



EASTERN ILLINOIS UNIVERSITY™

2025 SEASONAL & TEMPORARY ETHICS TRAINING AND HARASSMENT & DISCRIMINATION PREVENTION TRAINING

INTRODUCTION TO THE ETHICS ACT TRAININGS

The *State Officials and Employees Ethics Act* (5 ILCS 430/5-10) (*Ethics Act*) requires university employees to complete, at least annually, two trainings: 1) an ethics training; and 2) a harassment and discrimination prevention training program, conducted by their university. It also requires that new employees complete these trainings within 30 days of the commencement of employment or appointment. This training program is intended to allow you to meet your obligation to comply with those requirements.

You will be notified by the university each calendar year when you are required to complete *Ethics Act* trainings. Employees are defined as individuals who receive a paycheck from the university as well as members of the Board of Trustees. Employees who do not complete the trainings as directed may be subject to disciplinary action and those who fail to do so in compliance with the law may face administrative fines by the Illinois Executive Ethics Commission (EEC).

Ethics play a central role in business and social settings alike, so it is important to understand and demonstrate the highest ethical standards. As employees of the State of Illinois and its public universities, we share the responsibility to maintain the highest ethical standards to effectively and honestly serve our students and the citizens of Illinois. Understanding our ethical obligations helps us to avoid the risk of misconduct and the appearance of impropriety.

TRAINING REQUIREMENTS

- **New Employees:** If you are a newly hired employee, trainings required by the *Ethics Act* must be completed within 30 days of the commencement of employment by law. **During the first year of employment, employees must complete the *Ethics Act* Orientation, in addition to satisfying the annual *Ethics Act* training requirements.**
- **Seasonal/Temporary Employees:** If you are an undergraduate student worker, extra help employee, or medical resident, this training is approved for your annual use.
- **Permanent Employees and Appointees (faculty, staff, etc.):** Permanent employees and appointees must complete an interactive, online course annually during a designated window. The university Ethics Officer will inform you of the required completion dates. The version of training used for undergraduate student workers, extra help, and medical residents is not a substitute for the interactive online training provided to permanent employees and appointees.

The Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) establishes the hours and training frequency and provides standards to guide the development of the ethics training program. Ethics training is overseen by the OEIG and the EEC in consultation with the Office of the Attorney General. Harassment and discrimination prevention training is overseen by the OEIG and EEC.

UNIVERSITY ETHICS & COMPLIANCE OFFICE

Each university and state agency has an Ethics Officer who serves as the liaison between the institution, the appropriate Inspector General and the EEC.

Some responsibilities of the university Ethics Officer include: developing and/or administering annual *Ethics Act* trainings; reviewing the Statement and Supplemental Statement of Economic Interests forms for officers and certain other employees; conducting reviews regarding complaints; and providing guidance on interpretation and implementation of the *Ethics Act*. Interpretation of the *Ethics Act* is based on court decisions, Attorney General opinions, and the opinions of the EEC. University Ethics Officer work products are exempt from production in response to *Freedom of Information Act (FOIA)* ([5 ILCS 140/7](#)) requests.

The University Ethics and Compliance Officer reports administratively to the President of the University and the Board of Trustees. The Ethics and Compliance Office is located on Eastern Illinois University's campus in Blair Hall Room 2102. Employees can contact the university Ethics Officer for Eastern Illinois University at 217-581-7264 or ethicsofficer@eiu.edu. Reports made to the University Ethics Officer are confidential.

For more information on the University Ethics and Compliance Office, training, and other processes, please visit www.eiu.edu/ethics.

EXECUTIVE ETHICS COMMISSION (EEC)

The EEC is an independent nine-person commission whose members are appointed by the Governor (5), Attorney General (1), Secretary of State (1), Treasurer (1) and Comptroller (1). The EEC's jurisdiction extends to employees of the executive branch, traditional state agencies and boards, as well as state universities and the regional transit boards and the regional development authorities.

The EEC has a number of responsibilities including conducting hearings and issuing determinations related to the *Ethics Act*, promulgating rules governing the performance of its duties and the exercise of its powers and governing investigations of the Executive Inspectors General, appointing special Executive Inspectors General, providing administrative support services for each independent chief procurement officer, and overseeing training for state employees under its jurisdiction.

The EEC is also responsible for the preparation, redaction and discretionary publication of OEIG and other Executive Inspectors Generals' summary reports, which are an invaluable tool in promoting transparency and deterring future employee misconduct.

For additional information about the EEC or its decisions and procedures, visit the [EEC Website](#).

OFFICE OF EXECUTIVE INSPECTOR GENERAL (OEIG)

For university employees, which includes members of the Board of Trustees, the OEIG serves as the Executive Inspector General. This position is appointed by the Governor of the State of Illinois for a term of five years.

The OEIG is an independent state agency. Its primary function is to investigate fraud, waste, abuse, and violations of the *Ethics Act* and other laws, rules, and policies of governmental entities.

The OEIG investigates allegations of misconduct by employees, appointees, and elected officials, and those doing business with entities under its jurisdiction, including traditional state agencies and boards, as well as state universities, the regional transit boards, and regional development authorities. The OEIG also oversees *Ethics Act*-mandated trainings and makes revolving door determinations.

In addition, the OEIG has a Division of Hiring & Employment Monitoring (HEM), which conducts compliance-based reviews of employment procedures and hiring decisions to ensure that they are lawful, merit-based and/or justifiable.

For additional information about the OEIG or its investigative process and procedures, visit the [OEIG website](#).

PART I. ETHICS TRAINING

GIFT BAN [5 ILCS 430/10]

The gift ban section of the *Ethics Act* is highly relevant in a university environment. As a result of the university's diverse mission, employees at all levels, including appointees, may be presented with gifts (e.g., gratuity, discount, entertainment, hospitality, loan, forbearance, item having monetary value, honoraria related to employment or position, etc.) from a prohibited source.

Current vendors, along with their spouses and immediate family members living with the vendor, as well as those who do business or seek to do business with the university, are prohibited sources. Further, those seeking official action or who have interests that may be substantially affected by the performance or non-performance of the official duties of a university employee, or the university are considered prohibited sources.

Under the *Ethics Act* gift ban, university employees are generally prohibited from intentionally accepting or soliciting gifts from prohibited sources. You, as well as any member of your immediate family living with you, must abide by the gift ban when offered a gift from a prohibited source. Gifts are defined in the law as any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an employee, member or officer.

Some of the commonly occurring exceptions to this ban are as follows:

- You pay market value for the gift.
- The offering is of educational materials and missions and is all of the following: classified as one that has a close connection to your employment, primarily benefits the public, furthers the university's mission, and is approved in advance of acceptance by the Executive Director of the EEC or a delegate. For the University of Illinois System, Illinois State University, Northern Illinois University, and the Southern Illinois University System, this authority has been delegated to the university Ethics Officer.
- The gift is from a relative.
- The offering is provided on the basis of personal friendship, not in expectation of an official act.
- The gifts are from another university employee or an employee of another governmental entity.
- Bequests, inheritances, and other transfers at death.

There are additional exceptions in the [Ethics Act 5 \[ILCS 430/10-15\]](#), but the most frequently occurring exceptions are detailed above.

[Illinois Executive Order 15-09](#) (EO 15-09) further restricts gift acceptance by state and public university employees, prohibiting the solicitation or acceptance of any gift from a prohibited source unless one of the above exceptions is met.

Per EO 15-09, food and beverage provided by a prohibited source may only be accepted when provided as a de minimis meal or refreshment at a business meeting or reception attended by the employee in the course of their official duties. De minimis can be best defined as trivial or insignificant.

Please note, the restrictions identified in EO 15-09 do not apply to students in positions that are exclusive to enrolled students, such as graduate assistants, medical residents, teaching assistants, and undergraduate student workers. They may still accept gifts meeting the [Ethics Act exceptions 5 ILCS 430/10-15](#), in addition to smaller items from a prohibited source totaling less than \$100 per calendar year, and meals not exceeding \$75 in value per calendar day.

Any gift offered in an effort to influence the official actions of an employee, even if it is permissible by an exception to the gift ban provisions, is inappropriate and possibly illegal and must not be accepted. Call your university Ethics Officer if you have any questions or concerns regarding a gift.

CORRECTIVE ACTION IF A GIFT FROM A PROHIBITED SOURCE IS UNINTENTIONALLY ACCEPTED

If you unintentionally accept a gift from a prohibited source, you do not violate the law if you promptly do any of the following:

- Return the gift to the giver.
- Donate the gift to an appropriate 501(c)3 charitable organization.
- Make a contribution equal to the market value of the gift to an appropriate 501(c)3 charitable organization.

✓ KNOWLEDGE CHECK

A university employee was attending a conference out of state and received an invitation to attend a networking dinner at a local pizza parlor with some of their co-workers. The employee attended with every intention of paying for their own dinner, but upon arrival, discovered the vendor had ordered appetizers, several pizzas, and dessert. There was no way to order separately or pay for their portion, as the vendor had covered the meal.

What options are available to the employee to come into compliance with the law?

- A. The employee can make a donation equal to the market value of their meal to a 501(c)3 charity of their choice.
- B. The employee does not need to take further action
- C. The employee can pay for the next meal with the vendor to equalize the investment

Explanation of the Answer:

The correct response is A, the employee can make a donation equal to the market value of the items consumed. As good business practice, they should maintain documentation showing how they complied with the law in the event their participation ever comes into question.

PERSONNEL POLICIES [5 ILCS 430/5-5]

As a university employee, you are required by law to periodically submit time sheets documenting the time spent each day on official business to the nearest quarter hour. Your department can assist you in explaining the standard practice within your unit. Falsification may be considered fraud and/or theft of resources punishable by discipline up to and including termination.

✓ KNOWLEDGE CHECK

A university employee works an approved hybrid schedule, with two scheduled days in the office and three remote working days. Their designated university working hours on all days are 8:00 AM to 5:00 PM. Recently, this employee was offered and accepted a private position, outside of the university. The employee did not disclose this outside position to the university and has been working for the outside company on their remote days, during their normally scheduled university hours, without using benefit time.

What university policy is being violated by the individual working a second position outside of the university during their regularly scheduled workday?

- A. University timekeeping policies
- B. University discrimination policies
- C. University travel policies

Explanation of the Answer:

The correct answer is A, university timekeeping policies. Besides being a conflict of interest and a misuse of university resources, the employee is violating university timekeeping policies by working a second position during their designated university work hours. University time and resources are to be used to conduct university business and both university timekeeping policies and the Ethics Act require employees to accurately report their time spent on university business to the nearest quarter of an hour. In addition, employees are expected to be truthful in all communications, written or oral, which includes time reporting.

This employee needs to appropriately disclose any conflicts of interest in accordance with university policy and schedule any non-university work to be conducted outside of designated university work hours, using personal resources.

TRUTHFUL ORAL AND WRITTEN STATEMENTS

As a university employee, you must be honest and truthful in all communications, regardless of whether they are oral or written. This includes, but is not limited to, all work products, documents, conversations, and electronic communications. To avoid violating any law, rule, or policy, or intentionally committing fraud, be sure to fully review all university documents for accuracy and completion. Knowingly providing false, inaccurate, or incomplete information is punishable up to and including termination of employment.

PROHIBITED POLITICAL ACTIVITY [5 ILCS 430/5-15]

The *Ethics Act* goes into significant detail regarding specific political activities that are prohibited. The basic definition of prohibited political activity includes activities in support of or in connection with any campaign for elective office or any political organization, or those activities that are either in support of or in opposition to a referendum question.

University employees are forbidden under the *Ethics Act*, from engaging in prohibited political activity for the benefit of any campaign for elective office or political organization any time we are on

university property, using university resources (e.g., computers, networks, or phones), on university time, or acting in our capacity as university employees. The law does not govern our actions outside of university time (uncompensated time, non-workdays, and approved vacation time) and off campus.

Prohibited political activity includes, but is not limited to, soliciting campaign contributions or votes, assisting at the polls, circulating petitions, and hosting rallies for candidates for elective office. Though these activities are not allowable during compensated time, they are permissible if you are outside of that time and are not using university property or resources, such as, but not limited to, telephones, vehicles, tools, copiers, fax machines, email accounts, and computers.

Additionally, to avoid any misconception of personal views in any way representing the university's position, employees should avoid attending political events in a university-issued uniform.

Additional examples of prohibited activities range from things as simple as placing a campaign contribution jar on an office desk for a candidate's fund, to actively soliciting votes for a candidate, or a political party, while on work time, or using university email to distribute campaign materials or solicit campaign contributions. Additionally, the *Ethics Act* states it is illegal for any supervisor to intentionally misappropriate the services of any university employee by requiring that employee to perform any prohibited political activity as part of their job duties, as a condition of their employment, or during any time off that is compensated by the university (such as vacation, personal, or compensatory time off).

✓ KNOWLEDGE CHECK

A university employee is working for a local candidate for elective office in the evenings and on weekends, outside of their scheduled university hours. One evening, the university employee sent several messages from their university laptop, while at home and logged into the university network, promoting their candidate for elective office. The communications were sent via a personal email account.

Which of the following resources used by the employee were prohibited by the *Ethics Act*?

- A. Laptop and network
- B. Time and email

Explanation of the Answer:

The correct answer is A, using their university laptop and the university network to promote a candidate for elective office is a violation of the prohibited political activities provisions of the Ethics Act (5 ILCS 430/5-15). Using personal time and a personal email would not be a violation, considering all other factors in the scenario. To be fully compliant with the law, the employee in this scenario would need to use their own personal computer or device and a non-university network, alongside their personal email address, to send their political communications.

Prohibited Offer or Promise: University employees or a candidate for executive or legislative branch office may not promise anything of value related to university business or state government in consideration for a contribution to a political committee, political party or other entity that has as one of its purposes, the financial support of a candidate for elective office. If you are offered anything of value for your engaging in prohibited activity, such offer must be reported to the university Ethics Officer or the OEIG.

What is “anything of value related to university business”?

Examples of this include job positions or appointments at the university, promotions, salary increases, the award of a contract, title changes, increased paid time off, or other employment benefits.

Contributions on University Property: Per section 5-35 of the *Ethics Act*, political campaign contributions may not be intentionally solicited, accepted, offered or made on state or university property by public officials, state or university employees, candidates for elective office, lobbyists, officers, employees, or agents of any political organization.

What is “state or university property”?

Any building or portion of a building owned or exclusively leased by the State of Illinois or the university. This includes an office of the state or university within a privately owned office building.

What is NOT “state or university property”?

Any portion of a building that is rented or leased from the state or university by a private person or entity is not state or university property. For example, a privately owned restaurant within a state/university building or a private party being held in a part of a state/university building that the private person has rented for the evening would not be considered state or university property.

An inadvertent solicitation, acceptance, offer, or making of a contribution is not a violation if reasonable and timely action is taken to return the contribution to its source.

KNOWLEDGE CHECK

An employee, whose spouse is running for elective office, would like to assist the campaign by collecting campaign contributions. They have put a collection jar in a publicly accessible area at the front desk of their main university office. Since it is not near their workspace and is in an open area at the front of their university office, they believe this is not in violation of the prohibited political activities contributions on state property provisions.

Is it a violation of the prohibited political contributions on state property provisions to place a campaign collection jar in a university office building?

- A. Yes, this is a violation of the prohibited political contributions on state property provisions.
- B. No, this is not a violation of the prohibited political contributions on state property provisions.

Explanation of the Answer:

The correct answer is A, this is a violation of the prohibited political contributions on state

property provisions. Remember, employees may not accept, solicit, offer or make a political contribution on university or state property (5 ILCS 430/5-35). Placing a jar in a university office to collect campaign contributions is a violation for the employee who placed the jar in the location, as well as any employees making a donation. The only time contributions can be collected on university property is when a facility is rented or leased by a private person or entity and the contributions are only permissible during the window of the private rental.

PUBLIC SERVICE ANNOUNCEMENTS [5 ILCS 430/5-20]

The *Ethics Act* discusses public service announcements as they relate to certain officials and members of the General Assembly. Universities receive state funding and as such, are prohibited from using the proper name, image, or voice of any executive branch constitutional officer or member of the General Assembly in any advertisements, broadcasts aired on radio or television, printed in a newspaper or magazine or on a bulletin board or electronic message board. Additionally, executive branch constitutional officers or members of the General Assembly may not appear, by name or image, in any promotional items, such as bumper stickers, lapel pins, buttons, magnets, stickers, or other similar materials, that are not in furtherance of the person's official duties, if any portion of the advertising is paid for using state funding.

RIGHTS AND RESPONSIBILITIES IN INVESTIGATIONS

University employees who become involved in an investigation conducted by the OEIG have both rights and responsibilities.

As a university employee, you have an obligation to cooperate in OEIG investigations. You must participate in interviews as requested, tell the truth, and not withhold information. Failure to cooperate includes, but is not limited to, intentional omissions and knowingly providing false statements, and is grounds for disciplinary action, including dismissal.

You can find rules governing OEIG investigations on the [OEIG's website](#).

WHISTLEBLOWER PROTECTION [5 ILCS 430/15]

The *Ethics Act*, the [Illinois Human Rights Act \(775 ILCS 5/6-101\)](#), the [Whistleblower Act \(740 ILCS 174\)](#), [Executive Order 16-04](#) and university policy, are designed to protect employees who, in good faith, report or threaten to report an act or omission they believe to be a violation of law, policy, or procedure.

PROTECTED ACTIVITIES [5 ILCS 430/15-10]

The university or an employee of the university cannot retaliate against you for engaging in any of the following protected activities:

- Disclosing or threatening to disclose to a supervisor or a public body, any practice, activity, or policy of a state or university employee or state agency or university that the employee reasonably believes is in violation of a law, rule, or regulation.
- Providing information to or testifying before a public body about any violation of the law, rule, or regulation, by any officer, member of the General Assembly, university or state employee,

state agency, or the university.

- Assisting or participating in a proceeding to enforce the *Ethics Act*.

RETALIATION [5 ILCS 430/15-5]

Under the *Ethics Act*, retaliatory action is defined as reprimand, discharge, suspension, demotion, or denial of promotion or transfer, or change in the terms or conditions of employment of any state employee, which is taken in retaliation for involvement in a protected activity. It is not retaliation if the employer can demonstrate, by clear and convincing evidence, the same personnel action would have been taken even in the absence of the protected activity.

Any employee experiencing retaliation should report to their supervisor, university Ethics Officer, or can report to the OEIG.

Under the *Ethics Act*, any employee who commits retaliation in violation of the *Ethics Act* may be subject to discipline or discharge.

Under the *Whistleblower Act* (740 ILCS 174/20), it is generally unlawful for any employer to retaliate or threaten retaliation for an employee's disclosure of information to a government or law enforcement agency if the employee has a good faith belief that the information discloses a violation of a state or federal law, rule, or regulation.

If an employer retaliates against an employee in violation of these laws, the employee may bring a civil action against the employer that may result in: reinstatement of employment and seniority rights; back pay, with interest; and, compensation for any damages including litigation costs, expert witness fees, and reasonable attorney's fees, among other remedies.

Often, there are situations that do not meet the criteria for retaliation that reveal an issue or concern that should be addressed on behalf of an employee. Human Resources or another university unit may be more appropriately equipped to address these concerns. Employees with concerns of potential retaliation can contact their university Ethics Officer for further guidance.

KNOWLEDGE CHECK

An employee in the engineering building had voiced concerns to the building services employee assigned to the building regarding the cleanliness of their lab. A few weeks later, the same engineering employee reported to the Ethics Officer that the building services employee was seen smoking several times throughout their university workday in a restricted area near their assigned engineering building. The building service employee's supervisor was notified of the concern and upon further review, located the employee in the restricted location. The building services employee admitted to taking unauthorized breaks and smoking in the restricted location and was subsequently disciplined in accordance with university policies and procedures. During their disciplinary hearing, the building services employee claimed the employee from the engineering building was retaliating against them because they were dissatisfied with the cleanliness of their lab.

Could the report made by the engineering employee, who works in an entirely separate unit, be retaliation?

- A. Yes, this is definitely retaliation.
- B. No, this action would not be retaliation.

Explanation of the Answer:

The correct answer is B, this is not retaliation. As you may recall, for retaliation to take place, there must be involvement in a protected activity and then retaliatory action taken as a direct result of an individual's involvement in that protected activity (5 ILCS 430/15-5). The engineering employee is not involved in the building service employee's reporting line and is not in a position to take retaliatory action. Additionally, the building services employee was not involved in a protected activity, and their discipline resulted from a violation of policies and procedures. Smoking in a restricted area and taking unauthorized breaks would ordinarily result in discipline. There may be some workplace conflict between the engineering employee and the building services employee, but these concerns would be better addressed through the building services employee's reporting line management.

REPORTING VIOLATIONS OF THE ETHICS ACT, RULE, REGULATION, OR POLICY

If you witness misconduct or have evidence of it, you should [are required by [Executive Order 16-04](#)] report it to the proper authorities.

To report a non-emergency violation of law, rule, or regulation, you should contact the OEIG via:

- the [OEIG website](#),
- its toll-free hotline at 866- 814-1113,
- a telecommunications device for the deaf at 888-261-2734, or
- mailing a completed complaint form to: Office of Executive Inspector General for the Agencies of the Illinois Governor, Attention Complaint Division, 69 West Washington Street, Suite 3400, Chicago, Illinois 60602.

You may report alleged violations to the OEIG anonymously.

In the event of an emergency, such as those involving the illegal possession or use of a weapon, you should contact the police.

OFFICIAL MISCONDUCT [720 ILCS 5/33-3]

The Illinois Criminal Code of 2012 indicates that any public officer or employee commits misconduct when, in their official capacity, they:

- Intentionally or recklessly fail to perform a mandatory duty as required by law; or
- Knowingly perform an act which the employee knows to be forbidden by law to perform; or
- Intentionally perform an act in excess of the employee's lawful authority with intent to obtain a personal advantage for themselves or another; or
- Solicit or knowingly accept a fee or reward for the performance of an illegal act.

Any employee or public officer convicted of violating any provision of the Illinois Criminal Code

outlined in the paragraph above commits a Class 3 felony.

If anyone attempts to improperly influence your official actions as a state public university employee (e.g., bribery or solicitation misconduct), especially if there is an attempt to have you or another employee act in a manner that is unlawful or is in violation of university policies, it is your responsibility to immediately report this matter to the appropriate authorities.

Bribery is when a benefit, property or personal advantage is promised or offered with an intent to influence the performance or job-related decisions of an employee.

Solicitation misconduct is when an employee solicits or receives contributions from a person engaged in a business or activity over which the employee has regulatory or licensing authority.

In certain instances, failure to report a violation can place an employee in violation of the law as well. Specifically, bribes must be reported to the Illinois State Police, and failure to report may result in possible criminal charges.

REVOLVING DOOR PROHIBITION [5 ILCS 430/5-45]

The revolving door provisions apply to all employees but generally impact a small number of university employees annually. Under the *Ethics Act*, if during the year preceding departure of state/university employment, an employee participated personally and substantially in awarding of contracts or change orders to vendors with a cumulative value totaling \$25,000 or more, or the fiscal administration of such contracts, the employee, spouse, or any immediate family member living with the employee, is prohibited from accepting non-state employment from that vendor for a one-year period immediately following termination of state/university employment.

By law, there are two groups of employees primarily subject to the revolving door restrictions.

The President and members of the Board of Trustees (referred to as H-list parties).

Employees in positions the university has identified as having the authority to participate personally and substantially in contracting decisions, or the fiscal administration of contracts (referred to as C-list employees). If you are a C-list employee, you will be/would have been notified of this status by your university Ethics Officer and you will/would have confirmed, in writing, your receipt of the notification.

H-list parties are prohibited from accepting employment or receiving compensation or fees for services from certain individuals or entities for a full year after ending their university position. This restriction is in place regardless of whether the H-list party was involved in the contract decision or not.

C-list employees must go through a determination process with the OEIG before accepting the employment offer. More information regarding the determination process, decisions, appeal options, and forms for submitting notification to the OEIG regarding a non-state/university employment offer may be found at the OEIG website. OEIG determinations may be appealed to the EEC within 10 calendar days by the person subject to the determination or the Attorney General. OEIG determinations are not considered final until the EEC has made a determination or the 10-day window to appeal the OEIG's determination has expired.

REVOLVING DOOR-RELATED PENALTIES

If an employee accepts non-state employment in violation of the revolving door prohibitions, they may commit a Class A misdemeanor and be subject to significant fines up to 3 times the total annual compensation that would have been obtained in violation of these provisions. C-list employees may also face an additional fine of up to \$5,000 issued by the EEC if they fail to notify the OEIG of their job offer before accepting it.

✓ KNOWLEDGE CHECK

A university unit works very closely with a state agency on several collaborative projects. One of the state agency's employees, who is on the C-List and has been a lead contact and contributor to the university unit on a series of projects, is now a finalist for a position within the university unit.

Are there possible revolving door restrictions for the employee if they are selected for the university position?

- A. No, the revolving door restrictions do not apply.
- B. Yes, the employee may be in violation of the revolving door restrictions.

Explanation of the Answer:

The correct answer is A, the revolving door restrictions do not apply. The revolving door restrictions only apply to individuals leaving state employment. Since the employee would be moving from one state agency to another (the state public universities are considered state agencies), the revolving door restrictions would not apply.

STATEMENT OF ECONOMIC INTERESTS [5 ILCS 420]

The Statement of Economic Interests form is a disclosure required by the Illinois Governmental *Ethics Act* to be filed with the Office of the Secretary of State. A select population of Eastern Illinois University employees is required to submit this form by May 1st annually. In 2020, the filing process moved online. Those individuals required to file are notified early each spring.

The Illinois Governmental *Ethics Act* identifies certain categories of individuals who are required to file a Statement of Economic Interests form (Statement), including but not limited to: members of the Board of Trustees; deans, directors, and department heads; persons who have supervisory authority over, or direct responsibility for the formulation of contracts; persons who supervise 20 or more university employees; and employees who have responsibility with respect to the procurement of goods and services.

The *Ethics Act* requires that university Ethics Officers review certain employee Statements prior to submitting them to the Secretary of State for filing and this is managed through the online filing process. For more detail, please contact your university Ethics Officer. You may also refer to Section 4A-101 of the Illinois Governmental *Ethics Act*.

[Illinois Executive Order 15-09](#) also requires this population to file a Supplemental Statement of Economic Interests form online with the EEC. The Supplemental Statement does NOT require university Ethics Officer review and is due May 1st annually. The Supplemental Statement of Economic Interests should be filed with the EEC and not the Secretary of State.

PROCUREMENT COMMUNICATIONS REPORTING [30 ILCS 500/50-39]

Illinois procurement laws require university employees to follow specific processes and requirements to protect the integrity of the procurement process.

To provide greater transparency in state procurement matters, university employees who are personally and substantially involved in communications related to a purchasing decision that could materially impact the outcome of an active procurement matter, may have an obligation to document that communication in the web-based Procurement Communications Reporting System (PCRS).

There are some exceptions that do not require documentation in the PCRS system, including, but not limited to, any communication held in or posted to a public forum including posting on the Illinois Procurement Bulletin, communications that are privileged, protected, or confidential by law, or are about general procedural steps. For more information on the reporting process, please contact your university Ethics Officer.

Any university employee who suspects collusion or other anticompetitive practice among any bidders, offerors, contractors, or employees of the state, must notify the Attorney General, the OEIG, and the Chief Procurement Officer. Additionally, any chief procurement officer, state purchasing officer, designee, or executive officer who willfully compromises the fairness or integrity of the procurement or contract process may be subject to immediate dismissal and possible criminal prosecution.

State employees, including public university employees, cannot be involved in the negotiation of contracts with any firm, partnership, association or corporation where the state employee currently has a contract for future employment or is contracting or negotiating their own future employment.

PENALTIES WITHIN THE ETHICS ACT [5 ILCS 430/50]

Employees who violate the *Ethics Act* may be penalized both internally and externally. Within the university, penalties may include administrative action up to and including termination of employment. Externally, the EEC may levy administrative fines of up to \$5,000 for certain violations of the *Ethics Act* or issue injunctive relief up to and including discharge of a state employee. Criminal or illegal acts, such as bribery or official misconduct, may result in criminal prosecution.

PART II. HARASSMENT, SEXUAL HARASSMENT, AND DISCRIMINATION PREVENTION TRAINING

HARASSMENT AND DISCRIMINATION

The *Ethics Act* states all persons have a right to work in an environment free from sexual harassment. Additionally, all employees and appointees are prohibited from sexually harassing any person, regardless of their employment relationship or lack thereof.

The [Illinois Human Rights Act \(775 ILCS 5\)](#) as well as other laws and university policies prohibit harassment and discrimination on the basis of someone's actual or perceived membership in one or more of the following protected classes (as defined by the *Illinois Human Rights Act*):

Marital Status

The legal status of being married, single, separated, divorced, or widowed.

Sex

The status of being male or female.

Sexual Orientation

The actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether traditionally associated with the person's designated sex at birth or not.

National Origin

The place in which a person or one of his or her ancestors was born.

Order of Protection Status

A person protected under an order of protection issued pursuant to certain statutes, or an order of protection issued by a court of another state.

Citizenship Status

The status of being: (1) a born U.S. citizen; (2) a naturalized U.S. citizen; (3) a U.S. national; or (4) a person born outside the U.S. and not a U.S. citizen who is lawfully present and who is protected from discrimination under a federal law.

Age

The chronological age of a person who is at least 40 years old. In the case of training and apprenticeship programs, age means a person who is 18 but not yet 40 years old.

Pregnancy

Pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth.

Disability

A determinable physical or mental characteristic of a person, including one that necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic is unrelated to the person's ability to perform the duties of a particular job or position. This also includes unlawful discrimination against an individual because of the individual's association with a person with a disability.

Religion

All aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he or she is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.

Race

Includes traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists.

Military Status

A person's status on active duty in or status as a veteran of the armed forces of the U.S., status as a current member or veteran of any reserve component of the armed forces of the U.S., or status as a current member or veteran of the Illinois Army National Guard or Illinois Air National Guard.

Unfavorable Military Discharge

Discharges from the Armed Forces of the U.S, their Reserve components, or any National Guard or Naval Militia which are classified as RE-3 or the equivalent, but does not include those characterized as RE-4 or "Dishonorable".

Work Authorization Status

The status of being a person born outside of the U.S., and not a U.S. Citizen, who is authorized by the federal government to work in the United States.

Family Responsibilities

An employee's actual or perceived provision of personal care* to a family member (an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law,

grandchild, grandparent, or stepparent). *activities to ensure that a covered family member's basic medical, hygiene, nutritional, or safety needs are met, or to provide transportation to medical appointments, for a covered family member who is unable to meet those needs himself or herself. Also includes being physically present to provide emotional support to a covered family member with a serious health condition who is receiving inpatient or home care

Reproductive Health Decisions

A person's decisions regarding the person's use of: contraception; fertility or sterilization care; assisted reproductive technologies; miscarriage management care; healthcare related to the continuation or termination of pregnancy; or prenatal, intranatal, or postnatal care.

HARASSMENT DEFINED (775 ILCS 5/2-101)

Harassment means any unwelcome conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy, unfavorable discharge from military service, citizenship status, work authorization status, or family responsibilities that has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment. For harassment, working environment is not limited to a physical location an employee is assigned to perform his or her duties.

Examples of conduct that could amount to harassment if based on a person's actual or perceived membership in one or more protected classes include:

offensive jokes;

slurs;

epithets or name calling;

physical assault(s);

threats;

intimidation, ridicule or mockery;

insults or put-downs;

offensive objects or pictures;

deliberate touching, leaning over, or cornering;

offensive looks or gestures; and/or

letters, telephone calls, personal e-mails, texts,

or other materials of an offensive nature.

✓ KNOWLEDGE CHECK

A new employee has joined the unit staff, following the departure of a previous employee. The employees in this unit began working together right out of college and are of median age 28. The new staff member, at age 50, is considerably older than most of their counterparts in the unit. During a staff lunch meeting, a coworker jeered the older staff member, asking if they got discounts at restaurants for being a senior citizen. A few days later, when the

new employee made a computing error, the same coworker laughed and said that everyone should be patient because old people experience memory loss and transitioning to a computer from etching things on stone tablets was a big change for the new employee.

The new employee could be experiencing harassment based on what protected category?

- A. Race
- B. Age
- C. Disability

Explanation of the Answer:

The correct answer is B, age. The new employee, who is 50 years old, could be experiencing harassment on the basis of their age. The new coworker is being subjected to offensive comments and jokes. This type of unwanted behavior can contribute to an intimidating and offensive working environment and/or could impact the work performance of the new employee.

SEXUAL HARASSMENT 5 ILCS 430/5-65(B)

Sexual harassment means any unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. The phrase "working environment" is not limited to a physical location an employee is assigned to perform his or her duties and does not require an employment relationship.

Under the *Illinois Human Rights Act*, if the employer becomes aware of the harassing behavior and fails to take reasonable corrective measures, they will be held responsible for the sexually harassing or harassing behavior of a non-employee, non-managerial employee, or non-supervisory employee. Sexual harassment of or by non-employees, such as contractors and consultants, is also prohibited.

TYPES OF SEXUAL HARASSMENT

Quid pro quo and hostile work environment are two types of sexual harassment. They are described as follows:

Quid pro quo sexual harassment occurs when a manager or supervisor uses as a basis for employment decisions affecting the subordinate, whether the subordinate submitted or rejected unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature.

Hostile work environment sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature has the purpose or effect of substantially in-

terfering with an individual's work performances or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to overt sexual advances and requests to engage in sexual acts. Examples of behavior that might be sexually harassing include:

- actual or attempted rape or sexual assault;
- pressure for sexual favors;
- deliberate touching, leaning over, or cornering;
- sexual looks or gestures;
- letters, telephone calls, personal e-mails, texts, or other materials of a sexual nature;
- pressure for dates;
- sexual teasing, jokes, remarks, or questions;
- reference to an adult as a "girl," "hunk," "doll," "babe," or "honey";
- whistling at someone;
- sexual comments, innuendos, or stories;
- work discussions turning to sexual topics;
- sexual fantasies, preferences, or history being asked about;
- sexual comments about a person's clothing, anatomy, or looks;
- kissing sounds, howling, and smacking lips;
- talking about, telling lies, or spreading rumors
- about a person's personal sex life;
- neck and/or shoulder massage;
- touching an employee's clothing, hair, or body;
- hanging around a person uninvited;
- hugging or kissing;
- patting, stroking, or pinching;
- touching or rubbing oneself sexually in the presence of another person;
- standing close to or brushing up against a person;
- looking a person up and down;
- sexually suggestive posters, cartoons, websites, or magazines displayed in the workplace or shown to someone;
- playing sexually suggestive or graphic videos or music; and
- making sexual gestures with hands or through body movements

Sexual harassment is not just something that occurs in person and can involve activities online or through electronic communications. Examples of behaviors that can constitute unwelcome sexual conduct include but are not limited to:

- requests/demands for sex;
- sexually graphic or inappropriate pictures;
- sexually graphic or inappropriate videos;
- sexually offensive language or comments;
- unwanted flirting;
- unwanted requests for dates; and
- cyber stalking

✓ KNOWLEDGE CHECK

A university employee (Employee A) ran into a coworker (Employee B) at a bar, where Employee B was out on a date. The following workday, Employee A sent several images of sexual acts to Employee B, asking if they "had a good time Saturday night". When Employee B deleted the email without responding, Employee A began instant messaging them, continuing

the line of questioning by asking for explicit details of their evening. For several weeks, Employee A has continued to message Employee B throughout the day, even though they are not responding to the messages. Employee B is very upset by the continued explicit questions and is having difficulty concentrating at work and meeting deadlines.

Which of the following type of sexual harassment does this scenario depict?

- A. Quid Pro Quo
- B. Hostile Work Environment

Explanation of the Answer:

The correct answer is B, hostile work environment. Employee A's actions of sending explicit images and asking for graphic details regarding a date are unwelcome, which is signaled by Employee B not responding to the repeated messages. This conduct of a sexual nature has continued over several weeks and is having the effect of upsetting Employee B and interfering with their work performance. Employee B should report the conduct to their supervisor or an individual in a position to take action, who may also have reporting responsibilities under applicable regulations or university policy.

UNLAWFUL DISCRIMINATION

Unlawful discrimination is discrimination against a person because of his or her actual or perceived:

- | | |
|----------------------------|---|
| race | disability |
| color | military status |
| religion | sexual orientation |
| national origin | pregnancy |
| ancestry | reproductive health decisions |
| age | unfavorable discharge from military service |
| sex | work authorization status |
| marital status | citizenship status |
| order of protection status | family responsibilities |

Nothing contained in the Illinois Human Rights Act may be construed to obligate an employer, employment agency, or labor organization to make accommodations or modifications to reasonable workplace rules or policies for an employee based on family responsibilities, including accommodations or modifications related to leave, scheduling, productivity, attendance, absenteeism, timeliness, work performance, referrals from a labor union hiring hall, and benefits, as long as its rules or policies are applied in accordance with the Illinois Human Rights Act. Further, nothing contained in the Illinois Human Rights Act prevents an employer from taking adverse action or otherwise enforcing reasonable workplace rules or policies related to leave, scheduling, productivity, attendance, absenteeism, timeliness, work performance, referrals from a labor union hiring hall, and benefits against an employee with family responsibilities as long as its policies are applied in accordance with Illinois Human Rights Act.

Definitions are as provided within the *Illinois Human Rights Act* at [775 ILCS 5/1-103](#) and 5/2-102 and are listed in detail in the Harassment and Discrimination header at the start of this section.

Discrimination is considered unlawful if, based on a person's actual or perceived membership in one or more of the protected classes outlined previously, an employer takes action involving:

recruitment	discharge
hiring	discipline
promotion	tenure of terms
demotion	privileges
selection for training or apprenticeship	other conditions of employment
renewal of employment	

The *Illinois Human Rights Act* also prohibits other discriminatory acts in employment, including:

- prohibiting employees from speaking their native language, when unrelated to work duties;
- certain immigration-related practices. For example, it is a civil rights violation for an employer to use more or different documents than are required under certain federal laws or to refuse to honor documents that on their face appear to be genuine;
- imposing conditions that would require an employee to violate a sincerely-held religious practice. For example, not allowing an employee to wear religious clothing or accessories in the workplace;
- failing to offer employees reasonable accommodations related to pregnancy or childbirth; and
- discrimination based on age in training and apprenticeship programs.

Unlawful discrimination occurs when an employer takes a discriminatory employment action because of an applicant's or employee's actual or perceived membership in one of the protected classes above. However, it does not prevent an employer from taking employment action for another reason unrelated to an applicant's or employee's membership in a protected class.

✓ KNOWLEDGE CHECK

An employee in the unit, who also serves in the military, has applied for a promotion. He is one of the top candidates and meets all of the requirements for the position. While discussing the final candidates, the hiring committee agrees this individual would be their top choice. While discussing the candidate further, the hiring supervisor raises concerns that the employee is in the military and could be called to active duty at any time, leaving the position vacant for long periods while deployed. Based on this, the hiring supervisor states they feel one of the other candidates would be a better option and makes the decision to promote another individual for the position.

Could not selecting a qualified employee for a promotion based on their military status be considered unlawful discrimination?

- A. Yes, not selecting a qualified employee due to their military status would be considered discriminatory.
- B. No, it is a valid concern that a member of the military may not be able to fulfill their university responsibilities due to potential military deployment, so this would not be considered discriminatory.

Explanation of the Answer:

The correct response is A, eliminating a candidate based on their military status is discriminatory. In this case, the employee was the “top choice” and met all of the requirements for the promotion, but the hiring supervisor promoted a less qualified individual to the position because of concerns that the employee could be deployed. In this example, the hiring supervisor is engaging in unlawful discrimination by not promoting a candidate based on their military status.

REPORTING SEXUAL HARASSMENT, HARASSMENT, AND/OR DISCRIMINATION

Any employee who witnesses, is subjected to, or becomes aware of sexual harassment, harassment, and/or discrimination should immediately report the incident. That report can be made to the employee’s supervisor, university Ethics Officer, the OEIG, and/or the Illinois Department of Human Rights (IDHR).

Earlier in this training, you were provided with information regarding the OEIG and how to contact their office. “Harassment” and “unlawful discrimination” are not specific violations of the *Ethics Act*, regardless, the OEIG does investigate those allegations, along with sexual harassment, which is an *Ethics Act* violation. As mentioned previously, the OEIG can be reached via:

- toll-free hotline at 866-814-1113,
- the [OEIG website](#),
- a telecommunications device for the deaf at 888-261-2734, or
- mailing a completed complaint form to: Office of Executive Inspector General for the Agencies of the Illinois Governor, Attention Complaint Division, 69 West Washington Street, Suite 3400, Chicago, IL 60602

Remember, as discussed earlier, you may always contact your university Ethics Officer at ethicsofficer@eiu.edu to report a concern.

If you choose to make a report to your supervisor, your supervisor may have an obligation to inform the applicable Office for Access & Equity, Office of Access and Equal Opportunity, or Office of Diversity, Equity, & Inclusion.

Information about how to make a report of misconduct to the OEIG and your university Ethics Officer, which would include sexual harassment, harassment, and discrimination, is detailed in Part I of this training. The OEIG maintains the confidentiality of the identity of all complainants, unless the individual consents to the disclosure or the law otherwise requires the disclosure of their name. (5 ILCS 430/20-90)

The IDHR is a state agency that administers the *Illinois Human Rights Act*. Individuals can report an allegation of sexual harassment, harassment, and/or discrimination to the IDHR by filing a charge within 2 years of the alleged incident. The [IDHR website](#) provides additional information about harassment and discrimination, filing a charge, the process for investigating and resolving an allegation, and other frequently asked questions. Filing a charge with IDHR is not a confidential process.

The IDHR operates a helpline for reporting sexual harassment and discrimination. The helpline number is 1-877-236-7703. All communication submitted to the IDHR through the helpline, including by Internet, is confidential and exempt from disclosure under the *Freedom of Information Act*. Subsequent information submitted to IDHR, such as the [Complainant Information Sheet](#) or otherwise, may not remain confidential. Employees can access the Complainant Information Sheet obtained on the [IDHR website](#). The form itself requires detailed information, including contact information, employer information, and the most recent date of the alleged conduct.

A person filing a charge may also provide witness information and copies of relevant documents. If you prefer to file a complaint in person, offices are available as follows:

Chicago

555 West Monroe Street
Suite 700
Chicago, IL 60661
312-814-6200
866-740-3953 (TTY)

Springfield

524 S. 2nd Street
Suite 300
Springfield, IL 62701
217-785-5100
866-740-3953 (TTY)

Marion

2309 W. Main St.
Marion, IL 62959
618-993-7463
866-740-3953 (TTY)

WHISTLEBLOWER PROTECTION

In addition to the *Ethics Act* (5 ILCS 430/15), the [Whistleblower Act \(740 ILCS 174\)](#), [Executive Order 16-04](#), and university policy, the [Illinois Human Rights Act \[775 ILCS 5/6-101\(A\)\]](#) also protects employees who, in good faith, report or threaten to report an act or omission they believe to be a violation of law, policy, or procedure.

RETALIATION

Under the *Whistleblower Act* (740 ILCS 174/15), an employer may not take retaliatory action against an employee for disclosing or threatening to disclose information to a government or law enforcement agency information related to an activity, policy, or practice of the employer, where the employee has a good faith belief that the activity, policy, or practice of the employer (i) violates a state or federal law, rule, or regulation or (ii) poses a substantial and specific danger to employees, public health, or safety.

The *Illinois Human Rights Act* provides it is a civil rights violation to retaliate against a person who opposes that which they reasonably and in good faith believe to be unlawful discrimination, harassment, or sexual harassment [775 ILCS 5/6-101(A)].

Under the *Ethics Act*, “retaliatory action” means reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of an employee that occurs in retaliation for an employee’s involvement in the protected activities outlined above. 5 ILCS 430/15-5. Please refer to Part 1 for further discussion about retaliation and employee protections.

PENALTIES

There are serious consequences for engaging in unlawful discrimination, sexual harassment, and harassment, which may include being disciplined or terminated for violating the law or agency pol-

icies. Sexual harassment, harassment and unlawful discrimination can also be punishable with fines or penalties imposed by a state or federal agency or court. Any person who violates the *Ethics Act's* prohibition on sexual harassment may be fined up to \$5,000 per offense by the EEC.

Engaging in sexual harassment, harassment, unlawful discrimination, and/or retaliation can subject an individual to proceedings before the Illinois Human Rights Commission or state or federal courts. For example, individuals can file a state or federal suit against the person or entity and if they prevail, they may be entitled to one or more of the following remedies:

Actual damages for injury or loss, including emotional damages

Attorneys' fees and costs	Hiring
Backpay	Reinstatement
Obtaining a cease and desist order	Promotion
Fringe benefits	Prejudgment interest

Any person who intentionally makes a false report to the OEIG, EEC, or to certain law enforcement agencies or officials is guilty of a misdemeanor, and the EEC may levy a fine of up to \$5,000 for intentionally obstructing or interfering with an OEIG investigation, or making a false, frivolous, or bad faith allegation of harassment, discrimination, or sexual harassment.

If you have any questions or concerns, you can always contact your university Ethics Officer.

THANK YOU FOR YOUR COMPLIANCE!

Thank you for completing your ethics training and harassment and discrimination prevention training as required by the *Ethics Act*. As we wrap up today's training, it is important you keep in mind the concepts learned today to help you not only stay compliant with the *Ethics Act* and other related laws and policies, but also to do your part in promoting a work environment that is free of fraud, waste, abuse, harassment, and other undesirable and damaging behaviors.



2025 SEASONAL & TEMPORARY ETHICS TRAINING AND HARASSMENT AND DISCRIMINATION PREVENTION TRAINING

I certify that I have carefully read and reviewed the content of, and completed, the 2025 Seasonal and Temporary Ethics Training and Harassment and Discrimination Prevention Training. Furthermore, I certify that I understand that my failure to comply with the laws, rules, policies, and procedures referred to within this training course may result in disciplinary action up to and including termination of university employment/appointment, administrative fines, and possible criminal prosecution, depending on the nature of the violation.

Name

Last

First

Middle Initial

Signature

Today's Date

Date of Birth:

MM/DD Only

EIU ENumber:

To be properly credited for training completion, please complete and return this signature page to the Eastern Illinois University Ethics Office in person, via campus mail or USPS mail:

Eastern Illinois University Ethics Office

600 Lincoln Ave.

2102 Blair Hall

Charleston, IL 61920