



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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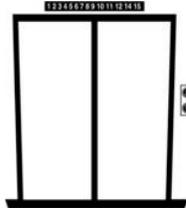
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Recent News

- The OEIG issued its Annual Report for Fiscal Year 2018. To view a copy of the report, click [here](#) or visit the OEIG's website.
- In addition to the two reports detailed below, the Executive Ethics Commission released three other OEIG reports (*In re: IDOT (Case #17-00682)*, *In re: Villa (Case #17-00403)* & *In re: Kelly (Case #17-00402)*), and two Ethics Act decisions (*Haling v. Milano (19-EEC-002)* & *Haling v. Garza-Lang (17-EEC-004)*).

Investigation Reveals Illegal Kickback Scheme for UIC Elevator Repair



The OEIG investigated the relationship between the former lead elevator mechanic at the University of Illinois-Chicago, James Hernandez, and the owner of an elevator repair service, Suzy

Martin of Smart Elevators Company.

Based on its investigation, the OEIG determined that Mr. Hernandez and Ms. Martin had operated a kickback scheme in which Ms. Martin paid Mr. Hernandez at least \$83,530 in kickbacks, and likely as much as \$199,430. In addition, they violated the Ethics Act's gift ban, and Mr. Hernandez violated the UIC conflicts of interest policy.

The OEIG recommended that UIC terminate any existing contracts with Smart Elevators, and bar any future work involving Ms. Martin. In addition, the OEIG recommended that Mr. Hernandez not be hired in the future. Lastly, the OEIG recommended that UIC implement new procedures to ensure services are warranted and actually performed. UIC agreed with the OEIG's recommendations and has implemented new procurement procedures.

The OEIG referred the matter to the U.S. Attorney's Office for prosecution. On January 3, 2019, Mr. Hernandez entered a guilty plea to federal charges of conspiracy to commit bribery and bribery, and Ms. Martin awaits trial in federal court. *United States v. James Hernandez and Suzy Tamaras-Martin*, No. 18 CR 00267 (N.D. Ill.).

A copy of the report, *In re: Martin & Hernandez (Case #15-02081)*, is available on the OEIG website.

Personal Services Contracts Improper

The OEIG self-initiated an investigation into the Illinois Department of Agriculture's use of personal services contracts (PSCs) to retain employee services.

The OEIG investigation revealed that, between 2007 and 2015, Agriculture hired employees via PSCs but did not comply with the competitive hiring process. In addition, the investigation found that Agriculture's use of PSCs to fill positions may not be in keeping with the Personnel Code. The OEIG made recommendations to Agriculture regarding its use of PSCs, and also recommended to the Governor's Office and CMS that guidance be provided to all agencies on the use of PSCs.

In response, Agriculture changed its procedures so that PSCs follow the competitive hiring process and CMS committed to working on new statewide policies.

A copy of the report, *In re: Illinois Department of Agriculture (Case #14-01678)*, is available on the OEIG website.