 1], [Caseworker 2], and [Caseworker 5], but did not, in part because before the interview had concluded, Mr. Spence became visibly angry and emotional and stated: “I am done. You can fire me. I am done.”

The OEIG investigation reflected that Mr. Spence misused State time and resources and violated numerous policies by acting inappropriately towards DHS clients and coworkers. In analyzing the evidence the OEIG considered the totality of the circumstances and the credibility of the individuals interviewed to determine how much weight to assign the evidence. A factor that impacted this analysis was Mr. Spence’s credibility. Mr. Spence’s credibility during his interview was called into question when he, for example:

- Remembered sending emails containing sexual propositions only after he was shown the emails;
- Denied inappropriately touching DHS clients;
- Initially stated that it was “impossible” for his foot to touch the foot of someone sitting in his cubicle, and then said that any touching would be an accident; and
- Stated that he does not get tissue for DHS clients who cry, when that statement is contradicted by his June 6, 2011 email to Ms. Stricklin that states: “During the course of an interview some clients do become very emotional and may even cry. At these times I do halt the interview and ask if the customer needs any tissue and I have gone to get some clients tissue if needed.”

During Mr. Spence’s interview, investigators did not ask Mr. Spence about his conduct towards caseworkers [Caseworker 1], [Caseworker 2], and [Caseworker 5] for two main reasons. First, during the interview Mr. Spence had become angry and emotional and inferred that he may not be forthcoming when in response to a question he stated: “I am done. You can fire me. I am done.” Second, as stated above, investigators questioned Mr. Spence’s credibility, and therefore, do not give much weight to his denials.

A. Mr. Spence’s Inappropriate Conduct Towards DHS Clients & Coworkers

DHS policy is very clear: DHS employees “shall not demonstrate inappropriate behavior or discourteous treatment of the public, co-workers, customers or applicants.” DHS Employee Handbook, Employee Personal Conduct, V-2.

i. Mr. Spence’s Inappropriate Conduct Towards DHS Clients

The investigation reflected that Mr. Spence engaged in a pattern of touching, staring at, and/or asking inappropriate questions of DHS clients. Below is a chart summarizing the evidence gathered. The below chart identifies the DHS client, the date of the misconduct, the misconduct, and the third parties notified.

DHS Client	Meeting Date	Misconduct—By Robert Spence	Third Party Notified
██████████	5/4/2011	<ul style="list-style-type: none"> • Touched foot • Touched shoulder and back when entering and exiting the cubicle • Touched hand during ID exchange • Touched lower back when walking out 	<ul style="list-style-type: none"> • LOA Ms. Stricklin • ██████████’s mother

<p>██████████ 5/11/2011</p>	<ul style="list-style-type: none"> • Touched foot • Touched shoulder, back, and arm when entering and exiting the cubicle • Touched hand during ID exchange • Hugged • Touched buttocks 	<ul style="list-style-type: none"> • DHS Client ██████████ • DHS [Employee 1] • DHS [Administrator 1] • ██████████'s son
<p>██████████ 7/8/2011</p>	<ul style="list-style-type: none"> • Touched shoulder • Stared at chest 	<ul style="list-style-type: none"> • ██████████'s friend
<p>██████████ 7/11/2011</p>	<ul style="list-style-type: none"> • Touched foot • Touched hand during document exchange • Stared at chest • Asked inappropriate questions 	<ul style="list-style-type: none"> • None

As stated above, four DHS clients provided detailed accounts of how Mr. Spence touched them and engaged in other improper conduct. In most cases, their statements were corroborated by contemporaneous written statements they made as well as by the third parties they told. Moreover, the pattern of conduct each of the four DHS clients described corroborates their allegations against Mr. Spence because it is similar. For example, three clients indicated that Mr. Spence caressed their hands when he passed items, and [Caseworker 6] and [Caseworker 2] described how Mr. Spence touched their hand when passing items. OEIG investigators determined that the DHS clients and third parties interviewed were credible in part because of the pattern of conduct they described and because they lacked the motivation to be deceptive. Thus, based on the totality of the evidence the OEIG finds the abovementioned statements made by ██████████, ██████████, ██████████, and ██████████ [four DHS clients] to be truthful.

Although Mr. Spence said that he did not inappropriately touch any clients, he also did not deny that he had touched clients' shoulders, and had possibly hugged a client. Specifically, in an email, Mr. Spence wrote, when clients become emotional he has:

“during these times placed [his] hand on the clients [sic] shoulder . . . [t]o let them know that everything is ok.”

It is clearly inappropriate for a caseworker to touch a DHS client he is interviewing. Mr. Spence knew or should have known his conduct was an obvious breach of DHS policy. However, despite Ms. Stricklin's reminder in June 2011 that any touching of clients outside of a handshake is inappropriate, Mr. Spence could not “remember the exact client [he] stopped [touching].” In light of the fact that Mr. Spence could not recall when he stopped touching DHS clients, he was unable to deny touching the shoulders of ██████████, ██████████, ██████████, and ██████████ [DHS clients]. Moreover, the investigation reveals that the client Mr. Spence “may” have hugged might well have been ██████████ because she offered credible statements regarding Mr. Spence's conduct and Mr. Spence could not recall which client he “may” have hugged.

Based on the evidence the OEIG concludes that Mr. Spence inappropriately touched DHS clients [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. Therefore the allegation that Mr. Spence demonstrated inappropriate behavior to DHS clients is **FOUNDED**.

ii. Mr. Spence’s Inappropriate Conduct Towards DHS Coworkers

In addition to DHS clients, Mr. Spence also demonstrated inappropriate behavior towards DHS employees [Caseworker 1], [Caseworker 2], [Caseworker 5], [Caseworker 6], and [Caseworker 7]. Below is a chart summarizing and identifying the DHS employee, Mr. Spence’s conduct towards them, and the third party notified, if applicable.

DHS Employee	Conduct By Robert Spence	Third Party Notified
[Caseworker 1]	<ul style="list-style-type: none"> • Sent personal emails containing advances • Made “sexual advances” towards her • Attempted to hug and kiss her at work • Made her feel uncomfortable and sexually harassed 	<ul style="list-style-type: none"> • [Administrator 1] • LOA Ms. Stricklin
[Caseworker 2]	<ul style="list-style-type: none"> • Sent emails complimenting her appearance • Invited her to meet him outside • Touched hand in a way that made her uncomfortable when passing documents 	<ul style="list-style-type: none"> • LOA Ms. Stricklin • [Caseworker 4]
[Caseworker 5]	<ul style="list-style-type: none"> • Invited her to meet him outside of work • Touched her buttock and breast at work • Passed notes 	<ul style="list-style-type: none"> • [Union Steward 1]
[Caseworker 6]	<ul style="list-style-type: none"> • Sent emails containing advances • Sent emails complimenting her appearance • Invited her to meet outside of work • Touched hand in a way that made her uncomfortable when passing a pen • Made her feel uncomfortable 	<ul style="list-style-type: none"> • None
[Caseworker 7]	<ul style="list-style-type: none"> • Sent emails containing advances • Asked her to dinner and lunch 	<ul style="list-style-type: none"> • None

As stated above, Mr. Spence repeatedly made what can only be described as romantic advances towards DHS employees and also touched DHS employees during work. The OEIG finds the DHS employees’ accounts of Mr. Spence’s conduct to be credible for two main reasons. First, as set forth in the above chart, Mr. Spence had a pattern of conduct in the manner he made sexual advances. For example, both [Caseworker 6] and [Caseworker 2] each described the manner that Mr. Spence touched their hands when passing an item. Also, the evidence reflects that Mr. Spence asked [Caseworker 2], [Caseworker 5], [Caseworker 6], and [Caseworker 7] to meet him outside of work. Second, in each case the DHS employees’ account of events was corroborated by the fact they informed a third party or had emails wherein Mr. Spence made advances towards them. The investigation also reflected that [Caseworker 1], [Caseworker 2], [Caseworker 5], and [Caseworker 7] each rejected Mr. Spence’s advances.

Although investigators did not ask Mr. Spence about his conduct towards [Caseworker 1], [Caseworker 2], and [Caseworker 5] during his OEIG interview, had Mr. Spence denied intentionally touching or making romantic advances towards these employees, his denials would not have impacted this finding. The finding would not change because the totality of the evidence reflects that Mr. Spence did make romantic advances and/or intentionally touched [Caseworker 1], [Caseworker 2], and [Caseworker 5] at work, and because investigators determined that Mr. Spence's other denials were not credible.

It was inappropriate for Mr. Spence to have made romantic and/or sexual advances and intentionally touch coworkers. Therefore, the allegation that Mr. Spence demonstrated inappropriate behavior to DHS employees [Caseworker 1], [Caseworker 2], [Caseworker 5], [Caseworker 6] and [Caseworker 7] is **FOUNDED**.

B. Mr. Spence's Sexual Harassment of DHS clients

DHS prohibits sexual harassment of DHS "[e]mployees, applicants for employment, recipients of services, and applicants for services." DHS Directive 01.01.01.020, *Nondiscrimination/Anti-Harassment Regarding Employees and Individuals*. Sexual harassment is defined as "any unwelcome, unwanted sexual advance or request for sexual favors, or any other verbal or physical conduct of a sexual nature when: . . . [s]uch conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment." *Id.*³⁰

The OEIG investigation reflects that Mr. Spence violated DHS Directive 01.01.01.020, *Nondiscrimination/Anti-Harassment Regarding Employees and Individuals*. As discussed above, the investigation revealed that Mr. Spence touched DHS clients [REDACTED], [REDACTED], [REDACTED], and [REDACTED] during their interviews for benefits in a manner they described as intentional and sexually harassing. [REDACTED] described Mr. Spence's touching as "overly friendly and sexual." [REDACTED] described Mr. Spence's touching as inappropriate and suggestive. [REDACTED] described Mr. Spence's touching as making her feel like Mr. Spence was "coming on to [her]." [REDACTED] described Mr. Spence's touching as intentional and said he "rubbed" her hand. In this way, each client, either explicitly or implicitly informed OEIG investigators that Mr. Spence's physical conduct was of a sexual nature and it was unwanted.

Mr. Spence's unwelcome conduct created a hostile and offensive environment for [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. Indeed, [REDACTED] and [REDACTED] said that Mr. Spence made them feel uncomfortable. In addition, [REDACTED] said that she felt sexually harassed and had never been treated that way at a DHS office, and [REDACTED] stated that she felt "humiliated," "demeaned," and sexually harassed.

³⁰ Although DHS's directive, by defining sexual harassment in terms of the employee's work environment and work performance, is framed to address sexual harassment of employees, it clearly states that sexual harassment of applicants for and recipients of services is prohibited.

Therefore, because Mr. Spence made unwelcome sexual advances towards DHS clients in a manner that created a hostile and offensive environment, the allegation that Mr. Spence violated DHS directive 01.01.01.020 is **FOUNDED**.

C. Mr. Spence's Sexual Harassment of DHS Coworkers

Like DHS Directive 01.01.01.020, DHS Directive 01.01.01.050 defines sexual harassment as “[a]ny unwelcome or unwanted sexual advances or requests for sexual favors or any conduct of a sexual nature when: . . . [s]uch conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.” Examples of sexual harassment include emails of a sexual nature, repeated requests for dates, suggestive comments, and sexual propositions. *Id.* The DHS Employee Handbook defines sexual harassment as including sexual innuendos, sexual propositions, touching, and requests for dates. DHS Employee Handbook, Mandated Policies, VI-3. An employee that engages in sexual harassment may be subject to discipline, including discharge. *Id.*

i. Conduct Towards DHS [Caseworker 6]

The investigation reflects that Mr. Spence made [Caseworker 6] feel uncomfortable by sending her emails containing sexual advances and intentionally touching her hand at work. [Caseworker 6] said she did not ask him to stop because she did not want to alienate him as a coworker. During [Caseworker 6]’s first interview, she stated that Mr. Spence “didn’t take ‘no’ for an answer.” During Mr. Spence’s interview he said he had emailed [Caseworker 6] sexual propositions and had flirted with her.

Although some evidence suggests that Mr. Spence’s conduct may not always have been unwelcomed, the majority of the evidence suggests that Mr. Spence’s advances were unwanted. For example, [Caseworker 6] informed investigators that she was uncomfortable; [Caseworker 6] stopped directly handing items to Mr. Spence after he touched her hand; [Caseworker 6] saved the emails; Mr. Spence initiated the emails; and many of [Caseworker 6]’s responses discuss work related matters. Moreover, it is unlikely that Mr. Spence would have felt embarrassed and like a “joke” for flirting with [Caseworker 6] had he believed his advances were welcomed.

Based on the totality of the circumstances, including [Caseworker 6]’s credibility and Mr. Spence’s pattern of conduct, the OEIG finds that Mr. Spence’s conduct was unwelcome. Additionally, Mr. Spence’s emails containing sexual propositions and his intentional touching created a hostile work environment. Therefore, the allegation that Mr. Spence’s conduct towards [Caseworker 6] violated DHS Directive 01.01.01.050 and the DHS Sexual Harassment Policy when he sent [Caseworker 6] emails containing sexual innuendos and intentionally touched her at work is **FOUNDED**.

ii. Conduct Towards DHS [Caseworker 7]

The investigation reflects that Mr. Spence sent [Caseworker 7] emails containing clearly inappropriate language. In response to Mr. Spence’s emails, [Caseworker 7] rejected Mr.

Spence's advances. Thus, Mr. Spence's conduct was unwanted.³¹ Further, Mr. Spence's emails were sent during work, thereby creating a hostile work environment. Mr. Spence acknowledged during his interview that he violated DHS's sexual harassment policy by continuing to pursue [Caseworker 7]. Therefore, the allegation that Mr. Spence violated the DHS Directive 01.01.01.050 and DHS Sexual Harassment Policy when he sent emails containing sexual propositions to [Caseworker 7] is **FOUNDED**.

iii. Conduct Towards DHS [Caseworker 2]

The investigation reflects that Mr. Spence sent [Caseworker 2] emails during work regarding her appearance and asked her to meet him outside of work. Mr. Spence also intentionally touched her hand during work. Mr. Spence made [Caseworker 2] uncomfortable to the point that she informed a coworker and a DHS manager about his conduct. [Caseworker 2] also told Mr. Spence to stop emailing and touching her. [Caseworker 2]'s conduct reflects that Mr. Spence's conduct was unwelcome and created a work environment that was hostile. Therefore, the allegation that Mr. Spence violated the DHS Directive 01.01.01.050 and DHS Sexual Harassment Policy when he sent [Caseworker 2] emails about her appearance and intentionally touched her is **FOUNDED**.

As stated above, Mr. Spence was not asked about his conduct towards this individual. If Mr. Spence had denied intentionally touching [Caseworker 2], asking her to meet outside, or sending her emails about her appearance, it would not outweigh the evidence that reflects Mr. Spence has a pattern of intentionally touching individuals' hand when he passes items, and sending non-work emails to female coworkers that contain flirtatious language. Moreover, Mr. Spence's denial would not outweigh the fact that [Caseworker 2] felt uncomfortable, to such an extent that she needed to inform a coworker and a manager about his conduct.

iv. Conduct Towards DHS [Caseworker 1]

The investigation reflects that Mr. Spence made sexual advances towards [Caseworker 1] and attempted to touch her during work. [Caseworker 1] stated that Mr. Spence made sexual advances after she rejected his advances. [Caseworker 1] said she felt sexually harassed and informed DHS management. Thus, Mr. Spence's conduct towards [Caseworker 1] was unwanted. Further, Mr. Spence's continual advances towards [Caseworker 1] created a hostile work environment. Therefore, the allegation that Mr. Spence violated the DHS Directive 01.01.01.050 and DHS Sexual Harassment Policy when he made unwelcome sexual advances towards [Caseworker 1] and attempted to touch her at work is **FOUNDED**.

As stated above, Mr. Spence was not asked about his conduct towards this individual. If Mr. Spence had denied intentionally attempting to touch [Caseworker 1] at work or sending her emails, that would not outweigh the evidence that shows Mr. Spence has a pattern of making advances towards female coworkers, asking coworkers to meet him at work, touching coworkers at work, and continuing to make advances after being rejected. Moreover, Mr. Spence's denial

³¹ Although [Caseworker 7] stated she did not feel Mr. Spence's emails constituted sexual harassment, she said that Mr. Spence does not "like 'no' for an answer." Further, Mr. Spence said she asked him to stop emailing her.

would not outweigh the fact that [Caseworker 1] was so uncomfortable that she informed DHS management about his conduct.

v. Conduct Towards DHS [Caseworker 5]

The investigation reflects that Mr. Spence made sexual advances towards [Caseworker 5] after she informed him that she did not want a relationship with him. Mr. Spence touched her at work without her consent. [Caseworker 5] felt she needed to involve the union because she was unable to get Mr. Spence to stop pursuing her. Mr. Spence's conduct towards [Caseworker 5] was unwanted. Mr. Spence's continual advances and unwanted touching of [Caseworker 5] created a hostile work environment. Therefore, the allegation that Mr. Spence violated the DHS Directive 01.01.01.050 and DHS Sexual Harassment Policy when he made sexual advances and touched [Caseworker 5] during work is **FOUNDED**.

As stated above, Mr. Spence was not asked about his conduct towards this individual. If Mr. Spence denied touching [Caseworker 5] at work or making sexual advances towards her after she declined, that would not outweigh the evidence that shows Mr. Spence has a pattern of not taking "no for an answer" and engaging in unwanted touching during work hours. Moreover, Mr. Spence's denial would not outweigh the fact that [Caseworker 5] was so uncomfortable that she informed a union representative about his conduct.

vi. Conduct Towards DHS [Caseworker 3]

Finally, DHS employee [Caseworker 3] was the recipient of dozens of sexually charged emails from Mr. Spence. However, unlike the other employees referenced above, [Caseworker 3]'s conduct in sending multiple emails of a sexual nature to Mr. Spence belies the conclusion that his conduct was "unwelcome." Therefore, the allegation that Mr. Spence violated a DHS directive and policy regarding sexual harassment when he sent emails of a sexual nature to [Caseworker 3] is **UNFOUNDED**.

D. Mr. Spence's Conduct Adversely Affected Public Confidence

DHS Employee Handbook states that employees "hold[] a position of public trust and [are] expected to conduct [themselves] in a responsible, professional manner, refraining from conduct which could adversely affect the confidence of the public." DHS Employee Handbook, Employee Personal Conduct, V-1. An employee that fails to conduct himself in a professional manner is subject to discipline, including discharge. *Id.*

The OEIG investigation revealed that Mr. Spence's inappropriate behavior towards DHS clients caused obvious damage to the State's reputation. The DHS clients that the OEIG interviewed reported feeling "harassed" and "humiliated," and one client stated that she does not trust DHS and does not feel safe at any government office. Mr. Spence's conduct with DHS clients is clearly unprofessional, and had a direct negative affect on the public's confidence. Therefore the allegation that Mr. Spence violated DHS policy by his unprofessional conduct is **FOUNDED**.

E. Mr. Spence's Misuse of State Resources

DHS policy prohibits an employee from using State equipment for “inappropriate purposes, for purposes not related to State of Illinois business, or for personal gain.” DHS Employee Handbook, Employee Personal Conduct, V-2. Further, DHS limits the use of State computers for State business. DHS Directive 01.03.01.010, *Use of State Computers*. Additionally, “the e-mail system is for official DHS business only,” and not for personal messages. DHS Employee Handbook, Employee Personal Conduct, V-13-14.

The OEIG investigation revealed that Mr. Spence exchanged over two hundred personal emails with coworkers, including several emails that were sexual in nature. Mr. Spence acknowledged that he sent non-work related emails to [Caseworker 7], [Caseworker 6], and [Caseworker 3], and violated DHS policies by sending those emails. Mr. Spence further stated that the content of some of the emails he sent to [Caseworker 7], [Caseworker 6], and [Caseworker 3] contained sexual propositions or sexual innuendos. Because Mr. Spence's emails were inappropriate and wholly unrelated to State business, the allegation that Mr. Spence violated DHS policy by misusing the State email system is **FOUNDED**.

Additionally, the investigation reflected that Mr. Spence used his State computer to send personal emails from his personal email account. Therefore, the allegation that he violated DHS Directive 01.03.01.010 prohibiting the use of the computer for personal use is **FOUNDED**.

F. Mr. Spence's Misuse of State Time

DHS employees are “expected to be on site, performing required duties during the hours established for their job.” DHS Employee Handbook, Time and Attendance, III-1.

The OEIG investigation reflected that Mr. Spence impermissibly met with DHS coworker [Caseworker 3] to discuss non-work matters on State time, exchanged at least one handwritten note with a coworker during State time,³² and exchanged personal emails from his State computer from both his State email account and his personal email account during State working hours. During his interview, Mr. Spence said this conduct violated DHS policies. Although Mr. Spence said he did not send emails from his personal email account during work hours in the past year and has not sent personal emails from his work computer since May 2012, that does not excuse his past conduct. Therefore, because Mr. Spence spent time during working hours on matters unrelated to his required duties, the allegation that he violated DHS's Time and Attendance policy is **FOUNDED**.

G. Redacted

[This section contains allegations against an employee who received discipline of less than three-days' suspension and the Commission is exercising its authority to redact this paragraph.]

³² [Caseworker 3] stated that she exchanged three handwritten notes with Mr. Spence, and Mr. Spence said he exchanged one handwritten note. A review of Mr. Spence's emails suggests they exchanged multiple handwritten notes.

H. [Redacted]

[These three paragraphs concern allegations of misconduct that the Executive Inspector General has determined to be unfounded. The Commission exercises its authority to redact these three paragraphs.]

VII. CONCLUSIONS AND RECOMMENDATIONS

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

- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS [Caseworker 1].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS [Caseworker 2].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS [Caseworker 5].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS [Caseworker 6].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in inappropriate behavior with DHS [Caseworker 7].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.020 through his conduct with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.020 through his conduct with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.020 through his conduct with DHS client [REDACTED].

- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.020 through his conduct with DHS client [REDACTED].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment policy through his conduct with DHS [Caseworker 1].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment policy through his conduct with DHS [Caseworker 2].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment policy through his conduct with DHS [Caseworker 5].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment policy through his conduct with DHS [Caseworker 6].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment policy through his conduct with DHS [Caseworker 7].
- **UNFOUNDED** – Robert Spence violated DHS’s sexual harassment policy through his conduct with DHS [Caseworker 3].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.050 through his conduct with DHS [Caseworker 1].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.050 through his conduct with DHS [Caseworker 2].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.050 through his conduct with DHS [Caseworker 5].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.050 through his conduct with DHS [Caseworker 6].
- **FOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.050 through his conduct with DHS [Caseworker 7].
- **UNFOUNDED** – Robert Spence violated DHS’s sexual harassment directive 01.01.01.050 through his conduct with DHS [Caseworker 3].
- **FOUNDED** – Robert Spence violated DHS policy by engaging in conduct that adversely affected the public confidence.
- **FOUNDED** – Robert Spence violated DHS policy by misusing the State computer and email system.

- **FOUNDED** – Robert Spence violated DHS Directive 01.03.01.010 by misusing the State computer.
- **FOUNDED** – Robert Spence violated DHS policy by using State time for personal matters and not in performance of his job duties.
- **FOUNDED** – [This finding resulted in discipline of less than three-days’ suspension for an employee and the Commission exercises its authority to redact this sentence.]
- **FOUNDED** – [This finding resulted in discipline of less than three-days’ suspension for an employee and the Commission exercises its authority to redact this sentence.]
- **FOUNDED** – [This finding resulted in discipline of less than three-days’ suspension for an employee and the Commission exercises its authority to redact this sentence.]
- **UNFOUNDED** – [The Commission exercises its authority to redact this sentence.]
- **UNFOUNDED** – [The Commission exercises its authority to redact this sentence.]

This investigation reveals that Robert Spence is not suitable for State employment, and the OEIG recommends that DHS discharge him.

The OEIG further recommends that a copy of this report be included in Mr. Spence’s centralized employment file and that he not be rehired for State employment. The OEIG also recommends that any separation agreement prepared for Mr. Spence state that he agrees not to seek, nor to accept, any continuing or future employment with the State of Illinois.

[This sentence involves behavior that resulted in discipline of less than three-days’ suspension for an employee and the Commission exercises its authority to redact this sentence.]

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

Date: **June 27, 2013**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
69 W. Washington Street, Ste. 3400
Chicago, IL 60602

By:
Christine Benavente
Assistant Inspector General

Sanjeev Mikha’il, #140
Investigator

Edward Escamilla, #137
Investigator



Pat Quinn, *Governor*

Illinois Department of Human Services

Michelle R.B. Saddler, *Secretary*

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

July 19, 2013

Mr. Ricardo Meza
Executive Inspector General
Office of the Executive Inspector General
For the Agencies of the Illinois Governor
69 West Washington, Suite 3400
Chicago, Illinois 60602

RE: OEIG Case No: 11-00693

Dear Inspector General Meza:

The Illinois Department of Human Services has received your Final Summary Report for the referenced case involving employees Robert Spence and . The Department concurs with your recommendations and is taking action to implement them. With respect to Mr. Spence, a pre-disciplinary hearing will be conducted within the next two to three days. He will be placed on suspension pending discharge.

Please let me know if you require additional information.

Sincerely,

Michelle R.B. Saddler
Secretary



Illinois Department of Human Services

Pat Quinn, *Governor*

Michelle R.B. Saddler, *Secretary*

Office of the Secretary
401 South Clinton Street • Chicago, Illinois 60607
100 South Grand Avenue East • Springfield, Illinois 62762

January 9, 2014

Mr. Ricardo Meza
Executive Inspector General
Office of the Executive Inspector General
For the Agencies of the Illinois Governor
69 West Washington Street, Suite 3400
Chicago, Illinois 60602

RE OEIG Complaint #11-00693

Dear Executive Inspector General Meza:

On June 27, 2013 the Office of the Executive Inspector General issued its Final Summary Report for the referenced complaint. Your office concluded that DHS employee Robert Spence violated numerous agency policies, and you recommended discharge. On July 19, 2013 the Illinois Department of Human Services advised you that it agreed with your recommendations, and Mr. Spence was placed on suspension pending discharge. A pre-disciplinary meeting was scheduled for August 8, 2013 but Mr. Spence and his union representative requested a postponement to August 16, 2013. However, on August 14, 2013 Mr. Spence submitted his resignation effective at 5:00 p.m. the following day. His resignation was processed with no right to future state employment. A copy of the "Personnel/Position Action Form" is enclosed.

Sincerely,

--

Michelle R.B. Saddler
Secretary

PRINTED
09/17/13

ILLINOIS DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
PERSONNEL/POSITION ACTION FORM

SS#

Redacted

EMPLOYEE INFORMATION

LAST NAME		FIRST		HT	SEX	RACE	VET	EDUC	TIER 1/2	DATE OF BIRTH		
SPENCE		ROBERT			E	M	W	N	3	1	Redacted	
STREET ADDRESS				CITY			COUNTY	STATE	ZIP CODE	NAVL ORIG		
Redacted				Redacted			099	IL	Redacted	129		
PAY PLAN	PAY GRADE	PAY STEP	SALARY	PAY RATE	FULL/PT TIME	FUNDING BRD.COM	PAYROLL DEPT.	CODE APPROV	CORRECTED SOCIAL SECURITY NO.		BARGAINING UNIT CODE	PENF-CODE
B	00	08	5797.00	M	F	00	10	110			RC062	
CONTINUOUS SERVICE DATE		SENIORITY/DATE		CREDITABLE SERVICE DATE		APPLY. EXPIRATION DATE		STA-TUS	SUSPENSION/WGA RETURN DATE		APPLY. REC.NO.	DISAB ILITY
03-29-99		03-29-99		04-01-07		NO DATE		A	NO DATE			000

POSITION INFORMATION

POSITION TITLE (NAME) AND OPTION		POSITION NUMBER			EXMT CODE	WORK COUNTY	A71 AUTH.	AUDIT	POS DES COMP.
HUMAN SERV CASEWORKER		19785-10-92-107-11-01			0	099			

TRANSACTION INFORMATION

TRANSACTION NAME		TRANS CODE	EFFECTIVE DATE	PRIORITY
1 SEPARATE NO REINST RIGHT		BA121	08-15-13	
THIS TRANS. LAST TRANS.	2			
	3			
	4			
	1			
	2			
	3			
	4			

STATUS	EXEMPT
A-CERTIFIED	B-NOT EXEMPT
B-PROBATIONARY & MOS	1-PRIVATE SEC & COMP ASSTANT
C-PROBATIONARY & MOS	2-ADMINISTRATIVE HEAD
D-PROFESSIONAL	3-POLICY MAKER
E-2 MONTHS CERTIFICATION	4-PREVALENG RATE/TRADE
F-EXEMPT	5-LICENSED PROFESSIONAL
G-TEMPORARY	6-OUT OF STATE
H-EMERGENCY	7-TECH ADVIS W/C COMM
I-6 MONTHS CERTIFICATION	8-PARTIAL EXTENSION
J-TRAINEE (DC LIST)	9-PARTIAL EXMPT BY STATUTE
K-TRAINEE (TRAINEE PERMIT)	
L-TRAINEE (AGENCY SELECTED)	
M-6 MONTHS CERTIFICATION	
N-12 MONTHS CERTIFICATION	
O-181 DAYS	
P-18 MONTHS (MMP)	
Q-INTERIM ASSIGNMENT	

REMARKS

CURRENT BASE SALARY + \$75.00 LONG + \$0.00 BILING = \$5,872.00

"THIS TRANSACTION WAS APPROVED BY THE AGENCY HEAD OR A DULY AUTHORIZED REPRESENTATIVE OF THE AGENCY HEAD AND REQUIRED NO APPROVAL BY THE DEPARTMENT OF CENTRAL MANAGEMENT SERVICES. THIS DOCUMENT IS TO PROVIDE A RECORD OF THE TRANSACTION FOR AGENCY USE AND CMS MICROFILM FILES. DOCUMENTATION IN SUPPORT OF THE TRANSACTION IS ON FILE IN THE OPERATING AGENCY."