



SECRETARY OF STATE EMPLOYEE ETHICS SURVEY 2008

Report prepared by the
Illinois Executive Ethics Commission

EXECUTIVE SUMMARY—

2008 Secretary of State Employee Ethics Survey

During February 2008, the Illinois Executive Ethics Commission (EEC) conducted a mail-based survey of randomly-chosen employees of the Office of the Illinois Secretary of State to evaluate the ethical climate, awareness and effectiveness of the ethics program, and the ethical outcomes within that Office.

Payroll records for regular employees of the Secretary of State identified a population of about 4,200 employees. Two thousand names were drawn randomly from that population, and surveys were mailed to employees' home addresses. The survey, available as Appendix I, was based on a survey conducted by the Federal Office of Government Ethics in 2000 and is nearly identical to a survey the EEC conducted of employees of Governor's agencies in 2006-2007.

A total of 745 valid responses were received, which is sufficient for results to be generalizable to the population of Secretary of State employees.

In 2006-2007 the Executive Ethics Commission conducted a virtually identical survey of employees of agencies of the Illinois Governor. The final report of that survey is available at <http://www.eec.illinois.gov/publications.htm>. The results from these two surveys are used in the present report to compare the ethical climates in these two constitutional offices.

Results in Brief

Awareness

1. Employees are familiar with the ethics program.

Most Secretary of State employees are aware of the ethics program, which consists of ethics training and advice offered by the Ethics Officer. They generally understand its objectives and the vast majority report having taken the mandatory ethics training. Employees are most familiar with program objectives involving education and prevention of ethics policy violations. Reported familiarity with the Ethics Act is significantly higher for supervisors compared to non-supervisors. Significantly fewer Secretary of State employees are aware of the existence of the Ethics Officer compared to employees of Governor's agencies.

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

Although Secretary of State employees report being reasonably familiar with the Ethics Act itself, they report being less familiar with two very important objectives of the Act: 1) detecting unethical behavior; and 2) disciplining and prosecuting violators of the Ethics Act. The confidentiality provisions of the Ethics Act prevent employees from observing the work of the Executive Inspector General in detecting unethical behavior and the prosecution and discipline that follow. This lack of familiarity is consistent across all demographic groups and might be explained by the Ethics Act's lack of transparency with respect to investigations and discipline. Familiarity with these two objectives, however, is significantly higher among Secretary of State employees than employees of Governor's agencies. This might be explained, in part, by the existence of an independent Secretary of State Inspector General, who is not subject to the confidentiality requirements contained in the Ethics Act.

Communication

3. Few supervisors and employees discuss ethics in the workplace.

Many Secretary of State employees are not comfortable talking about ethics and report that supervisors do not discuss ethics when talking to employees. Only 45.4% of employees agreed with the statement "Employees in this agency feel comfortable talking about ethics." Over 30% disagreed with the statement "Employees in the agency openly discuss the ethics of their decisions and actions." Though these numbers are significantly higher than for employees of Governor's agencies, the lack of discussion concerning ethical issues remains a concern.

4. Few employees seek ethics advice or consult the Ethics Officer.

Fewer than 15% of Secretary of State employees report seeking ethics-related advice in the past four years. Supervisors are more likely to have sought ethics-related advice than non-supervisors. Only 28% of respondents who report having sought ethics-related advice consulted their Ethics Officers. Most rely on other resources, such as supervisors, the human resources department, union officials and the general counsel's office.

Leadership

5. Leadership is generally viewed as being concerned with ethics.

Secretary of State leadership is viewed as being concerned with ethical issues. Supervisors are rated higher than leadership. Leadership is generally seen to make ethics rules and practice consistent and to enforce ethics rules among all levels of employees.

Training

6. Ethics training is effective.

Secretary of State employees who received more ethics training in the past four years reported greater familiarity with Ethics Act requirements than those who received less ethics training during the same period. Employees find the training they receive useful in identifying ethical issues and in guiding their decision-making in the workplace. Some respondents report not receiving annual ethics training.

7. A wide variety of training formats is used.

Ethics training is provided in various ways, including in-person instructor-led lecture and discussion, videotape, direct communications, reference materials, computer-based training, and teleconferences or satellite broadcasts. A computer-based format is the standard format used for annual training for employees of Governor's agencies and employees of the Secretary of State. Computer-based ethics training is perceived to be more effective for employees of the Secretary of State than for employees of Governor's agencies.

Overall Ethical Culture

8. Secretary of State employees report a better ethical culture in their workplaces than employees of Governor's agencies, although improvements may still be made.

The survey measured eight elements of the ethical culture, including, for example, whether ethics is discussed in the workplace, whether ethical concerns receive appropriate follow-up, whether leadership cares about ethics, and whether employees face retaliation for reporting misconduct. By seven of these eight measures, the ethical culture at the Office of the Secretary of State is significantly better than the average ethical culture reported at agencies of the Governor. The eighth measure, whether employees are expected to obey directions without question, was not significantly different between the two constitutional offices.

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

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

Many Secretary of State employees do not discuss ethics in the workplace. Leadership should remove any existing barriers to free ethics communications (fear of retaliation, expectations of blind obedience to authority) and also actively encourage ethics communications. Decision making processes should reflect ethical considerations in the workplace.

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

The Ethics Officer guides Secretary of State employees in the interpretation and implementation of the Ethics Act. Those employees who seek ethics guidance from the Secretary of State's Ethics Officer report a high level of satisfaction, but few seek that guidance. Too many Secretary of State employees are unaware of the Ethics Officer's existence. Leadership should emphasize the importance of turning to the Ethics Officer when ethics questions and concerns arise and take steps to increase her visibility to employees.

3. Ethics training should continue to be done in a variety of formats.

Secretary of State employees report receiving ethics training in several different formats including computer-based and instructor-led trainings, and reference materials. Employees report that these trainings are useful in helping identify ethical issues and in guiding decision-making in the workplace. Efforts should be taken to confirm that each employee receives annual ethics training and that the training format or formats used are most helpful to employees.

4. The Ethics Act should be changed to increase the transparency of the disciplinary process.

Too many employees fail to recognize that detecting ethics violations and punishing wrongdoing are important goals of the ethics program. It is true that these goals are recognized by significantly more Secretary of State employees than by employees of Governor's agencies, perhaps due to the existence of a separate Inspector General for the Secretary of State who is not subject to the confidentiality requirements that bind the Executive Inspector General. But, without knowing that discipline has been imposed in response to violations, employees may doubt that their reports of wrongdoing are taken seriously. This lack of knowledge may lead some employees to believe that senior officials are less likely than other employees to be disciplined for wrongdoing. The EEC strongly urges the General Assembly to enact legislation that increases transparency in the disciplinary process and, in so doing, improves the ethical climate in State government.

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Final Report

Report prepared by the Illinois Executive Ethics Commission

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Purpose of the Study

The three specific purposes of the study were:

1. to assess the effectiveness of the ethics program within the Office of the Secretary of State (Secretary of State or SoS);
2. to assess the ethical culture in the Office of the Secretary of State from the employee perspective; and
3. to establish a benchmark against which change can be measured.

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

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

Policy Relevance

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

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

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

Ethics officers also interpret standards of conduct regulations and review statements of economic interest. Eos, in consultation with other ethics officials, help ensure that agency employees avoid situations that could place them at risk of violating the Ethics Act and agency rules. Overall, a critical objective of the ethics program is to prevent conflicts of interest and misconduct that undermine the public’s trust in government.

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

EEC to target scarce public resources toward critical program elements in order to maximize the impact of the ethics program.

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

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

The survey was also designed to assess employees’ overall awareness and perceived effectiveness of the ethics program instituted by the Office of the Secretary of State. The EEC intends that the results of this survey serve as a benchmark against which change can be measured by future surveys.

The EEC also intends that the results of this survey will be used by the leadership in the Office of the Secretary of State to improve the ethical climate in that Office, and consequently to enhance the public trust in State government.

Methodology

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

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

Survey Development

In 2006-2007 the Executive Ethics Commission conducted a virtually identical survey of employees of agencies of the Illinois Governor. The final report of that survey is available at <http://www.eec.illinois.gov/publications.htm>. This survey was adapted from the Federal Office of Governmental Ethics survey *Executive Branch Employee Ethics Survey 2000*. Only a few questions were changed to reflect differences between Federal law and Illinois’ Ethics Act.

The present survey of Secretary of State employees is virtually identical to the survey of Governor’s employees. Only a few questions were modified to reflect that Secretary of State employees work for a constitutional office and not an agency of the Office of the Governor.

When the survey wording differs in this respect, it will be reported in this report as “agency/office”. This final report contains comparisons between the results of the two surveys.

Measures

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

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

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

Measure 1: Program Awareness

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

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

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

Measure 2: Program Effectiveness

The helpfulness of resources consulted when ethics issues arise (QA7, 8) was addressed by this measure. A qualifying question (QA6) asked if an employee had sought advice for an ethics-related concern in the past four years to differentiate between employees who had sought advice for ethics issues and those who had not during this time period. Additionally, the measure differentiated between the usefulness of the advice provided by ethics officials and the usefulness of advice provided by other resources that might have been consulted (QA8). This provided an assessment of the difference between the perceived usefulness of advice provided by ethics officials versus that provided by other parties. Lastly, reasons for not seeking advice from ethics officials (QA9) or not seeking advice at all (QA10) were assessed.

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

For those who received some training, the usefulness of the training in making employees aware of ethics issues (QA12a) and in guiding decisions and conduct (QA12b) was assessed. Lastly, the effectiveness of several types of training was assessed. It should be understood that

“training” is broadly defined within the context of the program. Training can encompass traditional classroom learning, computer-based self-study, review of standard reference materials, or review of direct agency communications, such as newsletters and memos. For each type of training, the survey assessed whether an employee received training via that method and the perceived effectiveness of the training (QA13a-h).

Measure 3: Culture Factors

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

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

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

Measure 4: Culture Outcomes

Positive culture outcomes are observed in an organization with a strong ethical culture.

Three outcomes were defined in this study:

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

Demographic Variables

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

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

Sampling and Data Collection

The population of interest for this survey was employees of the Office of the Illinois Secretary of State. To maximize efficiency and conserve costs, a random sample of employees was selected to receive the survey. The sampling process was conducted through the Office of the Comptroller, which maintains payroll records for the pool of employees targeted by the survey. Staff from the Office of the Comptroller compiled a list of employees of the Office of the Secretary of State from the statewide payroll system Year To Date master file. This file was ranked according to social security number.

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

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

After the above exclusions, the remaining population included 4,194 employees, which is considered the target population for the survey. That population was divided into three groups according to home addresses: Cook County (1,132, 27%), Sangamon County (1,342, 32%) and other (1,720, 41%).

Each of these three geographic groups was ordered according to Social Security number and every second name and related home address were selected and printed onto mailing labels until the target for each group (2,000 in total) were chosen. Because we anticipated a somewhat lower response rate from employees in the Chicago metro area and a somewhat higher response rate from employees in Sangamon County, the sampling methodology somewhat over-represented employees who resided in Cook County and somewhat under-represented employees who resided in Sangamon County. By geographic group, the composition of the selected sample was Cook County (690, 34.5%), Sangamon County (510, 25.5%) and other (800, 40%). This meant that about 60 percent of the employees residing in Cook County were selected compared to almost 40 percent of the employees residing in Sangamon County and about 46 percent of those living in other counties.

Somewhat lower response rates from the Chicago metro area were anticipated because of the previous experience of surveying employees in Governor's agencies and because of common response rate findings in numerous and differing types of surveys within Illinois.

No history of the chosen names and addresses was maintained. The mailing labels were affixed to envelopes that contained a cover letter, self-addressed and stamped return envelope and the ethics survey. The envelopes were mailed on February 9, 2008.

Forty envelopes were returned as undeliverable. A total of 745 valid responses were received, for a 37.25% response rate. This response rate is considered excellent for a mail survey.

Data Processing and Analysis

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

Differences articulated in the findings are statistically significant at the 0.05 level unless otherwise indicated. This means that there is a small probability (less than 5%) that the observed difference is a result of chance rather than a true difference between the groups' perceptions. The terms "statistically significant" and "significant" are used occasionally to emphasize these differences, or to explain that an observed difference does not reflect an underlying difference between the two groups (i.e., "not significant").

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

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

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

Provisos

One weakness that occurs in any anonymous mail-based survey is that participation is not mandatory. Those employees who have strong opinions about ethics, both positive and negative, are more likely to respond to the survey than those whose opinions are less strong. In addition, our anticipations regarding differential response rates from employees in the Chicago metro area vs. Sangamon County were apparently unfounded here. As it turned out, the responding sample somewhat over-represents employees whose work location is Cook County (32% of respondents vs. 24% of estimated employees) and somewhat under-represents employees who work in Sangamon County (38% of respondents vs. 50% of estimated employees). Employees whose work location is another county are more accurately represented (29.5% of respondents vs. 26% of estimated employees).

We say apparently in the above because our initial sampling methodology was based on residential location of the employees, the characteristic that was available from the Comptroller’s Office. In the final survey, we are comparing work locations, a more useful analytic characteristic that was asked about in the questionnaire. Further, the estimated number of employees is a rough estimate, based on the number of intermittent as well as regular employees later in calendar year 2008.

Altogether, these shortcomings are common to most surveying methods and do not seriously affect the generalizability of the results. The survey results do not identify any of the subdivisions of the Office of the Secretary of State, so the findings cannot be applied to any particular subdivision of that Office. Finally, many of the results describe employees’ perceptions of their ethical climate and ethical outcomes, but do not identify the specific cause of these perceptions or when these perceptions began. In other words, except for two open-ended questions, the survey results tell us little about who is to blame or who is to be credited for the present ethical climate.

Findings

Measure 1: Program Awareness

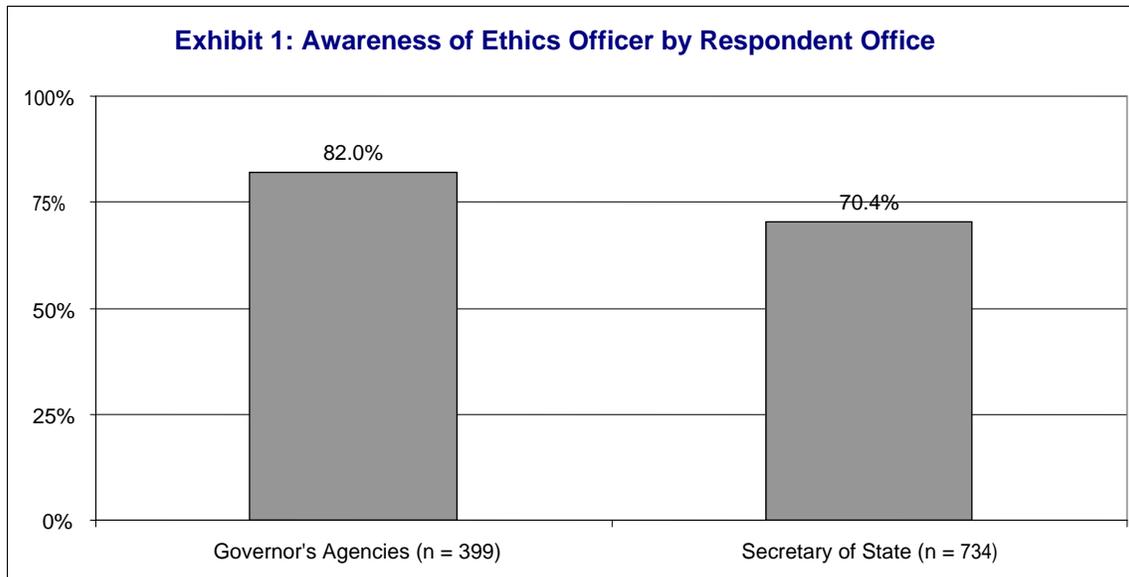
The survey findings confirm that SoS employees are aware of and have a generally accurate perception of their agency's ethics program. In addition, they are reasonably familiar with the program objectives. Supervisory status is positively related to program awareness and understanding of objectives.

Secretary of State employees are mostly aware of the ethics program and its resources

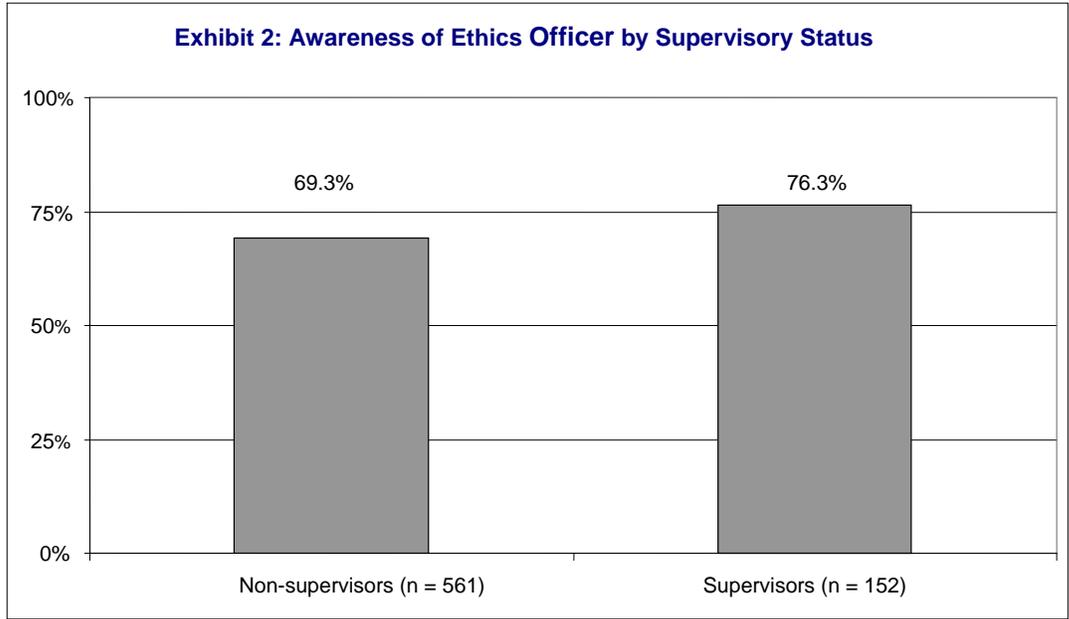
Secretary of State employees are generally familiar with the ethics program and its resources. Awareness is highest among those who identify themselves as supervisors. The survey measured program awareness through two questions: (1) respondents were asked if they were aware that there are officials in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

Familiarity with the Ethics Officers

Over 70% of SoS respondents indicated that they were aware that there are officials in their agency whose job responsibilities include providing advice to employees on ethics issues (QA5). This level of awareness is significantly (at the 0.01 level) below that of employees of the Governor's office. Exhibit 1 shows the difference between employees of the two constitutional offices.



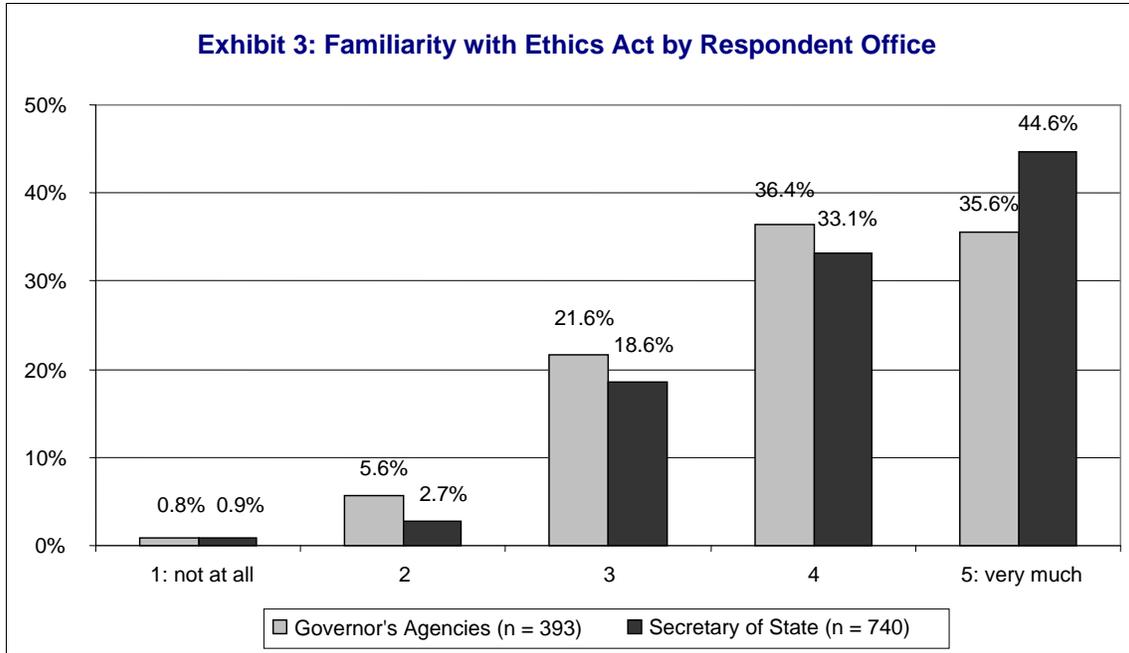
The awareness of the Ethics Officer among Sangamon County SoS employees is significantly higher than the awareness among Cook County employees (74.3% vs. 66.5%). Also, awareness is significantly higher among supervisors than it is among non-supervisors. See Exhibit 2. More than three-fourths of supervisors are aware of SoS's Ethics Officer, compared with 69.3% of non-supervisors.



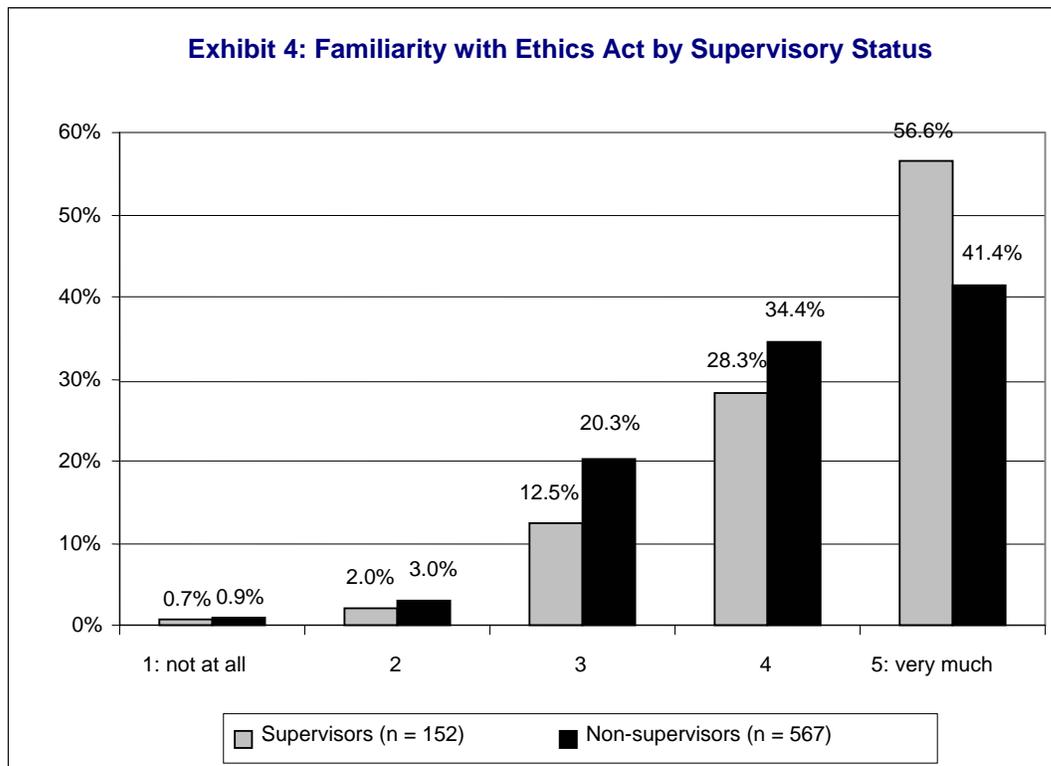
Familiarity with the Ethics Act

In addition to awareness of Ethics Officers, the survey measured respondents’ familiarity with the State Officials and Employees Ethics Act.

A sizeable number of respondents (77.7%) described themselves as familiar with the Ethics Act (QA1) (a response of 4 or 5 on a scale of 1-5 where 1 means not at all familiar and 5 means very much familiar). This percentage does not vary significantly from that of employees of Governor’s agencies. See Exhibit 3. There was no significant variation by Statement of Economic Interest filing status, nor by length of service, nor work location.

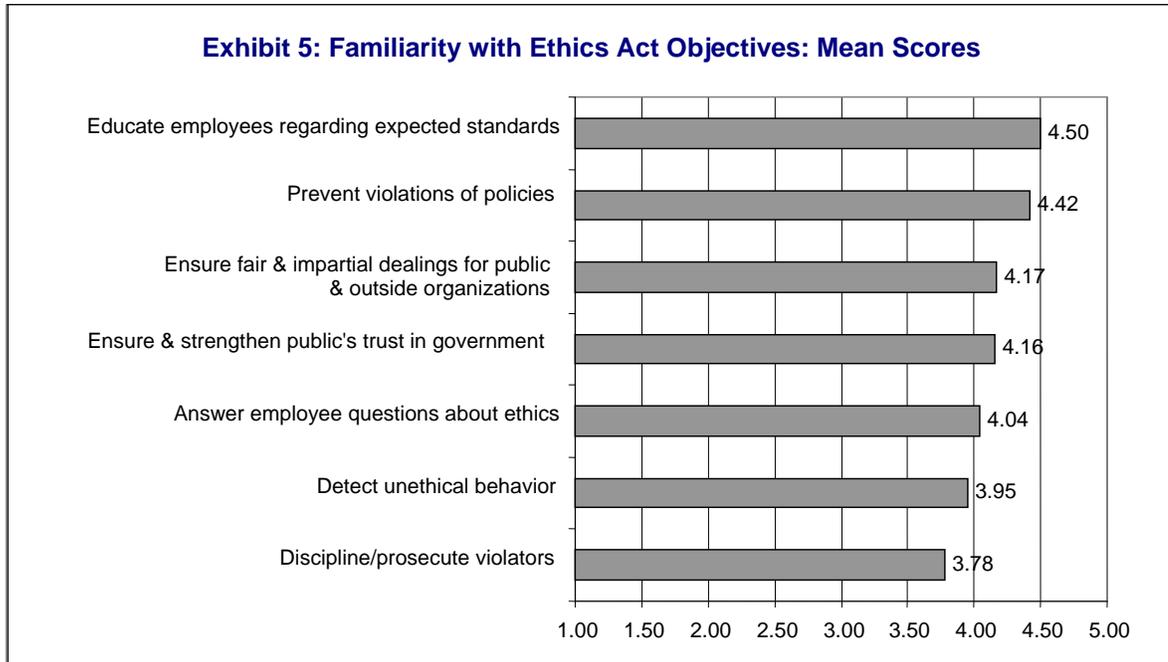


A significantly higher percentage SoS supervisors, however, report being familiar with the Ethics Act as compared to SoS non-supervisors. See Exhibit 4.



Familiarity with Ethics Act objectives

Overall, employees were reasonably familiar with the objectives of the Ethics Act. The Ethics Act objectives with which employees are most familiar involve education and prevention of ethics policy violations. Educating employees regarding ethics standards (QA2b) received a mean rating of 4.5, and preventing violations of ethics policies (QA2a) received a mean rating of 4.42. Employees were reasonably familiar with the objectives related to public trust (QA2c, mean rating 4.16) and fair treatment of the public and outside organizations dealing with the Government (QA2f, mean rating 4.17). See Exhibit 5.

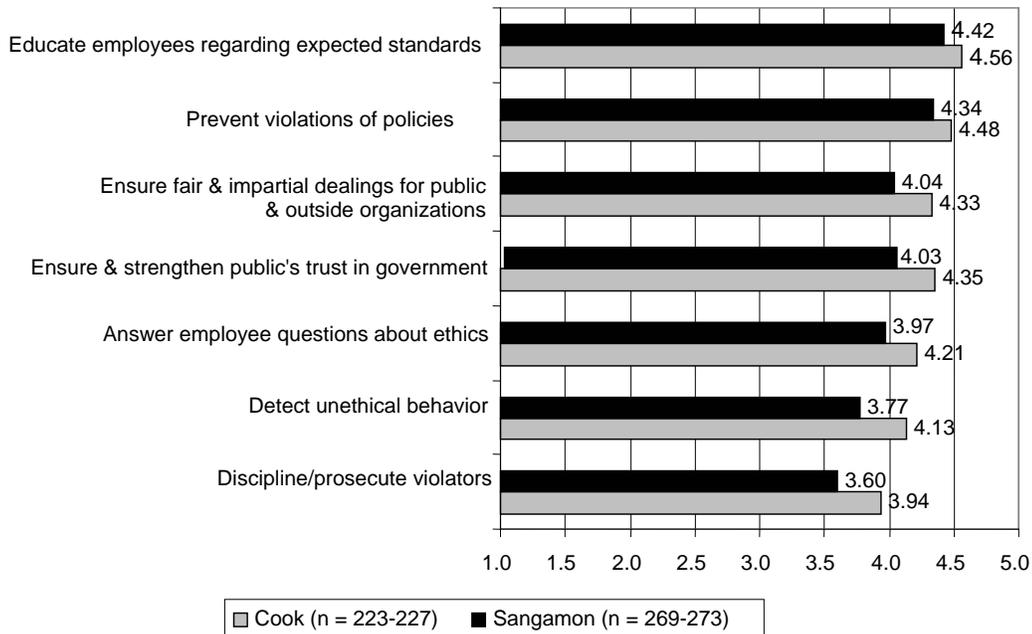


Employees were significantly less familiar (mean rating 4.04) with the Ethics Act’s objective of answering employee questions about ethics (QA2g). This is in keeping with other findings that SoS employees are less aware of the existence of their Ethics Officer.

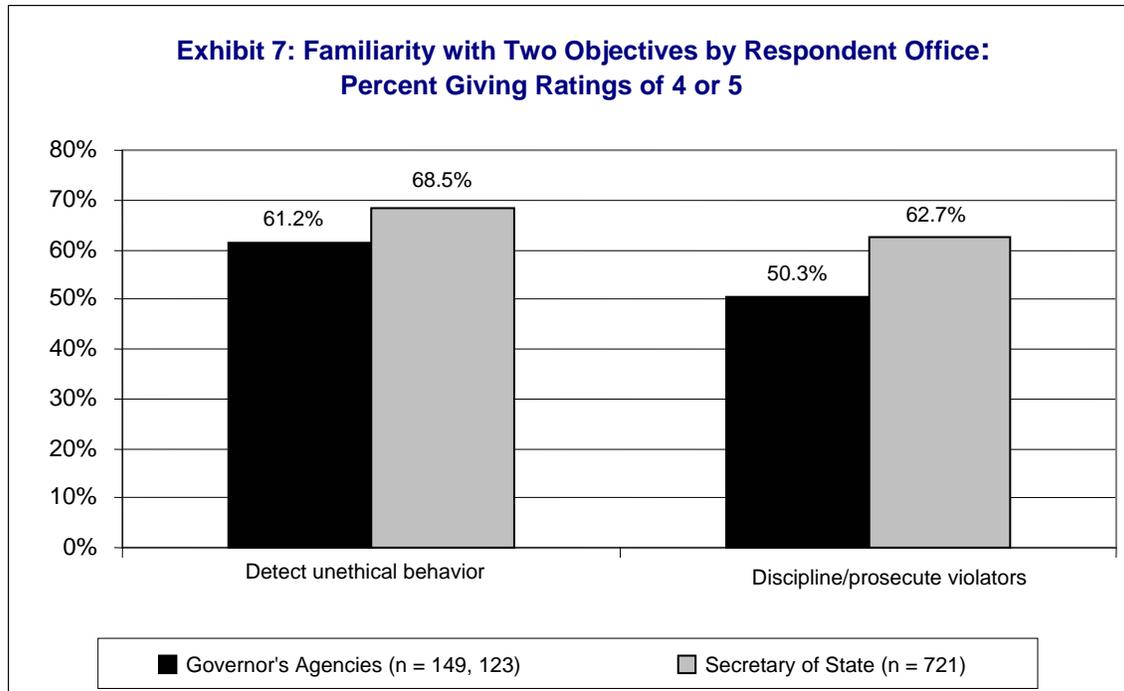
Employees were least likely to report being familiar with two other very important Ethics Act objectives. Detecting unethical behavior received a mean rating of 3.95 (QA2d), and disciplining or prosecuting violators received a mean rating of 3.78 (QA2e), which are both significantly lower than the objective of answering employee questions about ethics (QA2g).

Comparing Cook and Sangamon County employees, Cook County employees report being significantly more familiar with each of the Ethics Act objectives. These differences are significant at the .01 level, except for the objective to prevent violations of ethics policies, which is significant at the .05 level. See Exhibit 6. This relatively low familiarity with Ethics Act objectives appears to contradict the fact that Sangamon County employees described themselves as familiar with the Ethics Act as Cook County employees. This contradiction may indicate a level of cynicism among Sangamon County employees concerning the objectives of the Ethics Act. A similar result was reported for Springfield employees of Governor’s agencies. See 2006-2007 Report, p. 12.

Exhibit 6: Familiarity with Ethics Act Objectives: Mean Scores by Work Location (Cook vs. Sangamon counties)



SoS employees report greater familiarity with Ethics Act objectives than employees of the Governor’s agencies. On a scale of 1-5 with 1 meaning not at all an objective of the Ethics Act and 5 meaning very much an objective of the Ethics Act, 61.2% of Governor’s agency respondents selected 4 or 5 for the objective of detecting unethical behavior, while the response of SoS respondents was significantly higher at 68.5%. Likewise, for the objective of disciplining/prosecuting violators, 50.3% of Governor’s agency respondents selected 4 or 5, while the response of SoS respondents was significantly higher at 62.7%. See Exhibit 7.



It is important for employees to know that Ethics Act violations will be identified and that violators will be prosecuted and disciplined. If they do not, employees will perceive the Ethics Act as mere “window dressing”. Furthermore, if employees perceive that there are no consequences to violating rules, the rules have no deterrent effect. Also, employees will have no reason to report observed violations unless they believe that their report will result in violators being prosecuted and disciplined.

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

The only way that violations of the Ethics Act can ever be made public is after a finding of a violation by the Executive Ethics Commission. The only way the Executive Ethics Commission can make a finding is if a violation is referred to it by an Executive Inspector General. In the first three years following the enactment of the current Ethics Act, no employee ethics violations were referred to the Executive Ethics Commission. Since then, several have been referred and are working their way through the system.

As demonstrated above, the SoS employees report greater awareness than Governor’s agency employees of the Ethics Act objectives of detecting, prosecuting and disciplining wrongdoing. This heightened awareness may be explained in part by the presence of a second inspector general within the Office of the Secretary of State whose work is not subject to the confidentiality requirements of the Ethics Act. This inspector general, created by statute and codified at 15 ILCS

305/14, works closely with the Executive Inspector General for the Secretary of State and many SoS employees may not correctly distinguish the two inspectors general.

Unlike those of the Executive Inspector General, the results of the inspector general's investigation final reports are routinely made available to the public through a request made pursuant to the Freedom of Information Act. This transparency may allow SoS employees to see that wrongdoing is being detected, prosecuted and disciplined in a way that is not available to employees of most other executive branch offices and agencies.

Conclusions: SoS and Governor's agency employees report being about equally familiar with the provisions of the Ethics Act. SoS supervisors report being more familiar with the Ethics Act than non-supervisors. Fewer SoS employees report being aware of the existence of their ethics officer than Governor's agency employees. Among SoS employees, significantly fewer identify answering employee questions about ethics as an objective of the Ethics Act compared to other objectives. Significantly fewer still identify detecting unethical behavior and disciplining or prosecuting violators as objectives of the Ethics Act.

Although detecting unethical behavior and disciplining or prosecuting violators are among the least recognized objectives of the Ethics Act, significantly more SoS respondents identify these objectives compared to respondents from Governor's agencies. This may be due, at least in part, to the existence of an office-wide inspector general at the Secretary of State whose investigation results are more transparent, not being subject to the confidentiality requirements that restrict the Executive Inspector General.

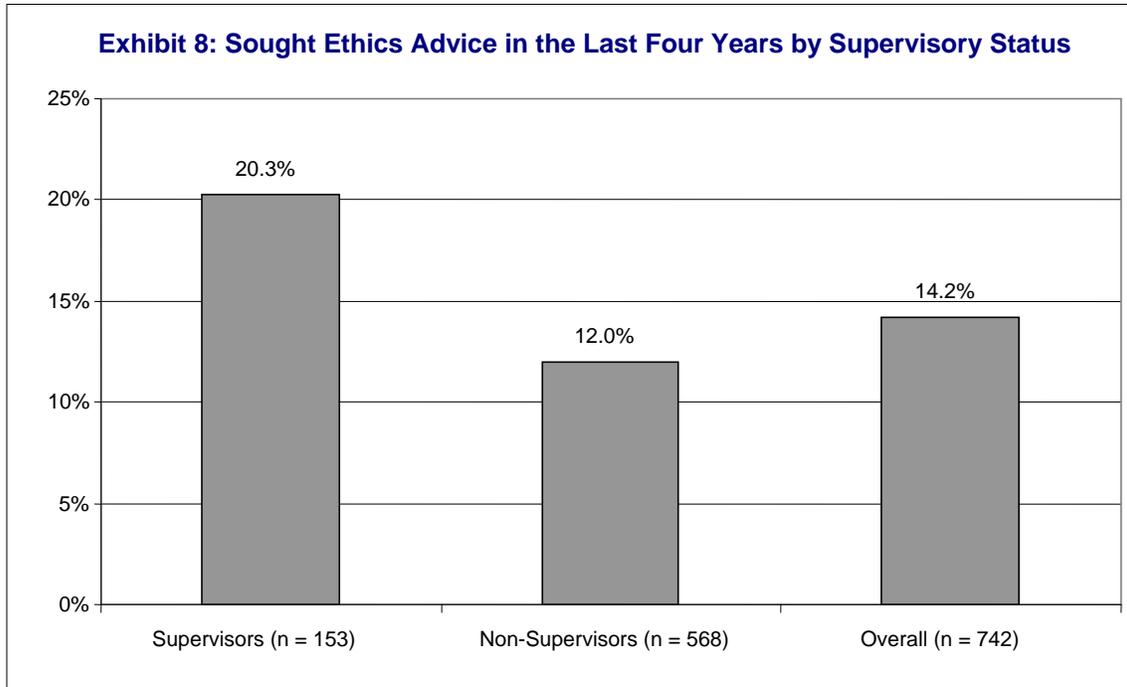
Measure 2: Program Effectiveness

Few SoS employees have sought ethics advice from the Ethics Officer or from other sources. A considerable number of employees were unaware of the existence of the Ethics Officer, but those who received advice from the Ethics Officer were satisfied with the advice they received. Ethics training is provided in a variety of formats and is perceived to be useful. Employees who report receiving more ethics training also report greater familiarity with the Ethics Act.

Few employees seek ethics advice

Few employees of SoS seek ethics advice. In the past four years, 14.2% of respondents sought ethics-related advice in connection with their work (QA6).

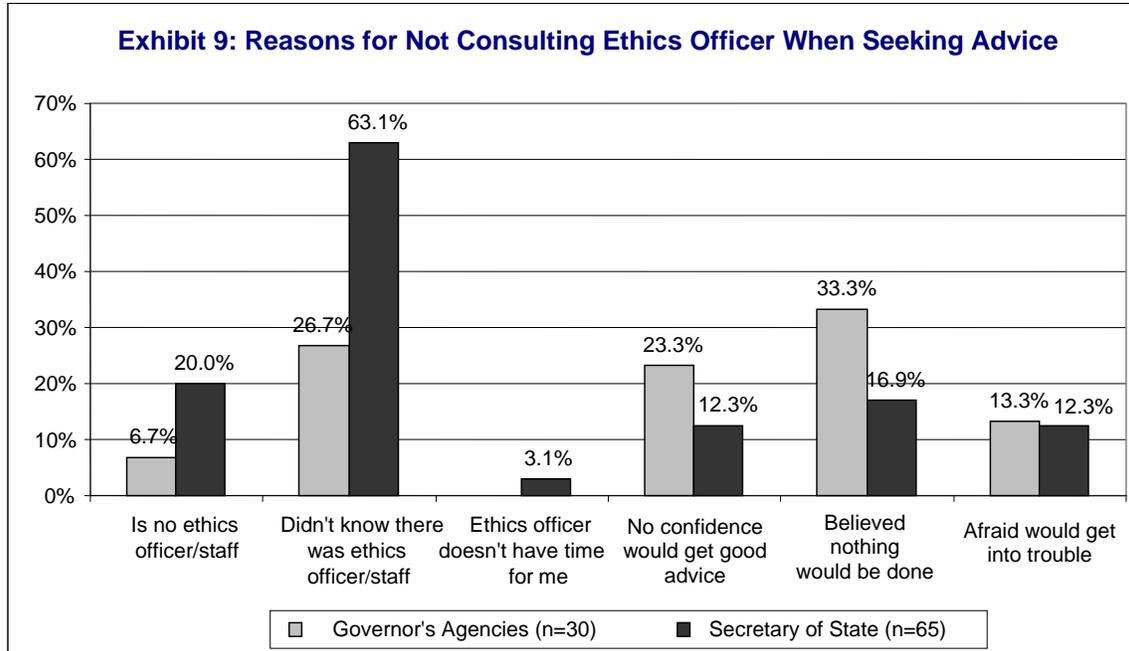
Not surprisingly, supervisors are more likely to seek ethics advice than non-supervisors. While 20.3% of self-identified supervisors reported seeking ethics advice in the past three years, only 12.0% of non-supervisors sought ethics advice during the same period. See Exhibit 8.



Employees use ethics program resources about one-quarter of the time

Only 28% of SoS respondents who sought ethics-related advice in the previous four years chose their agency ethics officer to provide it, while 72% used other resources (QA7). This compares to 54.5% of ethics advice-seeking employees of Governor’s agencies who reported seeking ethics advice from their ethics officer. The other resources SoS employees consulted include the general counsel’s office, the human resources office, the inspector general, a supervisor, manager, and union official.

The question remains why SoS employees who seek ethics advice do not seek it from their Ethics Officer (QA9). The answer appears to be, in large part, because the employees are not aware of the existence of their Ethics Officer. See Exhibit 9.

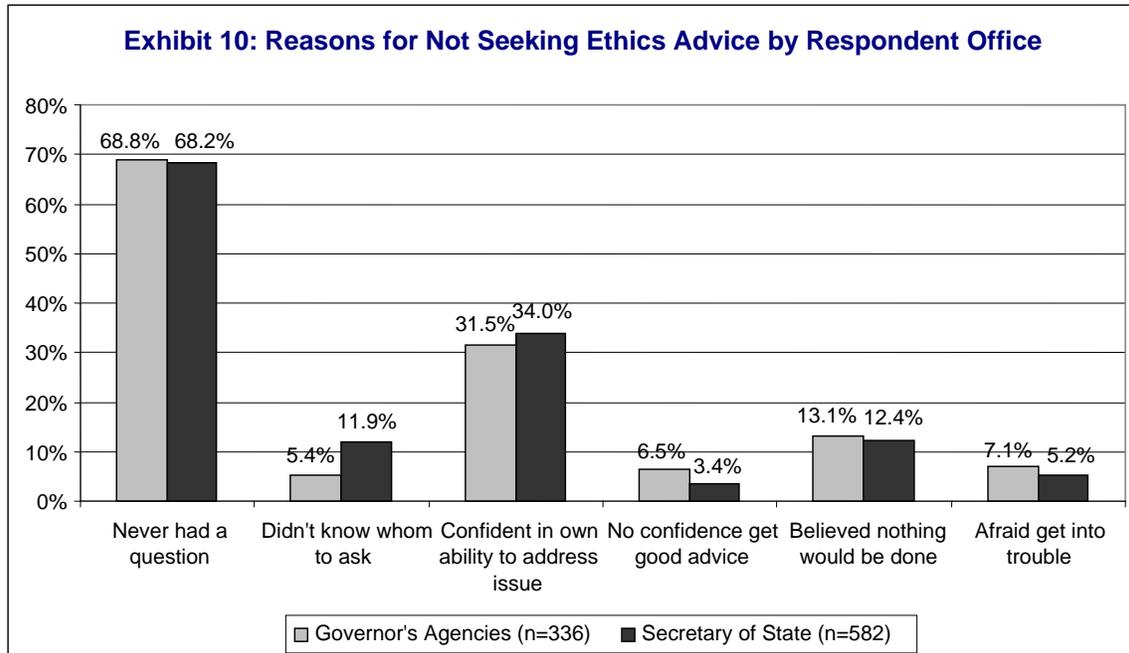


A large percentage of SoS respondents who sought ethics advice from someone other than their Ethics Officer indicated that they did not know there was an ethics staff or that there is no ethics staff. Combined, these reasons were provided by 83.1% of those who responded.

When compared to employees of Governor's agencies, SoS employees were significantly more likely to claim there is no Ethics Officer or that they didn't know there was an Ethics Officer as a reason for not seeking ethics advice. SoS employees were less likely than Governor's agency employees to claim that they had no confidence that they would get good advice from the Ethics Officer (12.3% v. 23.3%) or that they believed that nothing would be done (16.9% v. 33.3%).

These findings are borne out in the response to QA10, which asks respondents who have not sought ethics advice at all in the previous four years why they have not. Over two-thirds (68.2%) of SoS respondents indicated that they did not seek ethics advice because they never had a question. See Exhibit 10. This is similar to the 68.8% of Governor's agency employees who answered the same way. But, 11.9% of SoS respondents, compared to 5.4% of Governor's agency respondents, indicated that they did not seek ethics advice because they didn't know whom to ask. This difference is significant at the .01 level.

Only 3.4% of SoS respondents, compared to 6.5% of Governor's agency respondents, were not confident that they would receive good advice, and 5.2%, compared to 7.1% of Governor's agency respondents refused to seek advice because they were afraid that they would get into trouble.



SoS employees seeking advice find Ethics Officer helpful

The mean helpfulness rating of SoS's Ethics Officer is 4.0 on a scale of 1-5 (Q7A). This compares favorably with the 3.4 rating given to Governor's agency Ethics Officers and is close to the rating reported by the Federal Office of Government Ethics, in which the helpfulness of ethics officers averaged 4.3. This difference might be explained, in part, by the relatively recent creation of the position of Ethics Officer (about four years ago).

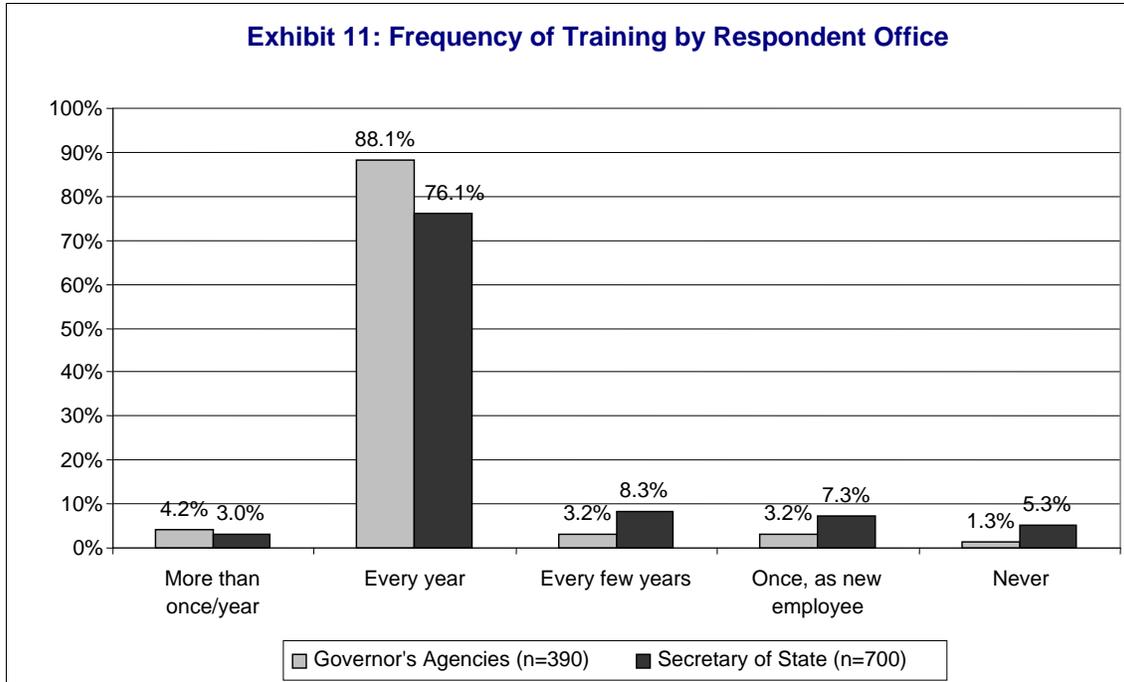
The Office of the Secretary of State has a single Ethics Officer for all employees (approximately 4,200). These employees are employed at regional offices scattered throughout the State of Illinois.

Ethics training: reasonably effective, though some employees report not being trained

Attempts to train SoS employees annually, as required by the Ethics Act, are generally effective. As shown in Exhibit 11, the vast majority of employees receive annual training, though a certain percentage report not being trained. SoS employees find the training they receive to be more useful and effective compared to employees of Governor's agencies.

The great majority of employees (79.1%) reported receiving ethics training at least once per year, which is required by the Ethics Act (QA11). Another 7.3% indicated that they were trained once as part of their new-employee orientation, which satisfies the training requirement of the Ethics Act if those employees were hired within the past year. Those employees who reported receiving no training (5.3%) and those who report having received training only every few years (8.3%) are quite likely not in compliance with the Act.

Only 3.0% of employees report receiving ethics training more than one time each year. Other data suggest that employees are receiving additional ethics training in various forms. See Exhibit 13.



The State Officials and Employees Ethics Act, effective December 9, 2003, requires that all State employees receive ethics training annually. For survey respondents, this training is the responsibility of the Secretary of State’s Executive Inspector General. Annual training for the most of the survey respondents is in the form of an on-line training.

From the responses received, it appears that some SoS employees are not receiving the annual training required by law or that the employees are uncertain about their training. Some response error is expected, so a report of 100% annual training compliance is not realistic. Still, these numbers raise questions about the annual training. Those employees responsible for annual ethics training should examine procedures to ensure that each employee receives the required ethics training.

Usefulness of ethics training

The mean rating of the usefulness of training in making respondents more aware of ethics issues in connection with their work (QA12a) is 3.9 on a scale of 1-5. Training is about equally useful (average rating of 3.9), from the employee perspective, in guiding decisions and conduct in connection with work (QA12b). Both of these ratings are significantly higher at the .01 level than those reported by employees of Governor’s agencies, (3.4 and 3.3, respectively).

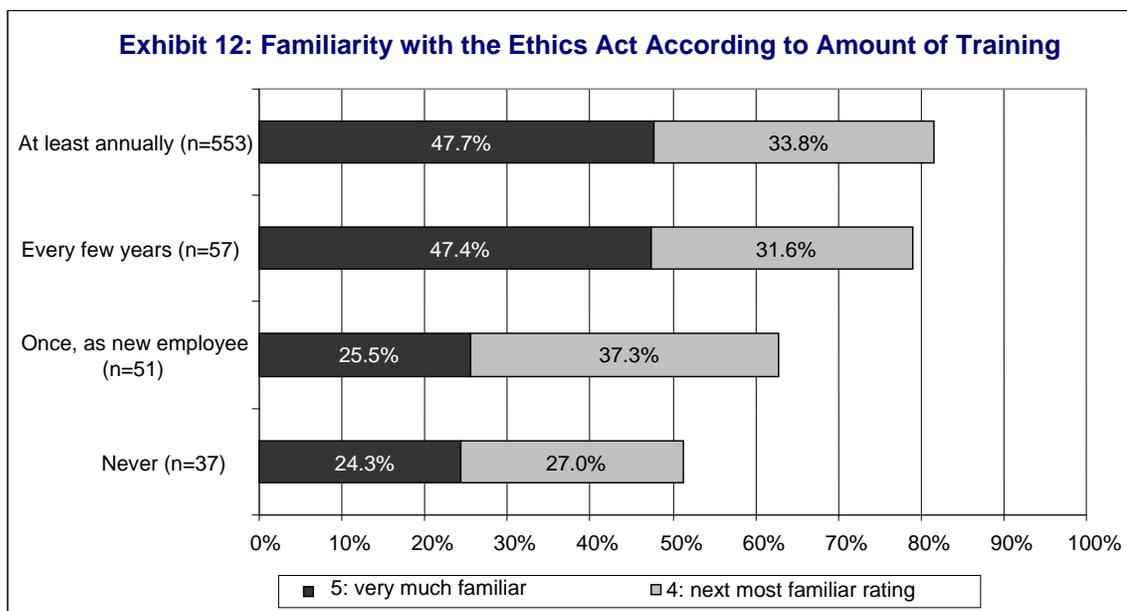
Employees of Governor’s agencies and of the Secretary of State receive similar annual ethics trainings, so the reason for disparate perception of training usefulness cannot be readily identified. One explanation is that many SoS employees report receiving ethics training in a number of different formats, some of which may be more useful than others. See Exhibit 13. Survey respondents may also be responding to general conditions of the ethics climate in their offices rather than to the usefulness of the annual training.

More ethics training related to familiarity with the Ethics Act

Employees who received more frequent ethics training during the past four years reported a greater familiarity with the Ethics Act. Survey results permitted a comparison of those who

reported receiving training less than annually with those who received training once as part of new-employee training and those who trained at least annually with respect to familiarity with the Ethics Act.

Employees were asked to rate how familiar they were with the Ethics Act (QA1) on a scale of 1-5 with 1 meaning “not at all familiar” and 5 meaning “very much familiar”. Of those who report being trained annually or more than annually, 81.5% rated their familiarity with the Ethics Act as 4 or a 5. For those who report receiving ethics training “every few years,” 79.0% rated their familiarity as 4 or 5. For those who report receiving ethics training only once as part of new-employee training, the number reporting being familiar with the Ethics Act is 62.8%, and for those who reported never receiving ethics training, only 51.3% rated their familiarity as 4 or 5. See Exhibit 12.



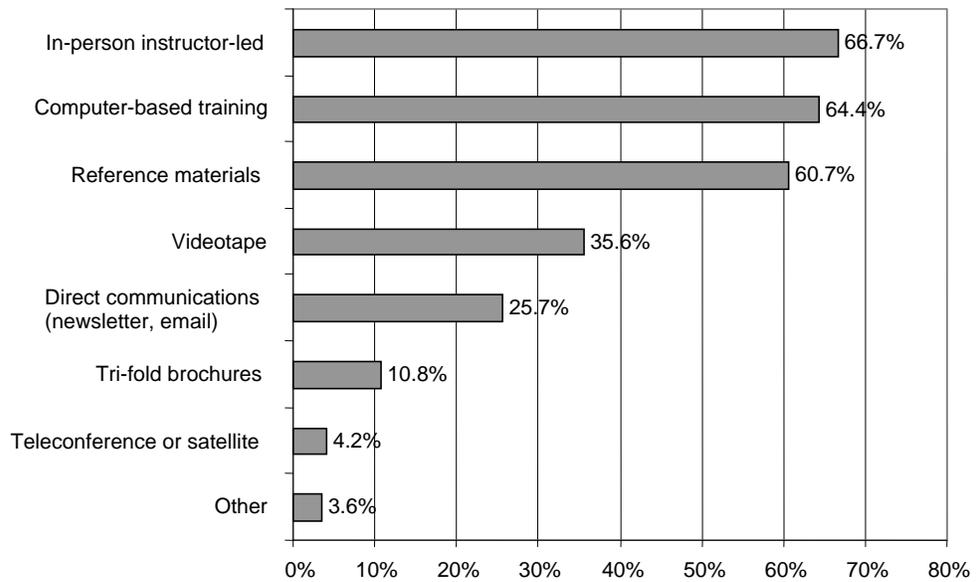
Employees receive training via multiple methods

As shown in Exhibit 13, the type of training reaching the most employees (66.7%) is in-person instructor-led training. Computer-based training was received by 64.4%. Over one-third (35.6%) of all employees watched videotaped training, and 25.7% received direct communications, such as newsletters, pamphlets, memos, or emails.

Three-fifths (60.7%) of the employees received or used reference materials, such as legal documents, laws or regulations, and 4.2% attended a training teleconference or satellite broadcast (QA13a-h).

SoS employees receive a greater variety of training compared to employees of Governor’s agencies. For example, 66.7% of SoS employees reported receiving in-person, instructor-led ethics training, compared to 24.5% of Governor’s employees. Reference materials were also received more often by SoS employees (60.7% vs. 27.1%), as were videotapes (35.5% vs. 13.5%).

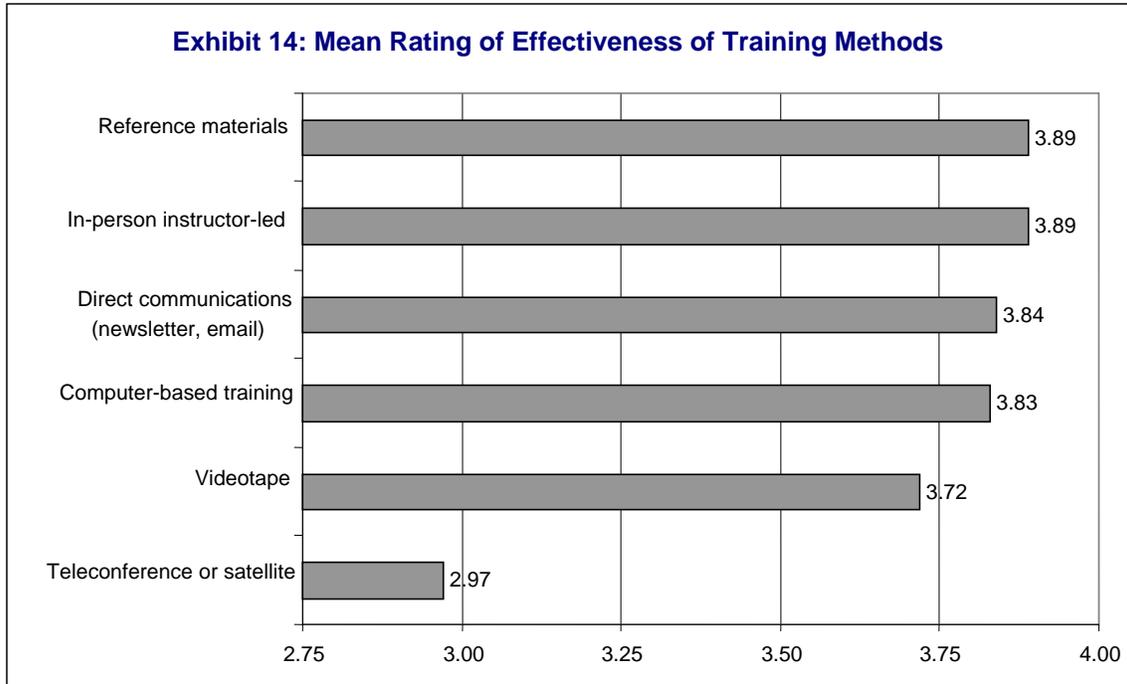
Exhibit 13: Percent of Employees Receiving Training by Various Methods Over the Past Four Years



Effectiveness of specific training methods

Reference materials (mean rating of 3.89) (Gov. 3.73) and instructor-led trainings (mean rating of 3.89) (Gov. 3.69) were reported as most effective by SoS employees. Direct communications (mean rating of 3.84) and computer-based trainings (mean rating of 3.83) were also highly-rated. See Exhibit 14.

SoS employees rated computer-based ethics training significantly higher at the .01 level than employees of Governor's agencies (mean ratings of 3.89 v. 3.44). As mentioned above, the computer-based training received by SoS and Governor's agency employees is quite similar, so the reason for the disparate perception of usefulness cannot be readily identified. Survey respondents may be responding to general conditions of the ethics climate in their offices rather than to the usefulness of the annual training.



Conclusions:

Few SoS employees seek ethics advice and very few seek it from the Ethics Officer. Those who do seek advice from the Ethics Officer find that advice more helpful than advice-seekers from Governor’s agencies. Relatively few SoS employees fail to seek ethics advice for “bad” reasons, such as having no confidence in the advice or having the fear of getting into trouble.

A surprising number of respondents reported not receiving ethics training on an annual basis. SoS offers ethics training to its employees in several different formats and employees find these trainings useful in making them aware of ethical issues and guiding their decisions and conduct at work. SoS employees with more ethics training consider themselves more familiar with the Ethics Act than those who receive less training.

Measure 3: Culture Factors

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

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

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

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

1. Ethics discussions in the workplace.

More than one-fourth of SoS employees (29.0%) disagreed or strongly disagreed with the statement “Supervisors at my agency include discussions of ethics when talking to their employees (QB1) (Gov. 39.0%). This response is confirmed by the 30.1% who disagreed or strongly disagreed with the statement “Employees in the agency openly discuss the ethics of their decisions and actions.” (QB13) (Gov. 40%). These differences are significant at the .01 level.

For some employees, the lack of ethics discussion in the workplace can be attributed to a lack of comfort discussing ethics. Fewer than half of SoS respondents (45.4%) agreed or strongly agreed with the statement “Employees in this agency feel comfortable talking about ethics.” (QB5) (Gov. 39.8%). This difference is significant at the .05 level for a one-tailed test.

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

2. Follow-up of reported ethical concerns

If employees believe that reporting wrongdoing is a fruitless exercise, they will not report it. In response to the statement “This office/agency follows up on ethical concerns that are reported by employees.” (QB2), 17.9% of employees disagreed or strongly disagreed. (Gov. 25.3%). This result is significant at the .05 level. Likewise, in response to the statement “Employees who are caught violating ethics policies are disciplined.” (QB12), 15.4% of employees disagreed or strongly disagreed. (Gov. 22.8%). In response to the statement “If ethics concerns are reported to the office/agency, action is taken to resolve them.” (QB9), 16.6% of employees disagreed or strongly disagreed.” (Gov. 21.2%). These differences are significant at the .01 level.

The Ethics Act prohibits the release of any information concerning an Executive Inspector General’s investigation, even after they have made a finding of wrongdoing. Consequently, employees who report wrongdoing will never hear whether the wrongdoer was prosecuted or disciplined. Many employees have contacted the Executive Ethics Commission concerning the status of cases they reported to an Executive Inspector General a year or more earlier. But the Ethics Act does not permit the Executive Inspector General to relay this information to the whistleblower or even to the Commission, except under very specific circumstances. Until employees see that their complaints receive appropriate follow-up, they will have little incentive to complain.

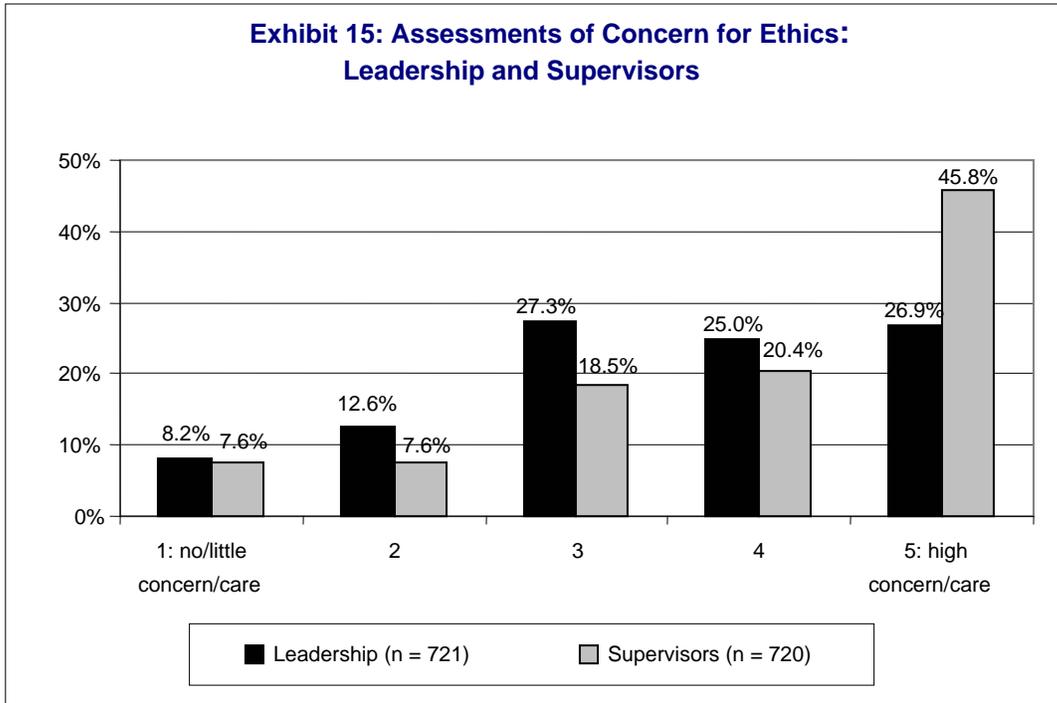
As described above at p.13, the Office of the Secretary of State has not only an Executive Inspector General who is subject to the strict confidentiality requirements of the Ethics Act, but also an Inspector General who is not. The transparency that this allows may explain SoS employees' greater confidence that their complaints receive appropriate follow-up.

3. Leadership's concern for ethics

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

In response to the statement "Leadership of this office/agency regularly shows that it cares about ethics."(QB7), 20.8% disagreed or strongly disagreed. (Gov. 30.3%). For SoS employees, 51.9% strongly agreed or agreed with the same statement, compared to 39.2% of Governor's agency employees.

The final report of the survey of Governor's agencies noted a sharp disparity between employees' perception of supervisors' attention to ethics and their perception of "agency leadership's" attention to ethics. Those results indicated that the perception of supervisors was only about half as negative as the perception of agency leadership. In the present survey, SoS respondents also rated supervisor's attention to ethics higher than agency leadership's attention to ethics, but the disparity between the groups was considerably smaller. SoS respondents view supervisors quite favorably in the matter of ethics. For the question: "Supervisors at my work location usually do not pay attention to ethics." (QB10), only 15.7% agreed or strongly agreed. See Exhibit 15.



4. Efforts to detect violations of ethics standards

Employees should expect that leadership's concern for ethics extend to trying to detect violations of ethical standards. Compared to employees of Governor's agencies, fewer SoS employees report doubts about their office's efforts to detect violations. In response to the statement "This office/agency makes a serious attempt to detect violations of ethics standards," (QB11) only 16.0% of SoS employees disagreed or strongly disagreed. (Gov. 30%).

This difference of view might be explained, again, by the presence of an inspector general at the Secretary of State who is not subject to the confidentiality requirements of the Ethics Act. SoS employees are thus able to know more about their inspector general's efforts to detect wrongdoing. This knowledge should increase their overall confidence in the ethics program.

5. Consistent rules and practice

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

Perceived inconsistency of rules and practice is less of a problem for SoS employees than for employees of Governor's agencies. About one-fourth (21.7%) of SoS employees disagreed or strongly disagreed with the statement "Ethics rules and agency practices are consistent." (QB14). (Gov. 33.2%). A similar percentage (23.2%) disagreed or strongly disagreed with the statement "This agency practices what it preaches when it comes to ethics." (QB4). (Gov. 33.2%). These differences are significant at the .01 level.

6. Consistent enforcement at all levels

Consistent treatment of employees regardless of their status is an important element of any ethics program. Employees should expect that senior and junior employees, as well as those with and those without political clout, will all be treated the same when it comes to ethics. Equality under the law is rightfully demanded by everyone.

About one-fifth (19.5%) of SoS employees disagreed or strongly disagreed with the statement "Employees at all levels in this agency are held accountable for adhering to ethical standards." (QB16). (Gov. 33.4%). The most troubling response of the survey, however, may be that 35.2% of SoS employees agreed or strongly agreed with the statement "Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees." (QB8). (Gov. 45.2%). These differences are significant at the .01 level.

The difference between the responses from SoS employees and employees of Governor's agencies might again be explained by the existence SoS's inspector general who, unlike the Executive Inspector General, is not subject to the confidentiality requirements of the Ethics Act. See p. 13. As mentioned earlier, the Ethics Act does not permit the results of Executive Inspector General investigations to be made public. Senior officials may be, in reality, as likely to be disciplined as other employees. But the secrecy required by the Ethics Act means that employees cannot be certain.

7. Retaliation for reporting misconduct.

In a climate where retaliation is feared, ethical problems may not be promptly reported. These problems may continue until addressed by the press, law enforcement or by agency leaders. Many employees do not have confidence in agency leadership to resolve these problems.

Nearly one-fourth (23%) of SoS employees disagreed or strongly disagreed with the statement “Employees who report misconduct are not retaliated against.” (QC10). (Gov. 31.7%). For SoS employees, 45% agreed or strongly agreed with the question. (Gov. 35.5%). Along a similar line, 25.9% disagreed or strongly disagreed with the statement “Employees can talk with supervisors about problems without fear of having comments held against them.” (QC5). (Gov. 33.1%). These differences are significant at the .01 level.

8. Following directions without question.

Among a sizable number of employees of Governor’s agencies and SoS, there is a perception that they are expected to follow the direction of supervisors without question. Of course, employees should not be expected to carry out directions that are unethical, but when they perceive that this is expected, the ethical climate suffers.

In response to the statement “Employees in this agency are expected to do as they are told, no matter what.” (QB15), 31.5% of employees agreed or strongly agreed. (Gov. 34.3%). Employees must be encouraged to raise ethical issues when they receive appropriate instructions and not follow instructions blindly. This difference is not statistically significant.

Conclusions:

For seven of the eight elements of the ethical culture measured by this survey, the ethical culture was significantly better for employees of the Secretary of State than for employees of agencies of the Governor.

SoS employees discuss ethics in the workplace more than employees of Governor’s agencies. A large percentage of both groups of employees, however, report being uncomfortable discussing ethics. SoS employees are more likely to believe that their ethical concerns will receive follow-up than employees of Governor’s agencies.

Most employees of SoS and of Governor’s agencies have high opinions of their supervisors’ attention to ethics. SoS employees have a higher opinion of leadership’s attention to ethics compared to employees of Governor’s agencies.

SoS employees see more consistency between rules and practice than do Governor’s employees, and more consistency in the enforcement of the rules against all employees. Some SoS employees report fearing retaliation for reporting misconduct.

Similar numbers of employees of Governor’s agencies and SoS (about one-third) reported being expected to do as they are told, no matter what. This suggests, among some employees, the presence of a culture of unquestioning obedience to authority.

Measure 4: Ethical Outcomes

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

Three outcomes were defined in this study:

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

1. Seeking ethics advice

In response to the statement “Employees seek advice within the agency when ethics issues arise”, (QC2) 20.0% disagreed or strongly disagreed. (Gov. 28.9%). A similar number, 18.7% disagreed or strongly disagreed with the statement “When ethical issues arise, employees look for advice within the agency.” (QC7) (Gov. 26.7%). These results are significant at the .01 level.

The fact that SoS employees are seeking ethics advice when issues arise is an indication of a healthy ethical climate. The Commission would encourage the Office of the Secretary of State to emphasize the role of the Ethics Officer so that those employees would seek from the proper official instead from other sources.

2. Usefulness of ethics programs

The ethics program consists of ethics guidance provided by ethics officers and ethics training. If this program does not help employees make ethical decisions, resources need to be redirected. Survey results demonstrate that only a small percentage of employees doubt the usefulness of agency ethics programs. Only 15.4% of SoS employees disagreed or strongly disagreed with the statement “Employees here make decisions that comply with ethics policies because of the ethics program that is in place.” (QC4) (Gov. 32.2%). About one-fifth (18.6%) of SoS employees disagreed or strongly disagreed with the statement “Ethics problem solving in this agency is better because of the agency’s ethics program.” (QC9) (Gov. 35.1%).

SoS employees generally find ethics training useful. On a scale of 1-5 with 1 meaning not useful and 5 meaning very useful, only 10.4% selected 1 or 2 in response to the question “In general, how useful was the ethics training you received in making you more aware of ethics issues in connection with your work?” (QA12a) (Gov. 25.6%). Using the same scale, 11.7% selected 1 or 2 in response to the question “In general, how useful was the ethics training you received in guiding your decisions and conduct in connections with your work?” (QA12b) (Gov. 29.9%). All of these differences are significant at the .01 level.

As would be expected, respondents who receive more ethics training describe themselves as more familiar with the Ethics Act.

3. Specific ethical misconduct

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

The most prevalent perceived misconduct, expressed here as a mean score, relates to misusing official time (QC10f) 2.18, misusing government positions (QC10e) 1.82 and misusing government property (QC10d) 1.88. Employees perceive inappropriate political activity

somewhat less often (QC10b) 1.71; (QC10h) 1.58. The mean for employees receiving inappropriate gifts (QC10a) was 1.56. The least prevalent misconduct measured by this survey was employees receiving financial benefit for doing their government work (QC10c) 1.51; (QC10g) 1.38.

Qualitative Results

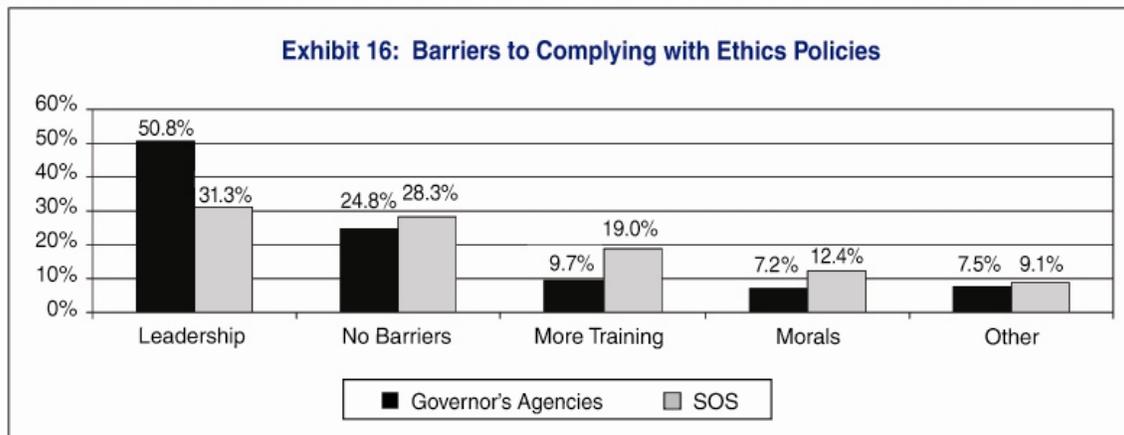
Two open-ended questions allowed respondents to provide more detailed information and opinions regarding barriers and enablers to compliance with ethics policies:

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

There were 473 responses from the Office of the Secretary of State to these questions compared to 278 comments received last year from Governor’s agencies. This level of response is considered extraordinarily high for open-ended questions.

Each response was evaluated and placed into a single category that best fit the idea presented by the respondent. Where a respondent offered more than one category of response, the response was categorized according to the main idea offered.

The results from each question are presented and discussed below.



Not surprising, leadership and issues within their control are key barriers to creating an ethical climate. Approximately, 51% percent of the respondents from Governor’s agencies and 31% of the respondents from the Secretary of State’s office voiced this concern. Typical responses to this question include:

- “Ethics starts at the top. If they don’t care about it, why should we?”
- “When you see senior employees break these policies and get away with it, it brings morale down.”

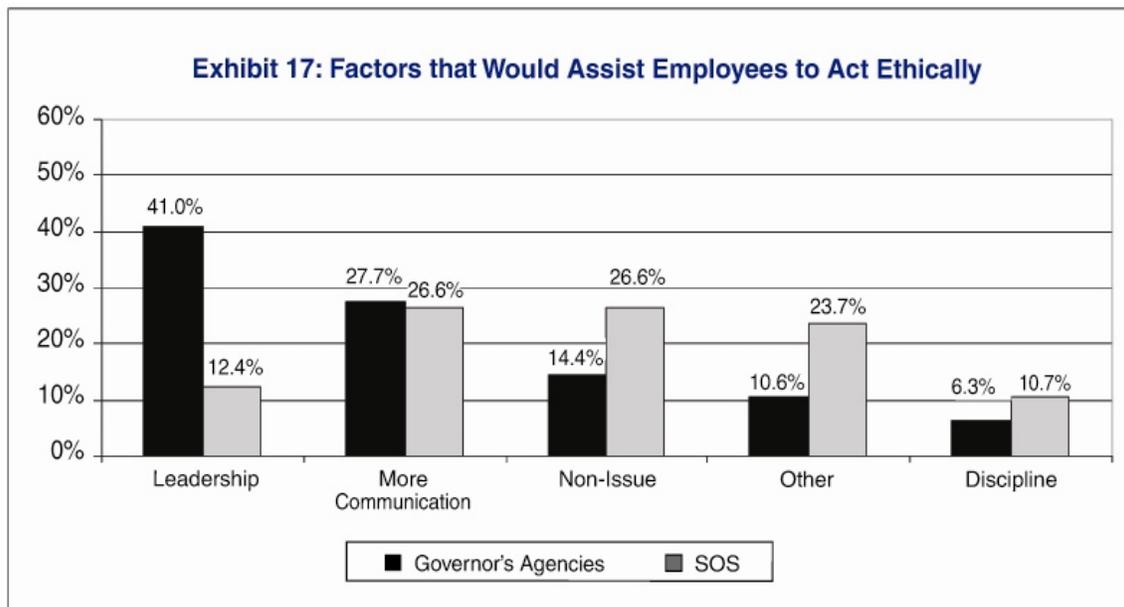
Insufficient education is another barrier to creating an ethical environment. The general sentiment for both groups of respondents is that “annual training is not enough.” This was

especially the case for the Secretary of State’s office in which 19% said they needed more help understanding and interpreting ethic policies and procedures compared to 9.7% of those who responded from Governor’s agencies. Responses included:

- “People seem to understand the basics of the ethics policies, but are not fully versed in all of them.”
- “Lack of ability to identify ethical issues and apply the rules.”

Lack of personal values or moral upbringing was another barrier voiced by both the Secretary of State office (12.4%) and Governor’s agencies (7.2%). Other situations conducive to misconduct included: Opportunities to commit wrongdoing, greed, low pay and political favoritism.

Barriers to complying with ethics policies were not considered to be an issue by 28.3% of the Secretary of State respondents and 24.8% of the Governor’s agency respondents.



When asked what would further assist employees to act ethically in connection with their work, 41% of the Governor’s agency respondents answering this question looked to leadership to model ethical behavior compared to only 12.4% of the Secretary of State’s respondents. Statements such as the need for supervisors and directors to “walk the talk” appeared in many responses.

- “Provide leadership that motivates employees to be their best...”
- “Knowing that management will be there for us when we need them and having an open mind about the situation at hand.”

Both survey groups suggested the need for more communication and discussion about ethical issues in the workplace beyond the annual training (26.6% of Secretary of State and 27.7% of the Governor’s agency respondents). For example, the following remark was typical:

- “More discussion in person, rather than training by computer once a year.”
- “Posting signs that state the rules of ethical conduct may help employees.”
- “Constant training.”

Being disciplined effectively and immediately is reported by 10.7% of the Secretary of State respondents compared to 6.3% of Governor’s agencies. Other possible encouragements relate to human resource practices such as setting higher standards at the point of hire, improved wages, and rewarding and recognizing outstanding ethical behavior.

- “Seeing improvement in discipline of higher ups when they act unethically.”
- “Give ethics information before hiring, sign document attesting to the fact.”
- “Better pay and job advancement, recognition of a job well done will help the temptation to break the ethics rules.”

Over 26% of the Secretary of State respondents stated the ethical culture was “fine in my department” compared to 14.4% of the Governor’s agency respondents.

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

1. Leadership should make ethics part of employees’ daily discussion.

Many Secretary of State employees do not discuss ethics in the workplace. Leadership should remove any existing barriers to free ethics communications (fear of retaliation, expectations of blind obedience to authority) and also actively encourage ethics communications. Decision making processes should reflect ethical considerations in the workplace.

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

The Ethics Officer guides Secretary of State employees in the interpretation and implementation of the Ethics Act. Those employees who seek ethics guidance from the Secretary of State’s Ethics Officer report a high level of satisfaction, but few seek that guidance. Too many Secretary of State employees are unaware of the Ethics Officer’s existence. Leadership should emphasize the importance of turning to the Ethics Officer when ethics questions and concerns arise and take steps to increase her visibility to employees.

3. Ethics training should continue to be done in a variety of formats.

Secretary of State employees report receiving ethics training in several different formats including computer-based and instructor-led trainings, and reference materials. Employees report that these trainings are useful in helping identify ethical issues and in guiding decision-making in the workplace. Efforts should be taken to confirm that each employee receives annual ethics training and that the training format or formats used are most helpful to employees.

4. The Ethics Act should be changed to increase the transparency of the disciplinary process.

Too many employees fail to recognize that detecting ethics violations and punishing wrongdoing are important goals of the ethics program. It is true that these goals are recognized by significantly more Secretary of State employees than by employees of Governor’s agencies, perhaps due to the existence of a separate Inspector General for the Secretary of State who is not subject to the confidentiality requirements that bind the Executive Inspector General. But, without knowing that discipline has been imposed in response to violations, employees may doubt that their reports of wrongdoing are taken seriously. This lack of knowledge may lead some employees to believe that senior officials are less likely than other employees to be disciplined for wrongdoing. The EEC strongly urges the General Assembly to enact legislation that increases transparency in the disciplinary process and, in so doing, improves the ethical climate in State government.



Illinois Executive Ethics Commission

Secretary of State Employee Ethics Survey 2008

Please read the following *BEFORE* completing the survey.

PURPOSE

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

FREQUENTLY ASKED QUESTIONS

How will confidentiality be maintained?

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

Why did I receive a survey and a coworker of mine did not?

Employees who received the survey were randomly selected from employees of the Office of the Secretary of State.

DEFINITION

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

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

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

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

Types of misconduct NOT covered by this survey include:

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

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

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

EMPLOYEE ETHICS SURVEY 2008

General instructions

Please complete this survey only if you are an employee of the Office of the Secretary of State.

Please respond within seven days of receipt.

The survey will take approximately 20 minutes to complete.

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

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

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

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

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

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

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

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

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

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

EMPLOYEE ETHICS SURVEY 2008

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

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

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

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

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

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

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

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

EMPLOYEE ETHICS SURVEY 2008

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

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

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

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

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

EMPLOYEE ETHICS SURVEY 2008

PART D.

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

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



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



PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2008

PART E.

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

1. How long have you worked for the Office of the Secretary of State?
 1. Less than 4 years
 2. 4+ years to 10 years
 3. 10+ years to 20 years
 4. More than 20 years

2. What are your financial disclosure responsibilities?
 1. I file an Economic Interest Statement.
 2. I am not required to file an Economic Interest Statement.
 3. I do not know my filing status.

3. What is your work location?
 - a. Sangamon County
 - b. Cook County
 - c. Other

4. Do you hold a supervisory position?
 - a. Yes
 - b. No

THANK YOU FOR COMPLETING THE EMPLOYEE ETHICS SURVEY!

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

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

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