



October 21, 2025

Lessons Learned at the Executive Ethics Commission

Nate Rice, Executive Director



Why are we here?



Goals & Reminders

- Goals:
 - What is the Executive Ethics Commission?
 - Lessons and Pitfalls
- Reminders:
 - I am an attorney, Not your attorney.
 - Nothing in this presentation is or is intended to be legal advice.



A stylized, colorful illustration of a city skyline. The top portion shows various skyscrapers and buildings in shades of blue, yellow, and orange against a light background. A large, solid brown horizontal band across the middle contains the text. The bottom portion shows a dense urban scene with tall buildings, a bridge, and a body of water, rendered in a similar stylized, colorful manner.

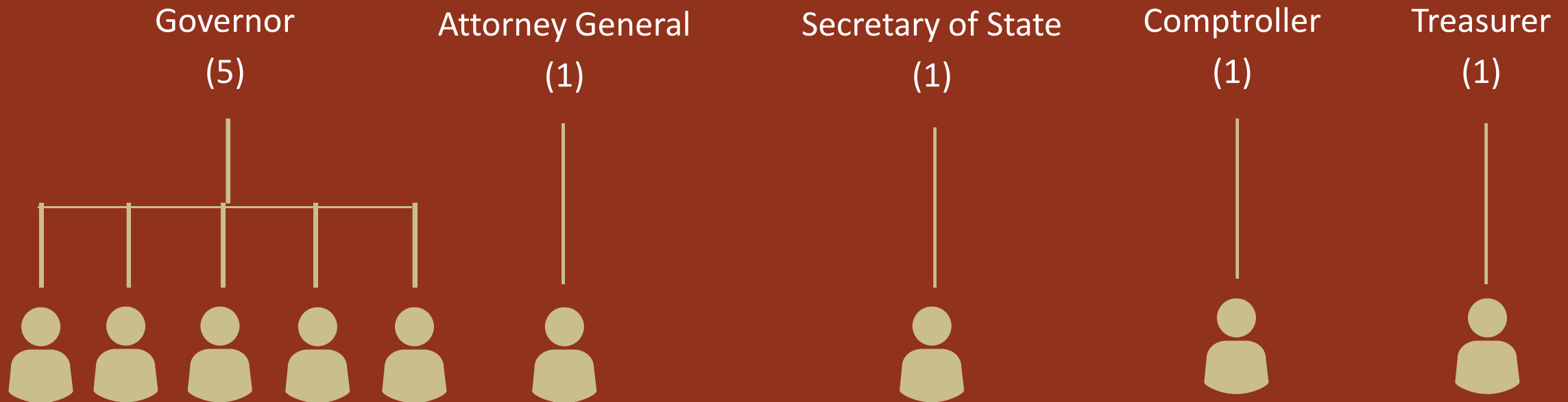
What is the Executive Ethics Commission?

Executive Ethics Commission

- State of Illinois (not federal, not local)
- Nine-member Commission plus staff
- Created by State Officials and Employees Ethics Act in 2004
- The Ethics Act...
 - Creates Ethics Commissions and Inspectors General and sets forth their duties
 - Sets ethical conduct standards, including Gift Ban, political activity prohibition, and sexual harassment prohibition
 - Provides penalties for violations of the Ethics Act

Executive Ethics Commission

9 Commissioners



No more than 5 from the same political party.

A stylized, colorful illustration of a city skyline. The top half shows a clear sky with a few clouds and several tall buildings, including a prominent blue skyscraper. The bottom half shows a dense urban scene with a river or canal flowing through it, surrounded by various buildings and greenery. The overall style is reminiscent of mid-century modern graphic design.

So, you want to be a
Commissioner?

Commissioner Appointment Process

- Appointing authority files Appointment Message with Senate
- Hearing before Senate Executive Appointments Committee
- Confirmation vote by Senate (3/5 of members)
- Four-year term commences on July 1 of the year of appointment and runs through June 30 of fourth following year
- Can be reappointed to one or more subsequent terms

Commissioner Qualifications

- “Appointing authorities shall appoint Commissioners who have experience holding governmental office or employment and shall appoint commissioners from the general public.”
- No felony conviction
- No conviction of “a crime of dishonesty or moral turpitude”
- No State lobbying currently or in last 12 months
- Not a relative of the appointing authority
- Not a State officer or employee

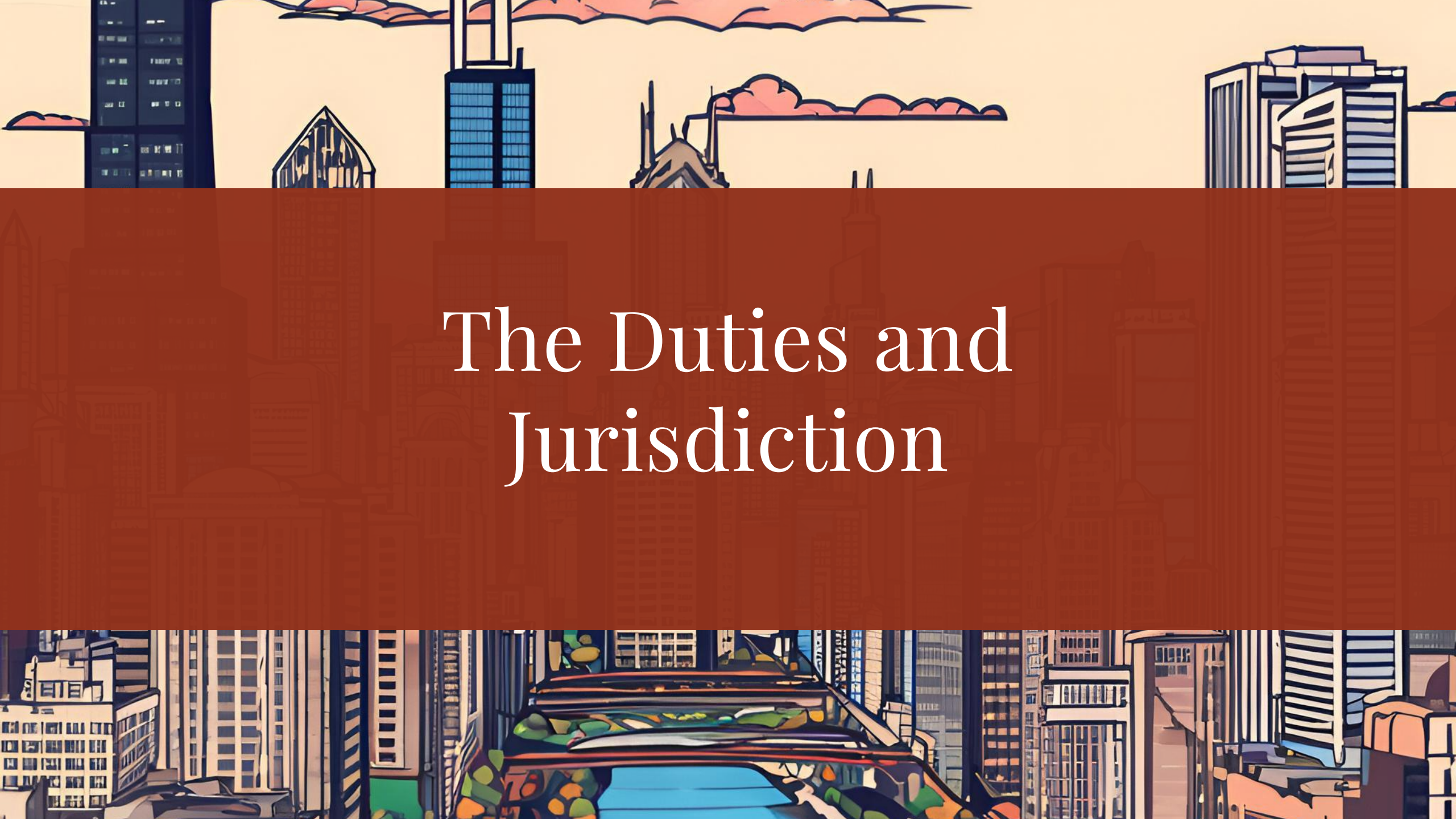
Commissioner Restrictions

- Cannot participate in political activity, including...
 - Becoming a candidate for elective office
 - Holding any other elected or appointed office
 - Being “actively involved in the affairs of any political party or political organization”
 - Participating in campaigns for elected office, including making campaign contributions (5 ILCS 430/20-5(f))
- Cannot be a registered lobbyist (reciprocal between Ethics Act and Lobbyist Registration Act section 3.1 (25 ILCS 170/3.1))
- Cannot have contract or certain interests in contracts with the Commission (5 ILCS 420/3A-35; see also 30 ILCS 500/50-13)



Staff



A stylized, colorful illustration of a city skyline. The top half features a solid brown background with white text. The bottom half shows a vibrant city scene with various buildings, a bridge over a river, and a boat. The style is reminiscent of mid-century modern graphic design.

The Duties and Jurisdiction

Commission Responsibilities

- Conduct administrative hearings on alleged violations of the Ethics Act
 - Provide guidance to State agency Ethics Officers
 - Receive and publish reports from the State's Executive Inspectors General
 - Prepare public information to facilitate compliance with ethics laws
 - Make rules governing Executive Inspector General investigation policies and procedures
 - Appoint Special Executive Inspectors General
-
- Appoint 3/4 Chief Procurement Officers
 - Provide Administrative Support Services to Chief Procurement Officers
 - Appoint Director of Illinois Power Agency

Jurisdiction

- Constitutional Officers
- All officers and employees of State agencies
- Officers and employees of public institutions of higher education
- Board members and employees of Regional Transit Board and Regional Development Boards



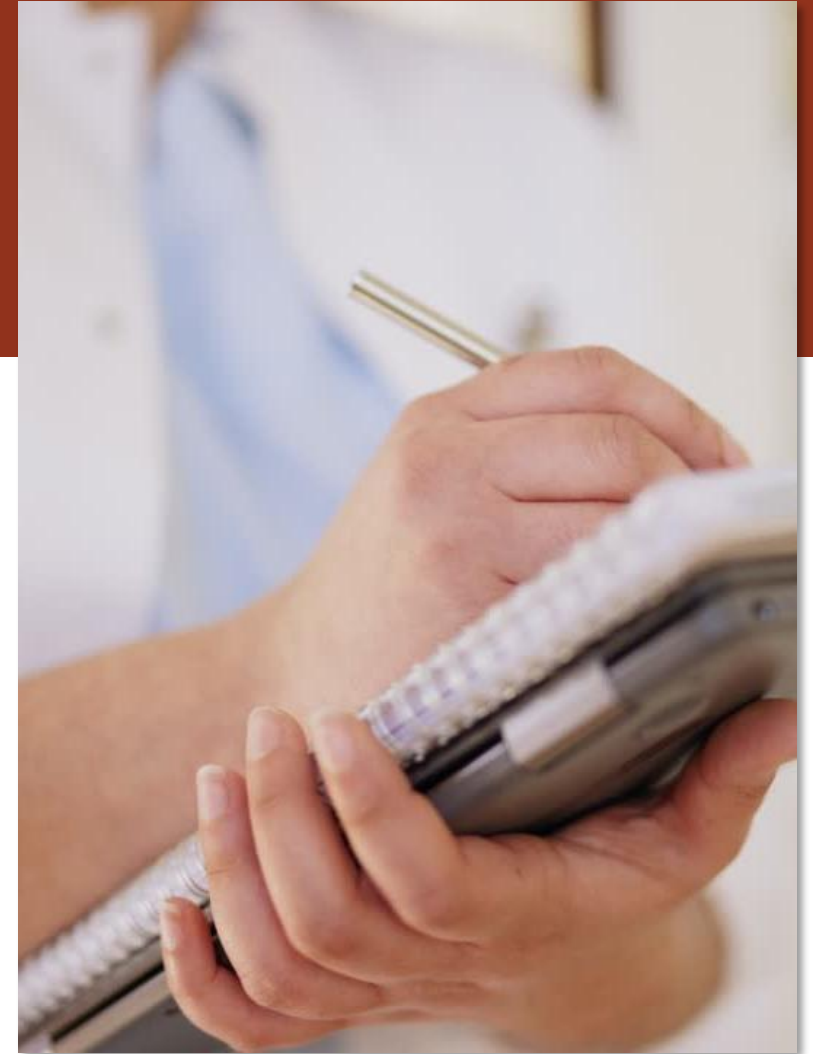


Gift Ban



Purpose of the Gift Ban

- Prevent inappropriate influence or the appearance of inappropriate influence over public officials and employees.
- Ensure public officials and employees act and appear to act in the interest of the public, not personal benefit.



How does the Gift Ban define “gift”?

Tangible Items

- Cash
- Food
- Drinks

Intangible Items

- Discounts
- Loans
- Hospitality
- Entertainment



Case Study

Violated DCEO policies and the Ethics Act through a series of improper acts relating to his prior ownership and ongoing financial relationship with a State vendor, TimeZoneOne. (Daniel Thomas – Case #: 24-00343)

Office of Executive Inspector General for the
Agencies of the Illinois Governor

Investigation Case No. 24-00353



I. BACKGROUND AND ALLEGATIONS

The Illinois Department of Commerce and Economic Opportunity (DCEO) Office of Tourism (Tourism Office) promotes Illinois as a travel destination for leisure travelers and for meetings, conventions, and special events.¹ Daniel Thomas has been the Deputy Director of Tourism for the DCEO Tourism Office since July 1, 2023. Prior to taking his State position, Mr. Thomas worked for, and previously owned TimeZoneOne, which describes itself as a global creative communications agency.²

Between February 7 and October 29, 2024, the OEIG received multiple complaints alleging misconduct by Mr. Thomas. The allegations included that Mr. Thomas steered work to TimeZoneOne and other companies with which he had a personal connection since he began working for DCEO, and that TimeZoneOne overbilled under its State contracts. The allegations also included that TimeZoneOne paid for travel and other expenses incurred by Mr. Thomas. In addition, the allegations included that Mr. Thomas improperly accepted a gift of discounted lodging from [Hotel 1].³

II. INVESTIGATION

A. Conflict Of Interest Rules And Gift Ban

DCEO policy requires employees to give DCEO "their primary professional loyalty and to arrange their financial and other personal interests so as not to conflict or interfere with their commitment" to DCEO.⁴ Employees have an obligation to avoid:

any activity, agreement, business investment or interest or other situation that might in fact or in appearance cause the [DCEO] employee to place his or her own interest, or those of another, above the employee's obligation to [DCEO].⁵

In this context, an employee's financial and personal interests include activities "from which the individual receives or expects to receive remuneration," as well as such interests on the part of the employee's spouse.⁶ Examples of circumstances that might involve a conflict of interest include:

assisting a business . . . in which a [DCEO] employee has a financial or personal interest, in applying or preparing to apply to any [DCEO] programs in which the .



Illinois
Department of Commerce
& Economic Opportunity
J.B. Pritzke Governor

December 23, 2024

U.S. ELECTRONIC MAIL

Ms. Fallon Opperman
Deputy Inspector General and Chief of Chicago Office
Office of Executive Inspector General
for the Agencies of the Illinois Governor
69 West Washington Street, Suite 3400
Chicago, IL 60602

Re: Initial Response to OEIG Report No. 24-00353

Dear Ms. Opperman:

The Illinois Department of Commerce & Economic Opportunity ("DCEO" or the "Department") provides this response to the Final Summary Report (the "Final Report") issued by the Office of the Executive Inspector General ("OEIG") in the above-captioned matter. The Department appreciates the thorough investigation conducted by the OEIG and its recommendations for actions to address the [REDACTED].

Upon receipt of the Final Report, the Department terminated Daniel Thomas and ended its contract with [REDACTED]. The Department also instituted additional oversight procedures with respect to vendor management, including for the Department's Illinois Office of Tourism ("IOT"). While further processes are developed, DCEO's Director's Office has instructed staff who manage vendors and contracts to discuss all significant contract management decisions with the Director's Office to ensure all decisions are made in accordance with the conflicts of interest policy and the Ethics Act. We have notified vendors that invoices must contain proper documentation and requested reconciliation reports.

We have been in close contact with the Governor's Office regarding the best methods to implement the recommendations set forth in the Final Report. We will provide a further response by January 31, 2025, that provides additional detail regarding the additional steps we have taken and will take to address the Report's [REDACTED] and recommendations.

Please feel free to contact me with any questions.



Best Practices

- Reconciling SEI, SSEI, Travel, and Gift Ban Forms
- Do not accept non-prohibited gifts if it could lead to the appearance that the giver will receive an unfair benefit
- Do not accept gifts from vendors
- Solicitations for charity are better off coming from non-employees
- Sending Gift Ban reminders around holidays



Revolving Door



Policy behind Revolving Door

- The purpose of the State's revolving door provisions is to prevent employees and officials from improperly influencing State business or unfairly profiting from or otherwise trading upon the contacts, associations, or special knowledge gained while serving the State.
- Appearance of impropriety can be just as damaging to public confidence.

(5 ILCS 430/5-45)

Sec. 5-45. Procurement; revolving door prohibition.

(a) No former officer, member, or State employee, or spouse or immediate family member living with such person, shall, within a period of one year immediately after termination of State employment, knowingly accept employment or receive compensation or fees for services from a person or entity if the officer, member, or State employee, during the year immediately preceding termination of State employment, participated personally and substantially in the award or fiscal administration of State contracts, or the issuance of State contract change orders, with a cumulative value of \$25,000 or more to the person or entity, or its parent or subsidiary.

(a-5) No officer, member, or spouse or immediate family member living with such person shall, during the officer or member's term in office or within a period of 2 years immediately leaving office, hold an ownership interest, other than a passive interest in a publicly traded company, in any gaming license under the Illinois Gambling Act, the Video Gaming Act, the Illinois Horse Racing Act of 1975, or the Sports Wagering Act. Any member of the General Assembly or spouse or immediate family member living with such person who has an ownership interest, other than a passive interest in a publicly traded company, in any gaming license under the Illinois Gambling Act, the Illinois Horse Racing Act of 1975, the Video Gaming Act, or the Sports Wagering Act at the time of the effective date of this amendatory Act of the 101st General Assembly shall divest himself or herself of such ownership within one year after the effective date of this amendatory Act of the 101st General Assembly. No State employee who works for the Illinois Gaming Board or Illinois Racing Board or spouse or immediate family member living with such person shall, during State employment or within a period of 2 years immediately after termination of State employment, hold an ownership interest, other than a passive interest in a publicly traded company, in any gaming license under the Illinois Gambling Act, the Video Gaming Act, the Illinois Horse Racing Act of 1975, or the Sports Wagering Act.



Is Illinois Different From Other States?

No. Most ethics laws impose revolving door or cooling off restrictions upon State employees leaving State employment.

Key Takeaways



- Initial Notice
- Annual Acknowledgments
- Revolving Door does not draw a distinction about job performance and treats good and bad employees the same
- OEIG determination can act as an insurance policy
- Ask the right questions

A stylized, colorful illustration of a cityscape. The top half shows a skyline with various buildings, including a tall blue skyscraper and a building with a pointed roof. The bottom half shows a street view with a bridge over a river, surrounded by tall buildings and greenery. The central text is overlaid on a dark red horizontal band.

Secondary Employment & Prohibited Political Activity

Prohibited Political Activity

The Ethics Act restricts State employees from engaging in political activities...



on State time



on State property



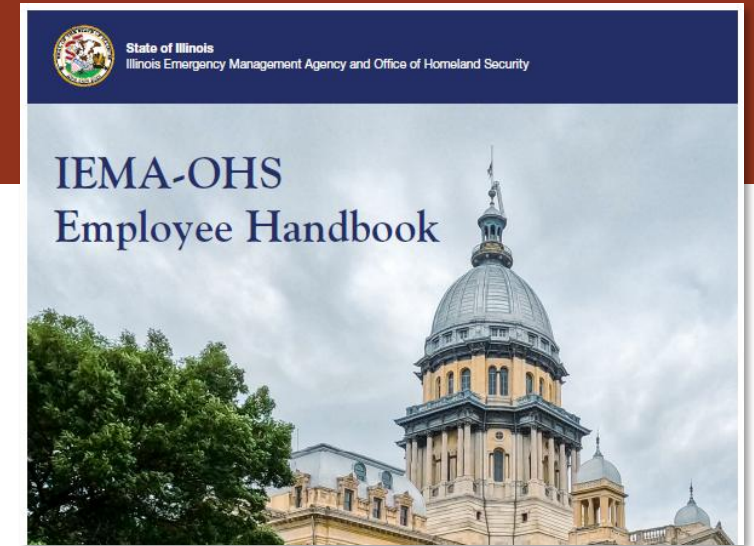
using State resources

Secondary Employment

From IEMA-OHS Policy Manual – Section 2.8: Secondary Employment

Limitations to holding secondary employment include but are not limited to the following:

1. An employee shall not engage in secondary employment if it interferes with the employee's performance of their normal job duties and responsibilities.
2. An employee's secondary employment shall not create a conflict of interest or **appear to create such a conflict.**
3. An employee's secondary employment shall not be contrary to any other law or policy applicable to their role with the Agency.
4. An employee shall not compete with services provided by IEMA-OHS through secondary employment.
5. An employee shall not hold secondary employment if such employment involves the use of information secured as a result of working at IEMA-OHS.
6. An employee shall not use equipment issued or available to the employee from IEMA-OHS in any secondary



Employee Responsibility

- Any employee wishing to secure secondary employment must submit a request in writing to their immediate supervisor.
 - It is the responsibility of the employee to report secondary employee to their supervisor **prior** to starting employment.
 - The request requires review and approval by the employee's supervisory chain of command, ethics officer, and Director.
 - Annual recertification is required and notice of discontinuance should be reported promptly to the Agency if the employee ceases secondary employment.





Training



Training

The Ethics Act contains provisions impacting training...



Annual and New Ethics Trainings



Harassment and Discrimination
Prevention Training



Annual Reports

Annual Reports

“The identity of any officers or employees who, for any reason, failed to complete required ethics training during the previous year; the reason, if available, for each failure; and **what disciplinary or administrative action the UJA has imposed or plans to impose in response to this failure.**”

Administrative Rule 1620.900(b)(3)



A stylized, colorful illustration of a cityscape. The top half shows a skyline with various buildings, including a tall blue skyscraper and a building with a pointed roof. The bottom half shows a street view with a bridge over a river, surrounded by tall buildings and greenery. The central text is overlaid on a dark red horizontal band.

Ex Parte Communications in Rule Making

Ex Parte in Rulemaking – What is an ex parte?

Breaking Down the Elements:

- A written or oral communication by a person;
- That occurs during the rulemaking period;
- That imparts or requests material information OR makes a material argument regarding rulemaking; and
- Is communicated to the Agency or an employee thereof



Now what?

- An ex parte communication... shall immediately be reported to that agency's ethics officer by the recipient of the communication and by any other employee of that agency who responds to the communication.
- The ethics officer shall require that the ex parte communication promptly be made a part of the record of the rulemaking proceeding.
- The ethics officer shall promptly file the ex parte communication with the Executive Ethics Commission, including all written communications, all written responses to the communications, and a memorandum.
- The memorandum should incorporate the information previously referenced.

5 ILCS 100/5-165

A stylized, comic-book-like illustration of a cityscape. The top half shows a skyline with various buildings, including a tall blue skyscraper and a building with a pointed roof. The bottom half shows a street-level view of a city with tall buildings, a bridge over a river, and a car. The central text is overlaid on a dark red horizontal band.

Duty to Cooperate and Duty to Report

Reporting Procedures

Executive Order 2016-04 and Executive 2018-02 establish procedures for reporting and investigating allegations of employee misconduct.

Suspected employee or vendor misconduct must be reported to:

1. Employee → Ethics Officer → OEIG
2. Employee → OEIG

The EO acts as a liaison to the OEIG.

All information related to reports of misconduct are restricted to a need-to-know basis and are to remain confidential.

Failure to report can result in disciplinary action up to and including discharge.



Retaliation

Retaliation is prohibited against employees who report, in good faith, alleged misconduct.

The State Officials and Employees Ethics Act and Executive Order 2016-04 prohibit retaliatory action against a State employee who discloses what they believe is a violation of a law, rule, or regulation including sexual harassment.

The Whistleblower Act

- States an employer cannot retaliate against an employee for disclosing information they have reasonable cause to believe discloses a violation of a State or federal law, rule, or regulation.
- Persons interfering with the attempted reporting of misconduct or retaliating against those reporting misconduct are subject to discipline, up to and including discipline.



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How can we help?



Questions?

Thank you!

Contact us:

Email: eec@illinois.gov
Phone: 217-558-1393
Website: eec.illinois.gov

Connect with us on Social Media:



State of Illinois
**EXECUTIVE
ETHICS
COMMISSION**