



Illinois Ethics Matters

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Honesty, Integrity, Service

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

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Recent News

- The OEIG is pleased to announce the hiring of **Christina Brow** as an Assistant Inspector General in its Chicago office.

U.S. Court of Appeals Decision in *Shakman*

Over the past 50 years, the *Shakman* consent decree has resulted in the federal court's examination of hiring and employment practices of various Illinois governmental entities to assess and remedy any undue political influence. In 2014, the OEIG issued Founding Report 11-01567, an investigation addressing the political patronage hires of individuals into improperly designated exempt "Staff Assistant" positions at the Illinois Department of Transportation (IDOT) during the Blagojevich and Quinn administrations. This case resulted in the appointment of a special master in the *Shakman* case to examine the hiring and employment practices at agencies under the Governor.

Recently, the United States Court of Appeals for the Seventh Circuit terminated the appointment of the federal special master to oversee State hiring. *Shakman v. Pritzker*, No. 21-1739, (7th Cir. Aug. 5, 2022). The opinion recognized the role of the OEIG in ensuring State hiring decisions are free from political and other types of manipulation.

Beyond conducting hiring investigations, in 2015 the OEIG established a Hiring & Employment Monitoring (HEM) Division dedicated to ensuring State agencies' compliance with hiring laws, rules, and policies. HEM now consists of ten full-time employees, including attorneys and analysts. HEM conducts real-time monitoring of State hiring processes and issues Advisories to agencies when it identifies a potential problem. HEM also issues quarterly reports of its activities, which include summaries of all Advisories. These reports can be found [here](#) on the OEIG's website.

During the *Shakman* litigation, HEM worked with the special master and two different administrations to review and create a comprehensive but finite list of "exempt positions" in State agencies, to develop a Comprehensive Employment Plan that includes processes for exempt and non-exempt hires, and to provide significant training on these new processes and policies. The State now also has a conflict check process for hiring and a portal for reporting political contacts made during a non-exempt hiring process. HEM also worked extensively on the review and proper classification of positions at IDOT. These new and unprecedented measures were key to the Seventh Circuit's conclusion that the State had achieved compliance: "Beyond the development of a Comprehensive Employment Plan, the [S]tate now has in place the Hiring & Employment Monitoring Division within the Office of Inspector General and a limited *Rutan* exempt list, among other things."

Significant strides have been made in State hiring through the efforts of all those involved in the *Shakman* litigation, as well as numerous State personnel. While the litigation may have ended, the OEIG and HEM's work has not. HEM will continue its comprehensive monitoring and reporting, it will continue to work with agencies to promote best practices, and the OEIG will continue to investigate hiring allegations—all with the mission to ensure State hiring is free of undue influences.