

## ILLINOIS STATE POLICE DIRECTIVE PER-069, ETHICS REVOLVING-DOOR COMPLIANCE

<b>RESCINDS:</b> New Directive	<b>REVISED:</b> 07-29-2022 <span style="float: right;"><b>2022-187</b></span>
<b>RELATED DOCUMENTS:</b> PER-018, PER-037, PER-039	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> None

### I. POLICY

The ISP will comply with the State Officials and Employees Ethics Act and ensure that every employee subject to the revolving-door list receives notification of their status by the Department.

### II. AUTHORITY

5 ILCS 430/5-45 et seq., the "State Officials and Employees Ethics Act"

### III. DEFINITIONS

III.A. Resignation - the voluntary separation of an employee from their position with the Department, prior to completing 20 years of ISP service.

III.B. Retirement - the separation of an employee from the Department who separated in good standing and who has completed a minimum of 20 years of ISP service or who has purchased time to reach a total of 20 years of ISP service.

III.C. Revolving-door List – A list of employees who participated personally and substantially in the award of state contracts or change orders with a cumulative value of \$25,000 or more to the person, entity, parent company or subsidiary, as well as those employees who make regulatory or licensing decisions. The revolving-door list also includes Directors/Secretaries of agencies, Chief Procurement Officers, State Purchasing Officers, and anyone in an agency chief of staff role.

III.D. Separating Employee Reference List, form ISP 2-680 – a form to be used by the immediate supervisor of an employee separating from the Department to assist in ensuring all required separating tasks are completed.

III.E. Termination - the involuntary separation of an employee from their position with the Department, consistent with the provisions of the respective collective bargaining agreement, the State Personnel Code, or the ISP Merit Board Rules and Procedures.

### IV. PURPOSE

The State Officials and Employees Ethics Act includes provisions prohibiting certain employees from accepting post-state employment, for one year after leaving state employment, with a person or entity if that employee participated personally and substantially in the award of state contracts or change orders with a cumulative value of \$25,000 or more to the person, entity, parent company or subsidiary, as well as those employees who make regulatory or licensing decisions.

### V. PROCEDURES

#### V.A. Separating Employee Reference List

V.A.1. Supervisors will complete and forward the Separating Employee Reference List, form ISP 2-680 in accordance with ISP Directive PER-039, "Separation from Employment."

V.A.2. The ISP Legal Office will review the Separating Employee Reference List to determine if the separating employee is included on the revolving-door list.

V.A.2.a. The Legal Office will document their determination on the Separating Employee Reference List.

V.A.2.b. The Legal Office will provide written notification to separating employees on the revolving-door list of their status.

**V.B. Updating the Revolving-Door List**

V.B.1. The Legal Office will annually compare the revolving-door list to the list of personnel required to complete the Statement of Economic Interest (SEI), as outlined in ISP Directive PER-018, "Statements of Economic Interest." The Legal Office will further collaborate with the Chief of Staff from each Division and the ISP Office of Human Resources (OHR) to ensure both lists are accurate and reflective of each other.

V.B.2. The Legal Office will provide a working definition with examples of job duties that would fall under the revolving-door provisions.

V.B.2.a. Each Division will annually review and apply the working definition and provide the Legal Office with a list containing:

- V.B.2.a.1) Name of the employee
- V.B.2.a.2) Position title
- V.B.2.a.3) Brief description of the position
- V.B.2.a.4) Position number

V.B.2.b. The Legal Office will maintain the lists received from the Divisions within an electronic database shared with OHR.

V.B.2.b.1) The Legal Office will provide a letter to all employees on the revolving-door (and SEI) list, advising them of their status and obligations.

V.B.2.b.2) Employees receiving notification of their inclusion on the revolving-door list will submit an acknowledgement of inclusion to the OHR. The OHR will maintain the acknowledgement in the employee's personnel file.

V.B.2.b.3) The Legal Office will collaborate with the ISP Office of Labor Relations (OLR) to provide labor unions notification of individuals on the revolving-door list, if required by collective bargaining agreements.

**V.C. Job Postings/Transfers**

V.C.1. Once a position has been included on the revolving-door list, OHR will include a statement on any job posting(s) that this position may be subject to the revolving-door prohibitions in the Ethics Act. This statement should also be included in the job description.

V.C.2. In the case of a new position being created, prior to submission to CMS for approval, the Chief of Staff of the relevant division will submit the job description to the ISP Ethics Officer to determine whether the position is subject to revolving-door notification. The Ethics Officer will notify OHR of revolving-door designation and OHR will take the appropriate steps to ensure proper designation on the job description.

V.C.3. When a new employee begins employment with the ISP or an employee transfers into a new or different position with the ISP, OHR will look to see if the position number is on the revolving-door list, notify the employee if necessary, provide the revolving-door notification and acknowledgement form to the employee, and add the position/employee to the revolving-door list.

**V.D. Annual Review**

Annually, in January, the ISP Ethics Officer will send a copy of the most current revolving-door list and a current definition of the types of positions or duties that satisfy the standard outlined in Section 5-45(a) of the State Officials and Employees Ethics Act to each Division Chief of Staff.

- V.D.1. Each Division Chief of Staff will check the list against their tables of organization to provide updates to the Ethics Officer on the revolving-door list. Additionally, each Division Chief of Staff will ask all work unit supervisors within the Division whether, within the previous year, any employee engaged in work-related activities that satisfy the standard outlined in Section 5-45(a) of the State Officials and Employees Ethics Act, irrespective of whether the employee's position description specifically identified those duties.
- V.D.2. After collaborating with the Division Chiefs of Staff, the Ethics Officer will check to ensure that every individual on the list has received notification. If an employee has not received the appropriate notice, the Ethics Officer will notify OHR, who will then send the appropriate notice and acknowledgment form.
- V.D.3. The Ethics Officer will review and update the revolving-door database on an ongoing basis.

**-End of Directive-**