EXECUTIVE SUMMARY—2006-2007 Employee Ethics Survey

During November 2006, the Illinois Executive Ethics Commission (EEC) conducted a mail-based survey of randomly-chosen employees of Governor's agencies to evaluate the ethical climate, awareness and effectiveness of the ethics program, and the ethical outcomes within those agencies.

Payroll records for regular employees of Governor's agencies identified a population of about 56,000 employees. Two thousand names were drawn randomly from that population, and surveys were mailed to their home addresses. The survey, available as Appendix 1, was based on a survey conducted by the Federal Office of Government Ethics in 2000.

A total of 402 valid responses were received, which is sufficient for results to be generalizable to the population of employees of Governor's agencies.

Results in Brief

Awareness

1. Employees understand the importance of ethics

Most survey respondents are aware of the executive branch ethics program. They generally understand its objectives and at least 95.5% have taken the mandatory ethics training. Employees are most familiar with program objectives involving education and prevention of ethics policy violations. Awareness of the ethics program is significantly higher for longer-serving employees and for supervisors.

2. Employees lack awareness of disciplinary aspects of the Ethics Act

Although employees are reasonably familiar with the Ethics Act itself, they lack deep knowledge of two very important objectives of the Act: 1) detecting unethical behavior; and 2) disciplining and prosecuting violators of the Ethics Act. Employees do not observe the work of the Executive Inspector General in detecting unethical behavior and the discipline and prosecution that follows. This lack of familiarity is consistent across all demographic groups and may be explained by the Ethics Act's lack of transparency with respect to investigations and discipline.

Communication

3. Few supervisors and employees discuss ethics in the workplace

Many employees are not comfortable talking about ethics and report that supervisors do not discuss ethics when talking to employees. Only 39.8% of employees agreed with the statement "Employees in this agency feel comfortable talking about ethics." A full 39% disagreed with the statement "Supervisors at my agency include discussions of ethics when talking to their employees."

4. Few employees seek ethics advice

Over 87% of respondents reported the presence of one or more elements in their workplace that indicate an unhealthy ethical climate. Still, only 16.6% of employees reported that in the last three years they have sought ethics-related advice. Supervisors are more likely to have sought ethics-related advice than non-supervisors. Only a narrow majority of respondents who report having sought ethics-related advice consulted their agency ethics officer, relying instead on other resources, such as supervisors, the human resources department, union officials and the general counsel's office.

5. Fear and distrust stop many employees from seeking ethics advice and reporting problems

A sizable number of employees did not seek ethics advice because they feared getting into trouble (7.1%), were not confident that they would receive good advice (6.5%), or believed that nothing would be done (13.1%). Sadly, 45.2% of employees agree with the statement "Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees."

<u>Leadership</u>
6. Many employees blame leadership for ethics problems
Employees do not see agency officials follow up the ethical reports that they receive. Employees report that leadership does not provide strong ethical examples. Too many employees fear retaliation and believe that they are expected to obey directions without question. Combined, such leadership failures are cited by 50.8% of responding employees as barriers to complying with ethics policies.

<u>Training</u>
7. Ethics training works
Employees who report having more ethics training in the past three years reported greater familiarity with Ethics Act requirements than those who received less ethics training during the same period.

8. Face-to-face training is best
Ethics training is provided in various ways, including in-person instructor-led lecture and discussion, videotape, direct communications, reference materials, computer-based training, and teleconferences or satellite broadcasts. The great majority of employees (94.9%) report receiving computer-based training, which is perceived to be less effective than most other methods.

<u>Outcomes</u>
9. The most commonly observed violation is misuse of time, position and property
The type of misconduct perceived to be most prevalent relates to misuse of official time, misusing government positions and misusing government property. Employees observe inappropriate political activity less frequently. Receiving inappropriate gifts is also perceived to occur, although somewhat less often. The least prevalent misconduct measured by this survey was employees receiving improper financial benefit for doing their government work.

Recommendations. The Commission recommends that issues identified by the survey be addressed as follows:

1. **Agency leaders must set the right "tone at the top."**
   As noted above, many State employees believe that agency leadership can and should do more to create a climate of ethical communication and behavior. Agency leadership must "talk the talk" and "walk the walk" in order to properly set the tone for their agency.

2. **Agency leadership must make ethics part of employees' daily discussion.**
   Ethics is not being discussed in the workplace by employees or by supervisors. Leadership must both remove barriers to free ethics communications (fear of retaliation, expectations of blind obedience to authority) and actively encourage ethics communications. Ethics should be incorporated into the decision making process.

3. **The role of Ethics Officers should be emphasized.**
   Ethics Officers are a valuable resource for each agency. Created by the Ethics Act, they are there to guide officers and employees in the interpretation and implementation of the Act. Agency leadership should emphasize the importance of turning to agency Ethics Officers when ethics questions and concerns arise. Ethics Officers should receive additional training on ethics rules and encouraging employees to report their ethical concerns.

4. Ethics training should be made more effective.

Annual computer-based ethics training alone is not sufficient for State employees. There are other more effective methods of ethics training which can be adapted to take into account the unique ethical challenges facing certain groups of employees, and to be relevant to longer-serving employees. The variety of possible modes of ethics training should take into account the unique ethical challenges facing certain groups of employees and be made more relevant to longer-serving employees. Supervisors, with the assistance of Ethics Officers and the Ethics Commission, should take it on themselves to introduce ethics issues in meetings and conversations with their employees.

5. The Ethics Act should be changed to increase the transparency of the disciplinary process.

Many employees distrust claims that wrongdoing is investigated and punished because the secrecy provisions of the Ethics Act prevent disclosure of violations. Without knowledge of discipline that has been handed down in response to violations, employees doubt that their reports of wrongdoing are taken seriously. Without this knowledge employees believe that senior officials are less likely than other employees to be disciplined for wrongdoing. The EEC strongly urges the General Assembly to pass SB 157, which will increase transparency in the disciplinary process and, in so doing, improve both trust and the ethical climate of State Government.

SURVEY 2006-2007

Final Report

Report prepared by the Illinois Executive Ethics Commission

CONTENTS

LIST OF EXHIBITS

Purpose of the Study

The three specific purposes of the study were:
1. to assess the effectiveness of the ethics program within Governor's agencies;
2. to assess the ethical culture in Governor's agencies from the employee perspective; and
3. to establish a benchmark against which change can be measured.

For the purposes of this study, the term "ethics" was narrowly defined to mean employee conduct within EEC's jurisdiction, not as the term might be generally understood. The term, "unethical conduct," for example, was understood to encompass only the types of misconduct addressed in the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq).

Examples of conduct not addressed by this study include sexual harassment, inappropriate behavior and language, lying or misrepresentation, and alcohol or drug abuse. The Ethics Act does not address these types of misconduct.

Policy Relevance

The Illinois Executive Ethics Commission (EEC) is the state agency with statutory responsibility for providing overall policy leadership for executive branch constitutional offices in the conduct of their employee ethics programs. Comprised of appointees from five executive branch constitutional offices, only five of the nine EEC commissioners may belong to any one political party. The EEC's duties include advising agency ethics officers, overseeing ethics training and promulgating rules pertaining to the conduct of investigations by the Executive Inspectors General into wrongdoing.

The State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.) was enacted on December 9, 2003. It created the EEC, the five Offices of Executive Inspectors General (OEIG) and Ethics Officers for each executive branch constitutional office and agency. It also set forth laws governing annual ethics training, employee and officer conduct and a mechanism for enforcing these laws.

Each executive branch constitutional office and each agency of the Governor appoints its own Ethics Officer (EO). The EO advises office or agency officials and employees concerning standards of ethical conduct, reviews financial disclosure statements, and serves as a liaison between the office or agency and the OEIG and the office or agency and the EEC. Some EOs offer additional ethics training in addition to the annual training required by the OEIG to officials and employees, but they are not required to do so by statute or rule.

Ethics officers also interpret standards of conduct regulations and review statements of economic interest. EOs in consultation with other ethics officials help ensure that agency employees avoid situations that could place them at risk of violating the Ethics Act and agency rules. Overall, a critical objective of the ethics program is to prevent conflicts of interest and misconduct that undermine the public's trust in Government.

The results of this survey have important implications for helping the EEC to improve the ethical climate of the executive branch. Simply put, the public expects that taxpayer dollars be used for effective ethics programs and for improving and building on successful initiatives. The first purpose of the survey, to assess the effectiveness of the ethics program, is directly keyed to this objective. The survey was designed to identify program elements that are critical for promoting desired ethical outcomes, as defined by the measures in this study. This analysis will allow the EEC to target scarce public resources toward critical program elements in order to maximize the impact of the ethics program.

Specifically, the survey results will allow the EEC and other ethics officials to make key decisions regarding the following program areas:

1. Development and offering of ethics training for executive branch employees. Survey questions addressed the frequency of training and employee perceptions of the effectiveness of different types of training. Based on these results, decisions could be made about how to allocate and target training resources.

2. Communication regarding the purpose, goals, and objectives of the ethics program. Awareness of the goals and objectives of the program were also addressed in the study. Based on these results, the need for new or different types of communications to increase awareness could be determined. In addition, awareness of available resources to answer ethics questions was assessed. Decisions about the allocation of resources toward these ends could be made based on the study results.

3. Helping employees to avoid at-risk situations. This is the overarching objective of the program. Training and communication increase awareness and will help employees recognize and avoid situations that may place them at risk of violating ethics standards. At a minimum, a preferred outcome is to encourage employees to seek advice when they have ethics questions, rather than "go it alone."

The survey was also designed to assess the overall awareness and perceived effectiveness by employees of the ethics program instituted by the Ethics Act, by the agencies under the jurisdiction of the Governor, not of individual agencies. The EEC intends that the results of this first survey serve as a benchmark against which change can be measured by future surveys.

The EEC also intends that the results of this survey will be used by the leadership of the agencies under the jurisdiction of the Governor to improve the ethical climate within their respective agencies and departments, and consequently to enhance the public trust in State government.

METHODOLOGY
This section describes the methodology used to implement this project. The methodology involved several key phases:
1. Survey Development
2. Sampling
3. Data Collection
4. Data Processing and Analysis

Survey Development
The Executive Branch Employee Ethics Survey 2000 was adapted from the Federal OGE survey *Executive Branch Employee Ethics Survey 2000.* Only a few questions were changed that reflect differences between Federal law and Illinois' Ethics Act.

Measures
The four primary measures created to address the key research questions are:
1. Program Awareness
2. Program Effectiveness
3. Culture Factors
4. Culture Outcomes

These measures were grouped into three survey sections: Part A addressed the first two measures, Part B addressed Culture Factors, and Part C addressed Culture Outcomes. In addition, Part D of the survey contained two open-ended questions addressing barriers and enablers to compliance with standards of ethical conduct; Part E contained demographic questions. The final survey document is contained in Appendix I.

Measure I: Program Awareness
This measure addressed familiarity with the Ethics Act (QA1), familiarity with rules of ethical conduct (QA3), and awareness of the presence of officials in each agency who are responsible for providing employees with advice on ethical issues (QA5). This measure is directly keyed to a primary EEC responsibility—to raise awareness about ethical issues and to foster communication regarding the availability of agency-based ethics resources.

In addition, the degree to which employees believed that a series of statements were objectives of the Ethics Act was assessed (QA2a-g). These statements were designed to examine the degree to which employees understood Ethics Act objectives.

A potential influence in these responses was the introductory material provided in the survey booklet. This material defined the ethics program and described the types of behavior and conduct covered by the program. It is possible that this information increased understanding of the ethics program for those who read the introductory material.

Measure 2: Program Effectiveness
The usefulness of rules of ethical conduct in guiding decisions and conduct (QA4) and the helpfulness of resources consulted when ethics issues arise (QA7, 8) were addressed by this measure. A qualifying question (QA6) asked if an employee had sought advice for an ethics-related concern in the past three years to differentiate between employees who had sought advice for ethics issues and those who had not during this time period. Additionally, the measure differentiated between the usefulness of the advice provided by ethics officials and the usefulness of advice provided by other resources that might have been consulted (QA8). This provided an assessment of the difference between the perceived usefulness of advice provided by ethics officials versus that provided by other parties.

The value to the EEC of this analysis was to determine if in fact ethics officials were performing their responsibilities better than a "layman." Lastly, reasons for not seeking advice from ethics officials (QA9) or not seeking advice at all (QA10) were assessed.

Training is a key component of the ethics program. As a result, the effectiveness measure also assessed the usefulness and effectiveness of training received by executive branch employees. First, the frequency of ethics training was assessed (QA11). This question was important because the Ethics Act requires annual ethics training of all employees.

For those who received some training, the usefulness of the training in making employees aware of ethics issues (QA12a) and in guiding decisions and conduct (QA12b) was assessed. Lastly, the effectiveness of several types of training was assessed. It should be understood that "training" is broadly defined within the context of the program. Training can encompass traditional classroom learning, computer-based self-study, review of standard reference materials, or review of direct agency communications, such as newsletters and memos. For each type of training, the survey assessed whether an employee received training via that method and the perceived effectiveness of the training (QA13a-h).

Measure 3: Culture Factors
Culture factors are characteristics of an organization that guide employee thought and action. For example, employees' perception that ethical concerns are discussed openly in their organization is a cultural factor; likewise their perceptions that, in their organization, actions are consistent with policies is a cultural factor.

Research suggests that these characteristics are related to employee behaviors—
what are called "culture outcomes" in this study. The factor, "Open discussion about ethics," for example, would be expected to be related to outcomes like ethics being integrated into decision making and decreased unethical behavior.

Assessments of culture factors are based on employee perception and may tell a different story than more objective measurement. However, it is generally accepted that perception of behavior defines culture. It should also be noted that the culture factors are not keyed to specific components of an organization's ethics program (e.g., training requirements, reporting mechanisms). Rather, they represent an assessment of the broader ethical environment in an organization.

Measure 4: Culture Outcomes
Culture outcomes are observed in an organization with a strong ethical culture. This study explored both sets of relationships.

Three outcomes were defined in this study:
1. Employees seek ethics advice
2. Ethics training aids employees in decision making
3. Specific unethical behavior

Demographic Variables
There were four key employee demographic variables on which the primary measures were analyzed. The four variables were:
1. Length of State employment
2. Financial disclosure filing status,
3. Work location in Springfield, Chicago or Other location, and
4. Supervisory status.

Sampling
The population of interest for this survey was employees of Governor's agencies. To maximize efficiency and conserve costs, a random sample of employees was selected to receive the survey. The sampling process was conducted through the Office of the Comptroller, which maintains payroll records for the pool of employees targeted by the survey. The Comptroller compiled a listing of "400" series employees (employees of Governor's agencies) from the statewide payroll system Year To Date master file. This file was ranked according to social security number.

The Year To Date master file was further limited by excluding:

1. Household employees (non-State employees)
2. Contractual employees
3. Employees from agencies with agency codes other than "400" (agencies not under the jurisdiction of the Office of the Governor)
4. Employees with a Year-To-Date gross payment of $0.00
5. Employees who did not receive a payroll disbursement between October 1 and October 24

After the above exclusions, the remaining population included 56,007 employees, which is considered the target population for the survey. From that population every 27th name and related home address were selected and printed onto mailing labels until 2000 names were chosen. No history of the chosen names and addresses was maintained. The mailing labels were affixed to envelopes, and stuffed with a cover letter, self-addressed and stamped return envelope and ethics survey. The envelopes were mailed on November 9, 2006.

Twenty-two envelopes were returned as undeliverable and another eight were returned by employees who did not believe they were employees of the executive branch. A total of 402 valid responses were received, for a 20.1% response rate. This response rate is considered acceptable for a mail survey.

Data Collection
Data were collected using a paper survey document. Each participant received a survey packet that contained (1) the survey, (2) a cover letter, and (3) a postage-paid business reply envelope. EEC staff worked closely with staff from the Office of the Comptroller to print, fold and stuff envelopes to be mailed to survey recipients' home addresses.

Overall, of the 2000 surveys were placed in the United States mail on November 9, 2006, twenty-two were returned by the United States Postal Service as undeliverable and an additional eight were returned incomplete by employees who did not believe that they were employees of the executive branch.

A total of 402 valid responses were returned to the Executive Ethics Commission. These processes resulted in a survey response rate of 20.1%.

Data Processing and Analysis
Data were processed and analyzed using state-of-the-art tools and techniques. Data processing was conducted in two steps. First, quantitative survey data were keyed. Data were double-keyed to ensure 100% accuracy. Second, qualitative data were transcribed into an MS Access database. Open-ended responses were not edited, with the exception of removal of names and agency references, profanity and grammar.

Differences articulated in the findings are statistically significant at the 0.05 level unless otherwise indicated. This means that there is a small probability (less than 5%) that the observed difference is a result of chance rather than a true difference between the groups' perceptions. The terms "statistically significant" and "significant" are used occasionally to emphasize these differences, or to explain that an observed difference does not reflect an underlying difference between the two groups (i.e., "not significant").

Many of the survey questions used a response range of 1-5. The meaning of the range endpoints varies by survey question. For example, a five indicates "very useful" for some of the questions and "very effective" for others. For these questions, results are presented as percentages of respondents answering with a particular rating, and occasionally as average ratings.

The remaining survey questions were categorical. Results for these questions are presented as percentages of respondents answering with a particular response. Some categorical items are multiple response, or "check all that apply." Findings for these items are presented as percentages of all survey *respondents* providing a given response. Typically, this results in percentages for all response categories totaling more than 100%.

Data were analyzed using NCCS 2004 software (Citation: Hintze, J. (2004) NCSS and PASS. Number Cruncher Statistical Systems. Keysville, Utah. www.ncss.com) according to the analysis plan established prior to the survey distribution. Descriptive statistics were calculated for all items. These included frequency distributions and, where applicable, means and standard deviations.

PROVISOS

One weakness that occurs in any anonymous mail-based survey is that participation is not mandatory. Those employees who have strong opinions about ethics, both positive and negative, are more likely to respond to the survey than those whose opinions are less strong. Although the survey does not ask for any identifying information, Commission staff have heard first-hand, and also from other sources, that some employees were reluctant to complete the survey because they feared the possibility of retaliation. Employees who reported serving 10-20 years, as a proportion, returned slightly more surveys than the demographic data available to the Commission suggest would be returned if the returns were completely random. Likewise, people reporting work locations of Springfield were slightly overrepresented. Altogether, these shortcomings are common to most surveying methods and do not seriously affect the generalizability of the results. The survey results do not distinguish between any of the dozens of Governor's agencies, so the findings do not apply to any particular agency. Finally, many of the results describe employees' perceptions of their ethical climate and ethical outcomes, but do not identify the specific cause of these perceptions or when these perceptions began. In other words, except for two open-ended questions, the survey results tell us little about who is to blame or who is to be credited for the present ethical climate.

FINDINGS

Measure 1: Program Awareness
The survey findings confirm that employees are aware and have a generally accurate perception of their agency's ethics program. In addition, they are reasonably familiar with the program objectives. Longer-serving employees demonstrate higher awareness and understanding of the program. Supervisory status is also positively related to program awareness and understanding of objectives.

Governor's agency employees are aware of the ethics program and its resources
Governor's agency employees are generally familiar with the ethics program and its resources. Awareness is highest among those who have worked for the State of Illinois for more than 20 years. The survey measured program awareness through two questions: (1) respondents were asked if they were aware that there are officials in their agency whose job responsibilities include providing advice to employees on ethics issues (QA5), and (2) respondents were asked to rate their familiarity with the State Officials and Employees Ethics Act on a scale of one to five (QA1).

Familiarity with the Ethics Officers
A sizeable number of respondents (82.0%) said they were aware that there are officials in their agency whose job responsibilities include providing advice to employees on ethics issues (QA5). Exhibit 1 shows the increasing awareness of the presence of Ethics Officers by length of service. This is statistically significant at the 0.002 level.

Exhibit 1: Awareness of Agency Ethics Officer by Years of Service
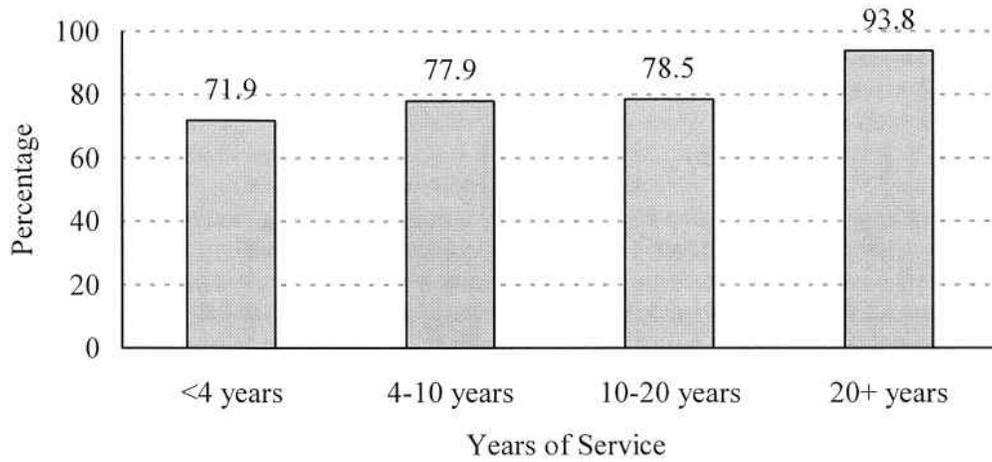
Awareness is higher among supervisors than it is among non-supervisors (see Exhibit 2). 88.7% of supervisors are aware of their agency's Ethics Officer, compared with 80.1% of non-supervisors. This is statistically significant at the 0.05 level. There is no variation in awareness by work location.

Exhibit 2: Awareness of Agency Ethics Officer by Supervisory Status
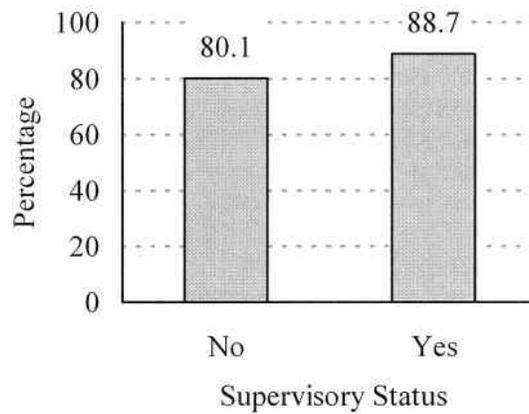
Exhibit 3: Awareness of Agency Ethics Officer By Workplace Location

Work Location
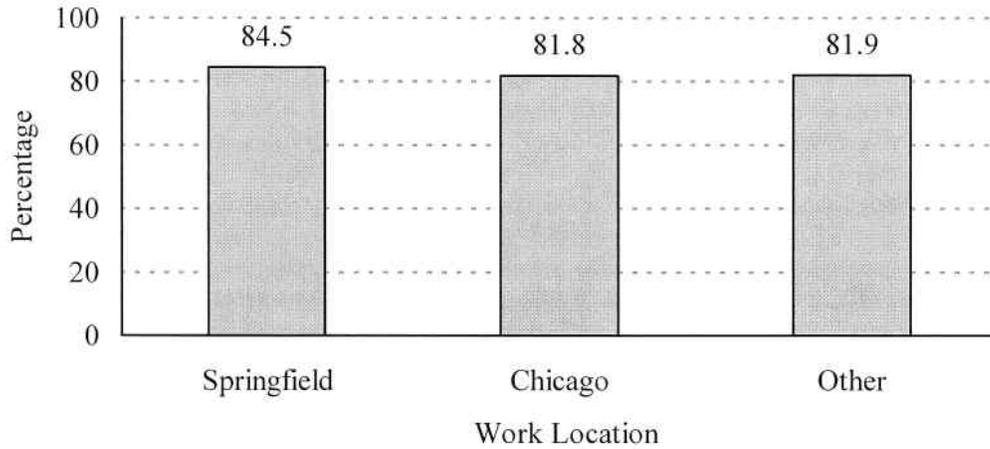
Familiarity with the Ethics Act

In addition to awareness of agency Ethics Officials, the survey measured respondents' familiarity with the State Officials and Employees Ethics Act.

A sizeable number of respondents (72.0%) described themselves as familiar with the Ethics Act (QA1) (a response of 4 or 5 on a scale of 1-5 where 1 means not at all familiar and 5 means very much familiar). There was no significant variation by supervisory or filing status, nor by length of service, nor work location.

Exhibit 4: Familiarity with Ethics Act
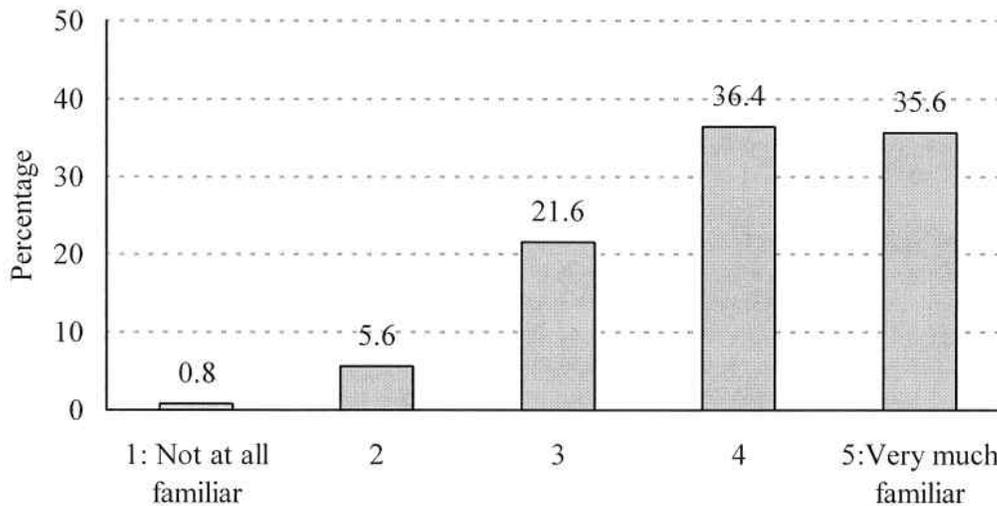
Familiarity with Ethics Act objectives

Overall, employees were reasonably familiar with the objectives of the Ethics Act. The Ethics Act objectives with which employees are most familiar involve education and prevention of ethics policy violations. Preventing violations of ethics policies (QA2a) received an average rating of 4.2, and educating employees regarding ethics standards (QA2b) received a rating of 4.3. Employees were reasonably familiar with the objectives related to public trust (QA2c), fair treatment of the public and outside organizations dealing with the Government (QA2f), and answering employee questions (QA2g). The average familiarity rating for ensuring and strengthening the public's trust in Government was 3.9, and ensuring fair and impartial treatment of the public and outside organizations in their dealings with the agency received an average rating of 3.8. The program objective of answering employee questions about ethics received an average rating of 3.8.

Employees were least likely to report being familiar with two very important Ethics Act objectives. Detecting unethical behavior received an average rating 3.7 (QA2d), and disciplining or prosecuting violators received an average rating of 3.4 (QA2e). Looking at this from another perspective, on a scale of 1-5 with 1 meaning not at all an objective of the Ethics Act and 5 meaning very much an objective of the Ethics Act, 20.2% of employees selected 1 or 2 for the objective of detecting unethical behavior. For the objective of disciplining/prosecuting violators, 25.8% selected 1 or 2, indicating that they do not see detecting unethical behavior or disciplining or prosecuting violators as objectives of the Ethics Act.

Employees who have worked for the State for a shorter period of time were significantly more likely than longer-serving employees to consider that objectives of the Act are (1) to ensure and strengthen the public's trust in government and (2) to ensure fair and impartial treatment of the public and outside organizations in their dealings with their agency. This seems to conflict with the results in Exhibit 1, where longer-serving employees are more likely to report that they are familiar with their Ethics Officers and also the result that longer-serving employees report that they are as familiar with the Ethics Act as other employees. In other words, longer-serving employees indicated that they were as familiar with or more familiar with the ethics program than newer employees, but believed to a lesser degree that these important elements were objective of the Ethics Act. This contradiction may indicate a level of cynicism among longer-serving employees in these areas.

Exhibit 5: Familiarity with Ethics Act Objectives
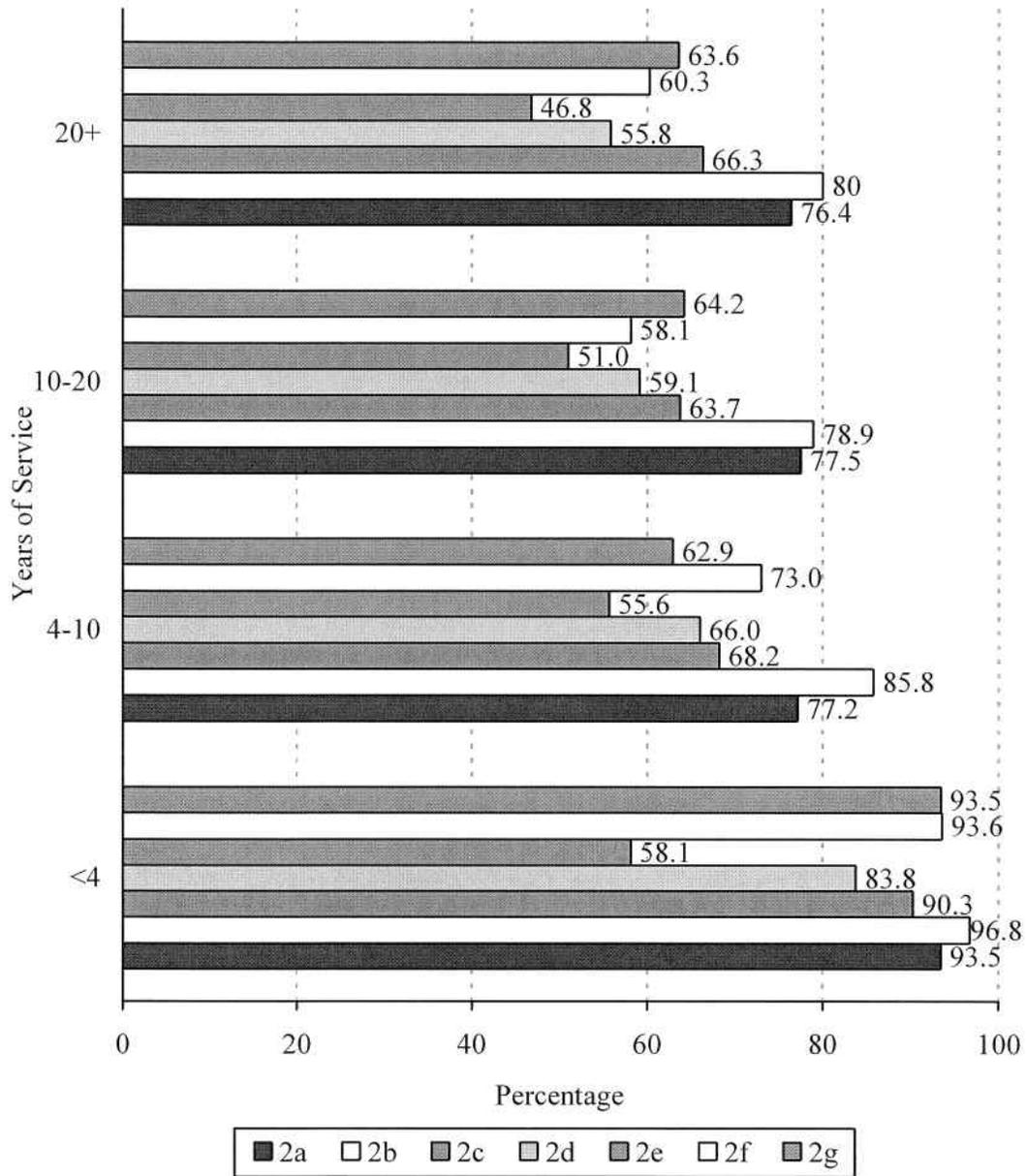
2a: To prevent violations of ethics policies
2b: To educate employees regarding the ethics standards expected of them
2c: To ensure and strengthen the public's trust in Government
2d: To detect unethical behavior
2e: To discipline/prosecute violators
2f: To ensure fair and impartial treatment of the public and outside organizations in their dealings
   with your agency
2g: To answer employee questions about ethics

Employees whose work location is Springfield were significantly less likely to consider that objectives of the Act are (1) to detect unethical behavior and (2) to ensure fair and impartial treatment of the public and outside organizations in their dealings with their agency. This again seems to conflict with the results in the first section, where Springfield employees were as likely report familiarity with the Ethics Act and their Ethics Officers as employees located elsewhere. This contradiction may indicate a level of cynicism among Springfield employees in these areas.

Exhibit 6: Familiarity with Ethics Act Objectives by Work Location

Employees who responded 4 or 5 to questions about objectives of the Ethics Act
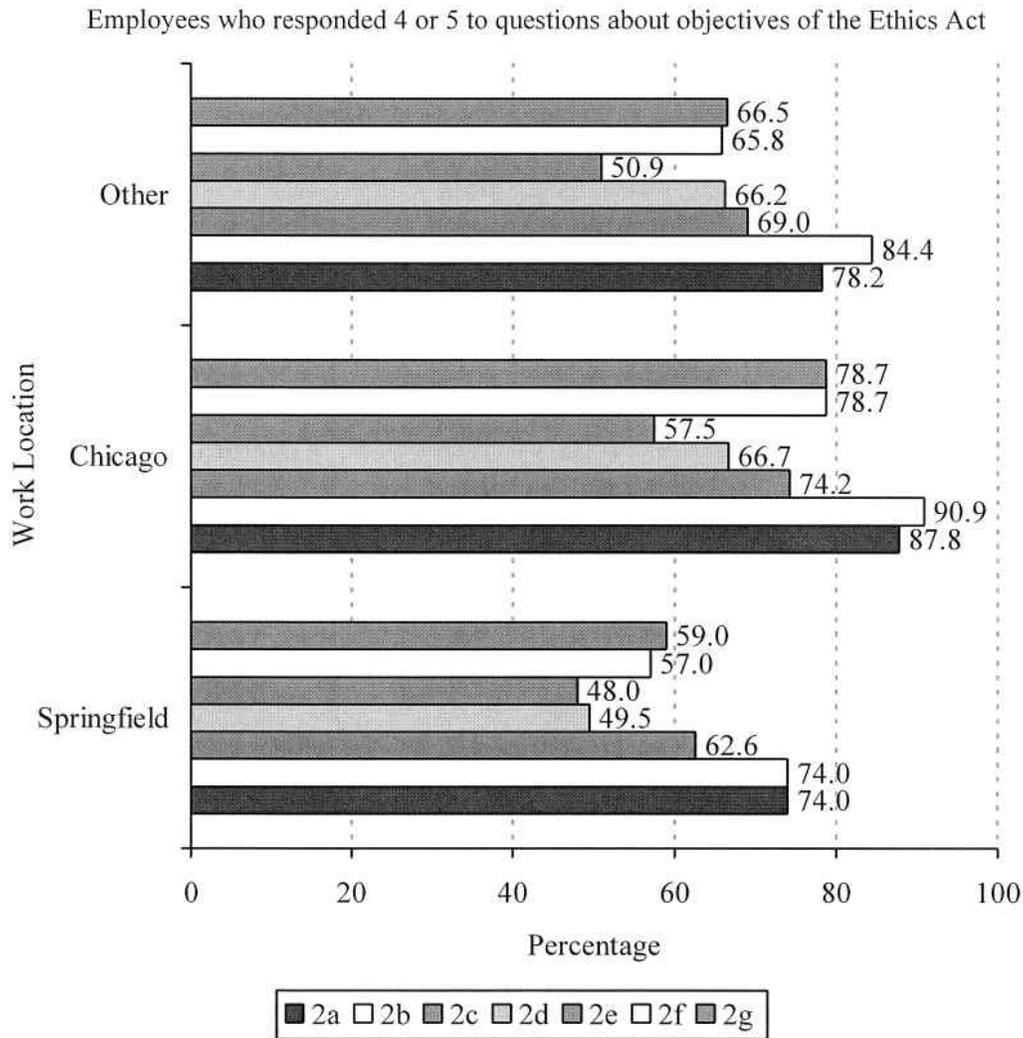

2a: To prevent violations of ethics policies
2b: To educate employees regarding the ethics standards expected of them
2c: To ensure and strengthen the public's trust in Government
2d: To detect unethical behavior
2e: To discipline/prosecute violators
2f: To ensure fair and impartial treatment of the public and outside organizations in their dealings with your agency
2g: To answer employee questions about ethics

The exhibits clearly demonstrate that across all work locations and regardless of years of service, employees were less aware of the Ethics Act's objective to prosecute and discipline violators than they were of other objectives.

It is important for employees to know that violators will be prosecuted and disciplined. If they do not, employees will perceive the Ethics Act as mere "window dressing". If employees perceive that there are no consequences to violating rules, the rules have no deterrent effect. Also, employees will have no reason to report observed violations unless they believe that their report will result in violators being prosecuted and disciplined.

Much of the reason for employees' lack of awareness of prosecutions and discipline can be explained by the lack of transparency concerning prosecution and discipline in the Ethics Act. Confidentiality provisions quite rightly protect the identity of employees who are being investigated for alleged wrongdoing during the pendency of the investigation. The confidentiality provisions, however, do not permit disclosure even when there has been a finding of wrongdoing and the employee or officer has been disciplined.

The only way that violations of the Ethics Act can ever be made public is after a finding of a violation by the Executive Ethics Commission. The only way the Executive Ethics Commission can make a finding is if a violation is referred to it by an Executive Inspector General. After three years, no employee ethics violations have been referred to the Executive Ethics Commission.

Consequently, employees have heard nothing about discipline or prosecutions by the Executive Inspectors General, except what has been leaked to the press.

Familiarity with Rules of Ethical Conduct
Employees are moderately familiar with the Rules of Ethical Conduct, with an overall average rating of 3.7 (QA3). There is no significant variation by length of service, supervisory status, filing status or work location.

Exhibit 7: Familiarity with the Rules of Ethical Conduct
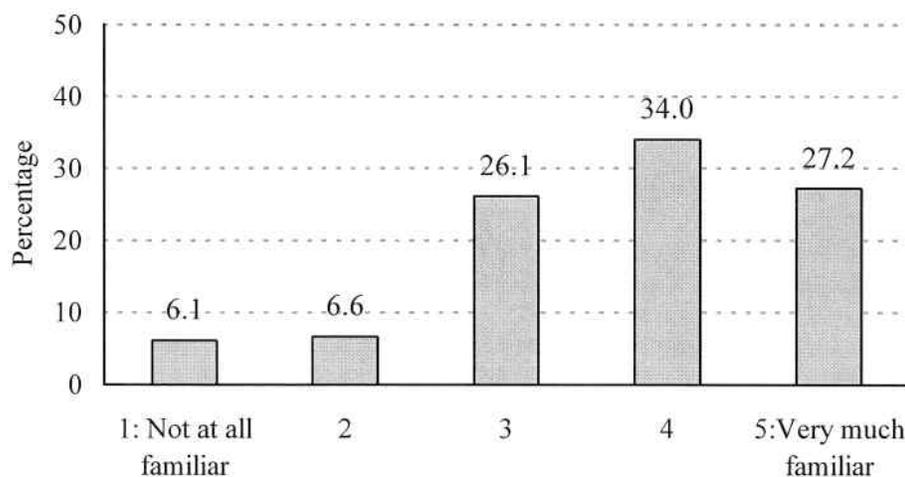
Measure 2: Program Effectiveness

The survey results indicate that employees believe the Rules of Ethical Conduct are moderately useful for guiding their decisions and conduct. Few employees have sought advice from agency Ethics Officers or other sources. A disturbingly high number of employees were either unaware of the existence of agency ethics officials or offered troubling reasons for not seeking ethics advice. Employees who report receiving more ethics training also report greater familiarity with the Ethics Act. Although computer-based training is by far the most common type of training, it was considered to be among the least effective training methods employed.

Usefulness of the Rules of Ethical Conduct

Employees reported that the Rules of Ethical Conduct are moderately useful in guiding decisions and conduct in connection with their work (QA4). The overall mean was 3.7 on a scale of 1-5, with 1 being not at all useful and 5 being very much useful. Respondents selected either 4 or 5 on the same scale 62.6% of the time.

Few employees seek ethics advice

Few employees of Governor's agencies seek ethics advice. In the past three years, 16.6% of respondents sought ethics-related advice in connection with their work (QA6).

Not surprisingly, supervisors are more likely to seek ethics advice than non-supervisors. While 27.6% of supervisors reported seeking ethics advice in the past three years, only 12.8% of non-supervisors sought ethics advice during the same period.

Exhibit 8: Percent Seeking Ethics Advice in the Last 3 Years by Supervisory Status
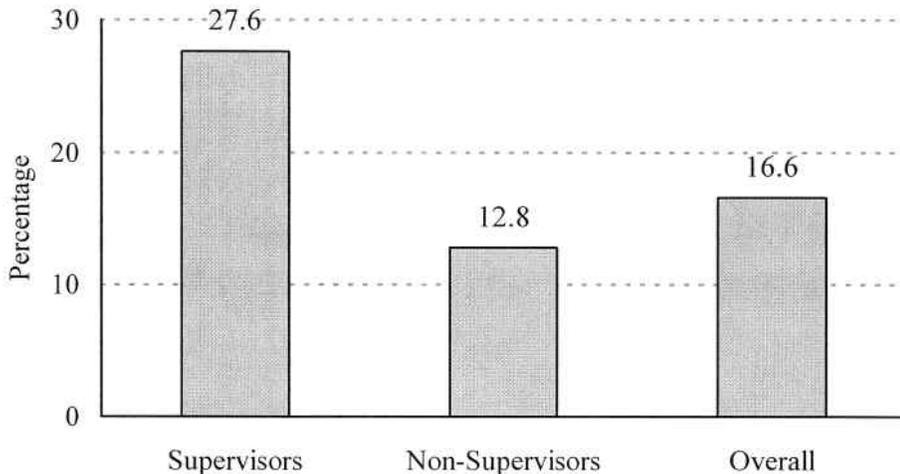
Employees use ethics program resources about half the time

A small majority of respondents who seek ethics-related advice choose their agency ethics official to provide it (QA7). Among those seeking advice in the last three years, 54.5% consulted their ethics officer, while 45.5% used other resources. The other resources employees consulted include the General Counsel's Office, the Human Resources Office, their supervisor, other counsel, their union official and personal resources. There is no systematic variation in responses based upon length of service, filing status, work location or supervisory status.

Employees find ethics officials only somewhat helpful
The helpfulness rating of ethics officials averaged 3.4 (QA7a), compared with an average rating of 3.6 for all other sources consulted (QA8). Variations in helpfulness ratings were not significant by length of service, supervisory status, or work location.

This rating is substantially below the rating reported by the Federal Office of Government Ethics, in which the helpfulness of ethics officers averaged 4.3. This difference might be explained by the relatively recent creation of the position of ethics officer (about three years ago). Additional training of ethics officers may address this and improve employees' view of Ethics Officers' helpfulness.

Reasons for seeking alternative resources
Respondents who sought ethics advice, but did not consult the agency ethics officer, indicated several reasons for not so doing (QA9). One frequent reason provided was that they did not know there was an ethics staff or that there is no ethics staff. Combined, these reasons were provided by 33.3% of those who responded. Other reasons for choosing other resources over agency ethics officials reveal that some employees lack confidence in the ethics program resources or fear some type of negative consequence will result from their consultation. About one-quarter (23.3%) of respondents indicated a lack of confidence in receiving good advice. One-third (33.3%) said they believed nothing would be done, and 6.7% feared they would get into trouble.

Exhibit 9: Reasons for Not Consulting an Ethics Official When Seeking Advice
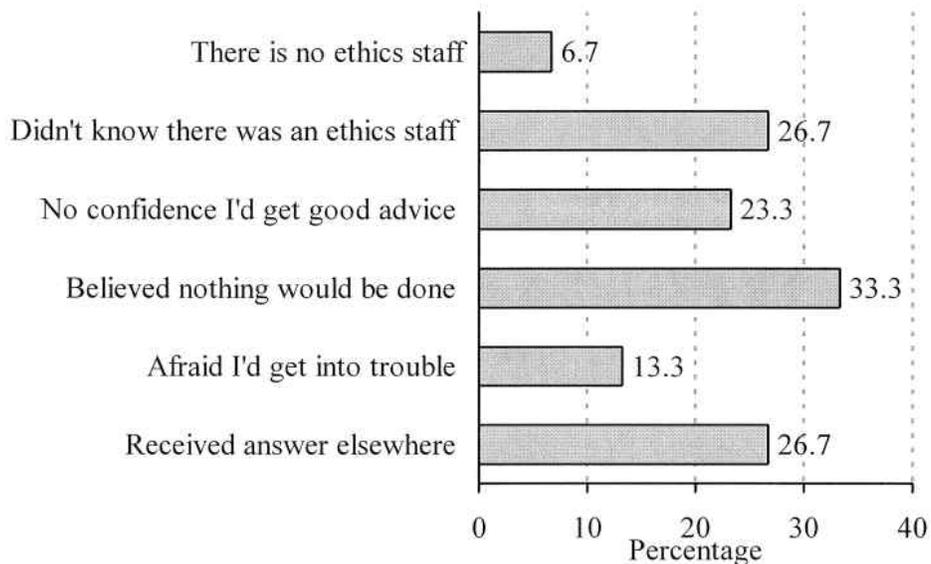
Note: Percentages are based on the total number of employees answering this question (n=30). Responses from employees who indicated they had not sought advice or who indicated they consulted their ethics official were eliminated.

Reasons for not seeking advice from any resource
Of the survey respondents who did not seek ethics advice at all during the past three years, most (72.0%) indicated that they did not have a relevant question during that time period (QA10). Nearly one-third (31.5%) of respondents indicated they were confident in their own ability to address the issues. Just over five percent (5.4%) of the respondents said they didn't know whom to ask (see Exhibit 10).

Exhibit 10: Reasons for Not Seeking Advice From Any Resource

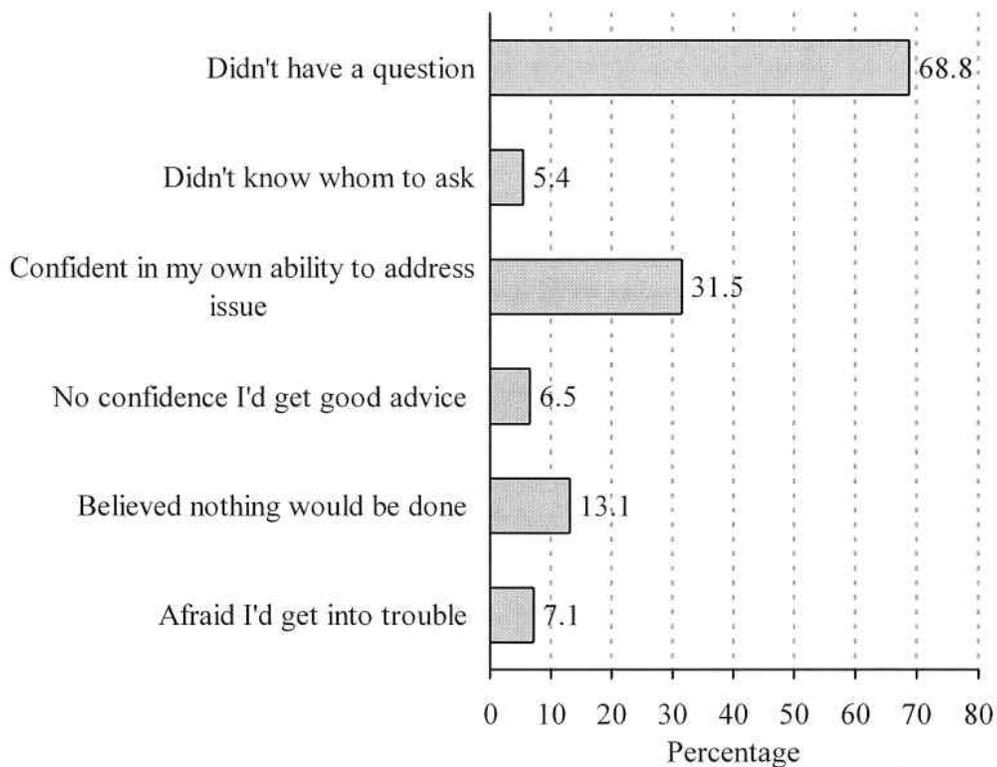| Reason	Percentage
Didn't have a question	68.8
Didn't know whom to ask	5.4
Confident in my own ability to address issue	31.5
No confidence I'd get good advice	6.5
Believed nothing would be done	13.1
Afraid I'd get into trouble	7.1

Percentage (x-axis: 0 10 20 30 40 50 60 70 80)

Note: Percentages are based on the total number of employees answering this question (n=336). Responses from employees who Indicated that they sought advice, but still answered this question were eliminated.

Some employees are not seeking ethics advice for troubling reasons
In addition to those employees who are not aware of ethics resources available to them (described below), others offer disturbing reasons for not seeking ethics advice. Some (6.5%) indicated that they were not confident that they would receive good advice. Fear of getting into trouble prevented 7.1% of employees from seeking ethics advice. Also, 13.1% of employees explained that they did not seek ethics advice in the past year because believed that nothing would be done.

Ethics training: broad, but shallow and of questionable effectiveness
Attempts to train employees of Governor's agencies annually, as required by the Ethics Act, are generally effective. As shown in Exhibit 11, the vast majority of employees receive annual training. A large percentage of employees do not find the training they receive to be useful or effective.

The great majority of employees (92.3%) reported receiving ethics training at least once per year, which is required by the Ethics Act (QA11). Another 3.2% indicated that they were trained once as part of their new-employee orientation, which satisfies the training requirement of the Ethics Act if those employees were hired within the past year. Those employees who reported receiving no training (1.3%) and those who report having received training only every few years (3.2%) are quite likely not in compliance with the Act.

16

Only 4.2% of employees report receiving ethics training more than one time each year. Other data suggest that employees are receiving additional ethics training, see page 20, but perhaps only so sporadically that it is not received each year.

Exhibit 11: Frequency of Training Over the Past 3 Years
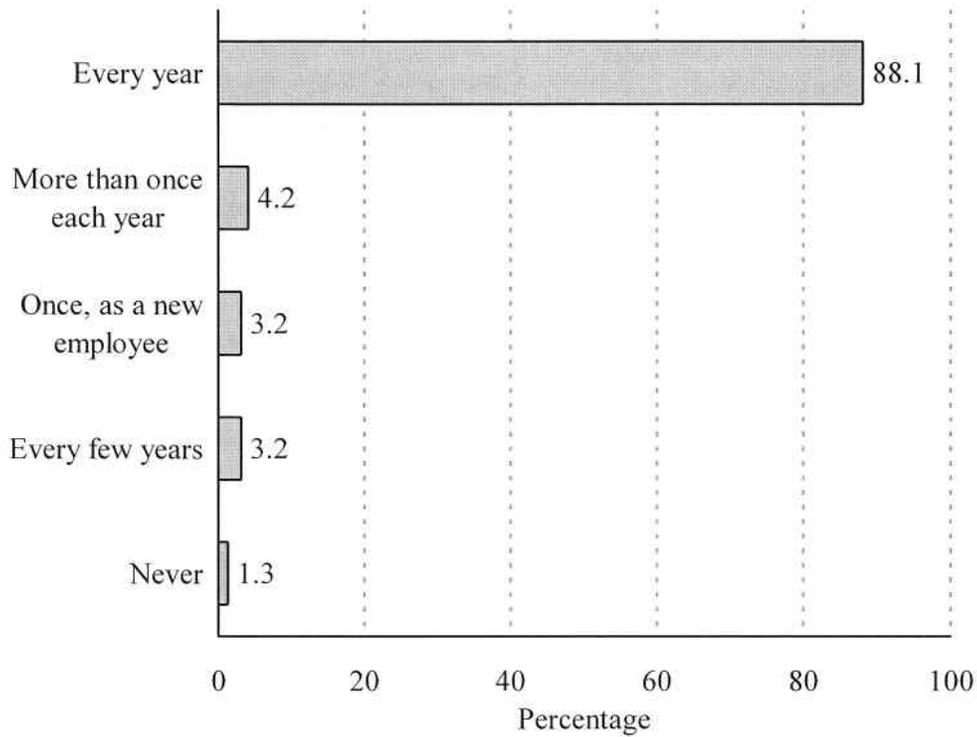
The State Officials and Employees Ethics Act, effective December 9, 2003, requires that all State employees receive ethics training annually. For survey respondents, this training is the responsibility of the Office of the Executive Inspector General for Agencies of the Governor. Annual training for the overwhelming majority of these survey respondents takes the form of an on-line training followed by a ten-question multiple-choice quiz. The average employee spends approximately thirty minutes taking the on-line training and quiz. In 2006, the Executive Inspector General determined that employees who spent less than 10 minutes training on line did not satisfactorily complete the training. As a result, approximately 10% of employees were deemed not to have satisfactorily completed the on-line training and these employees were required to take a supplemental, paper-based training.

Usefulness of ethics training
Employees rated at an average of 3.4 the usefulness of training in making them more aware of ethics issues in connection with their work (QA12a). Training is about equally useful, from the employee perspective, in guiding decisions and conduct in connection with work (QA12b)(average rating of 3.3).

The differences in reported perceptions of usefulness are significant according to length of service and work location. Longer-serving employees found the ethics training significantly less useful than those employees who have been employed for a shorter period. See Exhibit 12.

Exhibit 12: Reported Usefulness of Ethics Training in Guiding Work Decisions and Conduct According to Length of Service
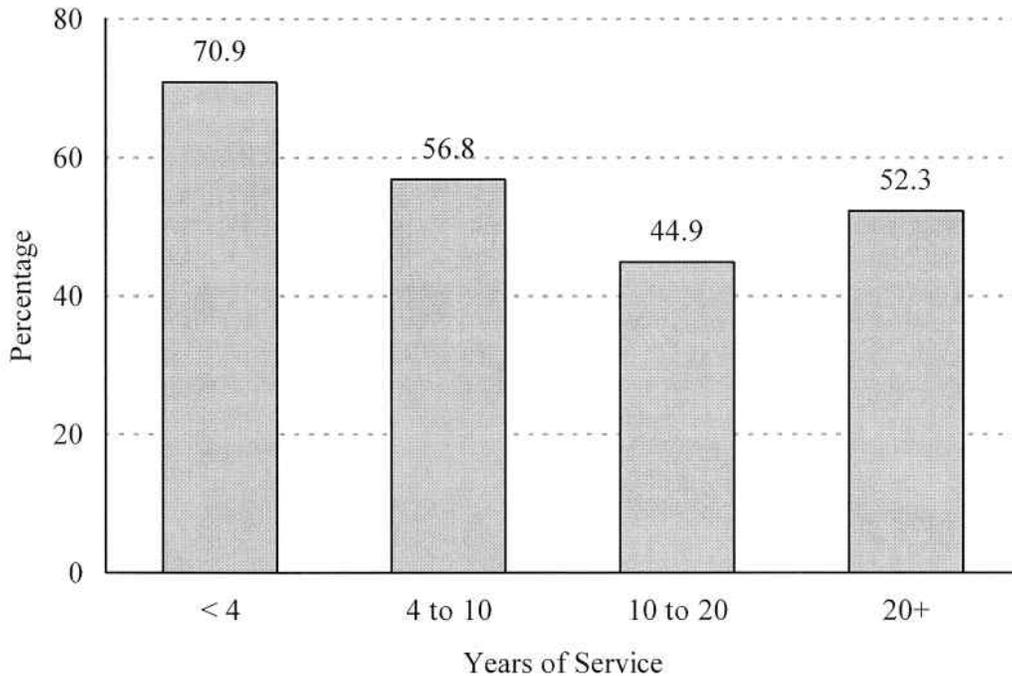
Longer-serving employees reported a higher level of dissatisfaction with the ethics training they received. Both in terms of making them aware of ethics issues (QA12a) and in guiding their decisions and conduct (QA12b), longer-serving employees found the ethics training significantly less useful than employees who have served a shorter term.

Question A12a asked employees to rate how useful their ethics training was in making them aware of ethics issues in connection with their work. Nearly three-fourths (74.2%) of respondents who have worked for the State for less than four years rated the usefulness as 4 or 5 on a scale of 1-5 where 1 means "not useful" and 5 means "very useful". The ratings of usefulness are significantly lower for longer-serving employees. For those serving 20 years or longer, those reporting that the ethics training is useful in making them aware of ethics issues in connection with their work drops to 49.5%.

Question A12b asked employees how useful their ethics training was in guiding their decisions and conduct at work. Over seventy percent (70.9%) of employees who have worked for the State for less than four years rated the usefulness as 4 or 5 on a scale of 1-5 where 1 means "not useful" and 5 means "very useful". Once again, the ratings of usefulness are significantly lower for longer-serving employees. For employees serving four to ten years, those rating the training as useful drops to 56.8%. For employees serving 10 to 20 years, it drops to 44.9%. For employees

serving longer than 20 years, 52.3% describe their ethics training as useful in guiding their decisions and conduct at work. See Exhibit 12.

This significant difference might be explained by the fact that the ethics training provided by the Office of the Executive Inspector General is not tailored to the responsibilities and needs of different employees. Since nearly all employees of Governor's agencies and universities, including Nobel Prize winning professors and cleaning staff, receive identical ethics training, the level of training complexity must remain fairly low. It is not surprising that the more senior employees would find the annual ethics training to be less helpful.

More ethics training related to familiarity with the Ethics Act
Employees who received more frequent ethics training during the past three years reported a greater familiarity with the Ethics Act. Survey results permitted a comparison of those who reported receiving training less than annually with those who received training once as part of new-employee training and those who trained at least annually with respect to familiarity with the Ethics Act.

Employees were asked to rate how familiar they were with the Ethics Act in survey question A1 On a scale of 1-5 with 1 meaning "not at all familiar" and 5 meaning "very much familiar". Of those who report being trained less than annually, 56.3% rated their familiarity with the Ethics Act as a 4 or a 5. For those who report receiving ethics training only once as part of new-employee training, the number reporting being familiar with the Ethics Act is 41.7%. Those who received ethics training at least annually, however, describe themselves as familiar with the Ethics Act 73.7% of the time.

Exhibit 13: Employee Familiarity with the Ethics Act According to Amount of Training
Percentage of Employees Reporting Familiarity with the Ethics Act

Frequency of Training
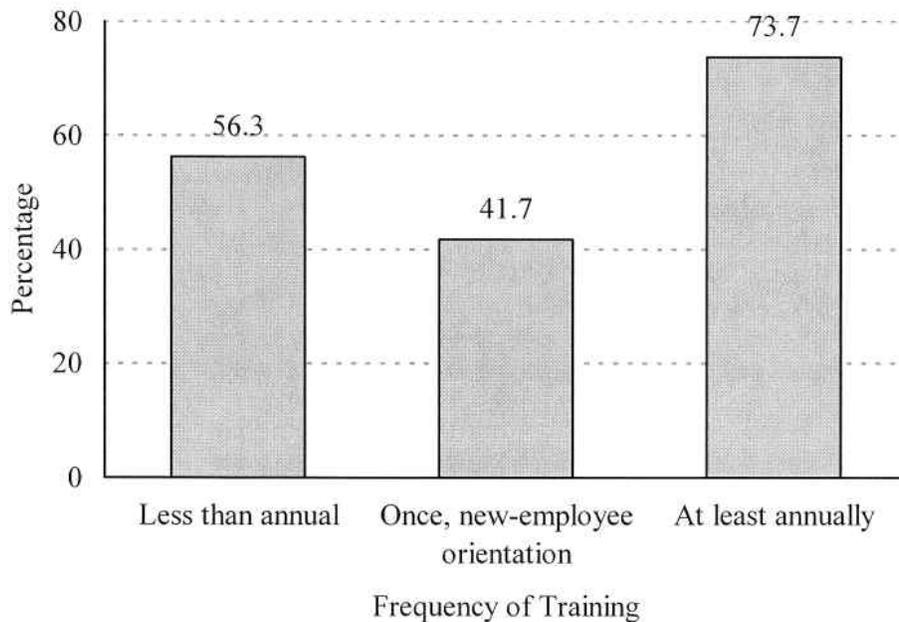
Employees receive training via multiple methods
As shown in Exhibit 14, the type of training reaching the most employees (94.9%) is computer-based training. In-person, instructor-led lecture or discussion was received by 24.5%. Over thirteen percent (13.5%) of all employees watched videotaped training, and 21.9% received direct communications, such as newsletters, pamphlets, memos, or emails.

One-fourth (27.1%) of the employees received or used reference materials, such as legal documents, laws or regulations, and 4.4% attended a training teleconference or satellite broadcast (QA13a-h).

Exhibit 14: Percent of Employees Receiving Training by Various Methods Over the Past Five Years
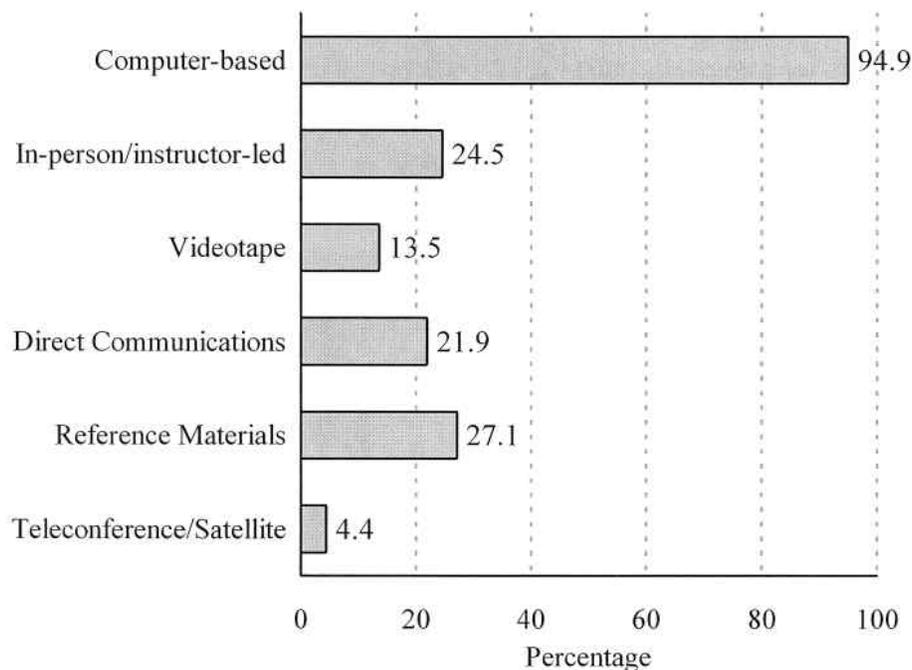
Effectiveness of training methods
Videotape was rated the most effective type of training provided to employees and received an average effectiveness rating of 3.8. Reference materials were also rated highly by employees (3.7), which the Federal survey found to be the least effective. Next, employees found in-person instructor-led lecture/discussion effective (3.6)

Although it was by far the most common type of training, computer-based training, was considered to be less effective and received an average rating of 3.4. Direct communications received an average rating of 3.4. Teleconferences or satellite broadcasts received an average rating of 3.3 (QA13a-h).

Exhibit 15: Mean Employee Rating of Effectiveness of Training Methods

Chart showing mean employee ratings:

Training Method	Rating
Computer-based	3.4
In-person/instructor-led	3.6
Videotape	3.8
Direct Communications	3.4
Reference Materials	3.7
Teleconference/Satellite	3.3

Rating axis: 3, 3.2, 3.4, 3.6, 3.8, 4
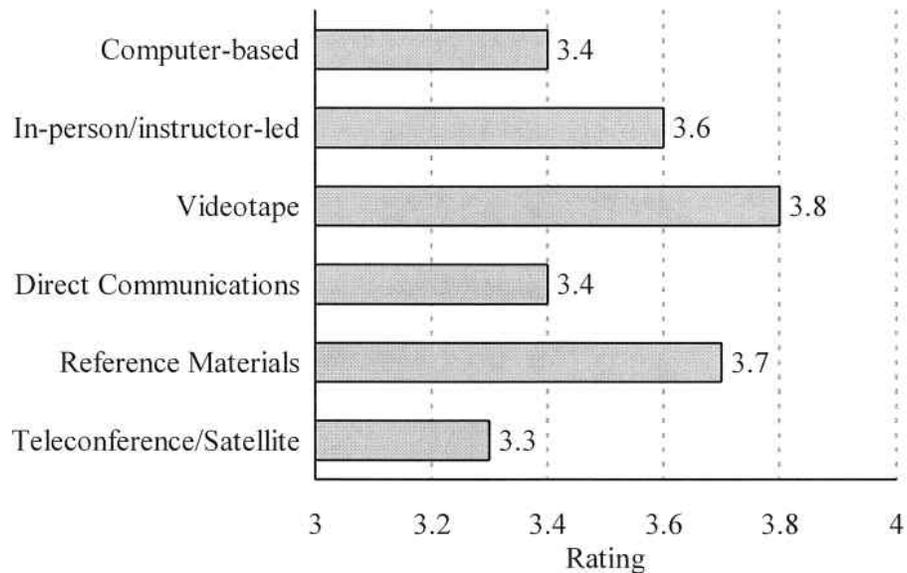
Measure 3: Culture Factors

State employees make decisions within an ethical culture. This ethical culture, whether positive or negative, influences their decisions. Elements of the ethical culture include whether employees perceive that:

1. ethics is discussed in the workplace,
2. their concerns will receive appropriate follow-up,
3. leadership cares about ethics,
4. ethics rules and agency practice are consistent,
5. ethics standards are enforced consistently at all levels,
6. employees can report ethical problems without fear of retaliation,
7. employees are not expected to obey directions blindly.

When these perceptions are negative, attempts to improve the ethical climate by providing ethics advice and training are compromised.

Unfortunately, a large percentage of employees perceive the ethical climate in their agencies to be negative in several aspects. Over 87 % of respondents reported the presence of one or more elements in their workplace that indicate an unhealthy ethical climate. There is a consistent one-quarter to one-third of employees who agreed or strongly agreed with negatively-phrased statements concerning the ethical climate in their agencies and the same percentage who disagreed or strongly disagreed with positively-phrased statements about the ethical climate in their agencies. In some cases, the percentage of employees reporting negative perceptions is over 40%. While it is unreasonable to expect no negative perceptions of the ethical climate, the survey identifies troublingly large and consistent negative perceptions.

Few supervisors and employees discuss ethics in the workplace

Only about 40 percent (39.8%) of employees agreed or strongly agreed with the statement "Employees in this agency feel comfortable talking about ethics." (QB5). The survey attempts to address reasons why over 60% of employees do not indicate that they are comfortable talking about ethics.

Nearly 40 percent (39.0%) disagreed or strongly disagreed with the statement "Supervisors at my agency include discussions of ethics when talking to their employees (QB1). This response is confirmed by the 40% who disagreed or strongly disagreed with the statement "Employees in the agency openly discuss the ethics of their decisions and actions." (QB13). In fact, only about one-fourth (24.9%) agreed or strongly agreed that employees openly discuss the ethics of their decisions and action.

One would expect employees to follow the lead of their supervisors when it comes to many aspects of workplace culture. When supervisors do not discuss ethics, employees may believe that discussing ethics is not an appropriate workplace activity. They are less likely to raise important ethical issues or to use the resources provided to them, such as ethics officers, to resolve ethical issues.

Poor ethical climate prevents communication of problems
Not only are discussions of general ethics issues absent in the workplace, but employees are also reluctant to report ethics violations that they experience. A large percentage of employees reported not being comfortable reporting problems. When evaluating the statement "I would feel comfortable reporting ethics violations." (QC6), 27.0% of employees disagreed or strongly disagreed. One question the survey attempts to address is why so many employees do not feel comfortable reporting wrongdoing. There may be several reasons:

A. Employees do not see follow-up of ethical concerns they report
If employees believe that reporting wrongdoing is a fruitless exercise, they will not report it. In response to the statement "This agency follows up on ethical concerns that are reported by employees." (QB2), 25.3% of employees disagreed or strongly disagreed. Likewise, in response to the statement "Employees who are caught violating ethics policies are disciplined." (QB12), 22.8% of employees disagreed or strongly disagreed.

The Ethics Act prohibits the release of any information concerning an Executive Inspector General's investigation, even after they have made a finding of wrongdoing. Consequently, employees who report wrongdoing will never hear whether the wrongdoer was prosecuted or disciplined. Many employees have contacted the Executive Ethics Commission concerning the status of cases they reported to an Executive Inspector General a year or more earlier. But the Ethics Act does not permit the EIG to relay this information to the whistleblower or even to the Commission, except under very specific circumstances. Until employees see that their complaints receive appropriate follow-up, they will have little incentive to complain.

B. Many employees see agency leadership as weak with respect to ethics
For a large number of employees, agency leadership does not seem to care about ethics. In response to the statement "Leadership of this agency regularly shows that it cares about ethics."(QB7), 30.3% disagreed or strongly disagreed. In response to the statement "Our agency leadership cares more about getting the job done than about ethics." (QB3), 24.5% agreed or strongly agreed.

Employees tend to model their behavior in the workplace after the example given to them by agency leaders. If employees do not perceive that agency officials care about ethics, employees will not care about ethics, either. It is remarkable that while employees respond negatively toward "agency leadership", they are only about half as negative toward supervisors. In response to the statement "Supervisors at my work location usually do not pay attention to ethics." (QB10), only 15.7% agreed or strongly agreed. See Exhibit 16.

Exhibit 16: Employees' Assessment of Supervisors' and Leadership's Concern for Ethics
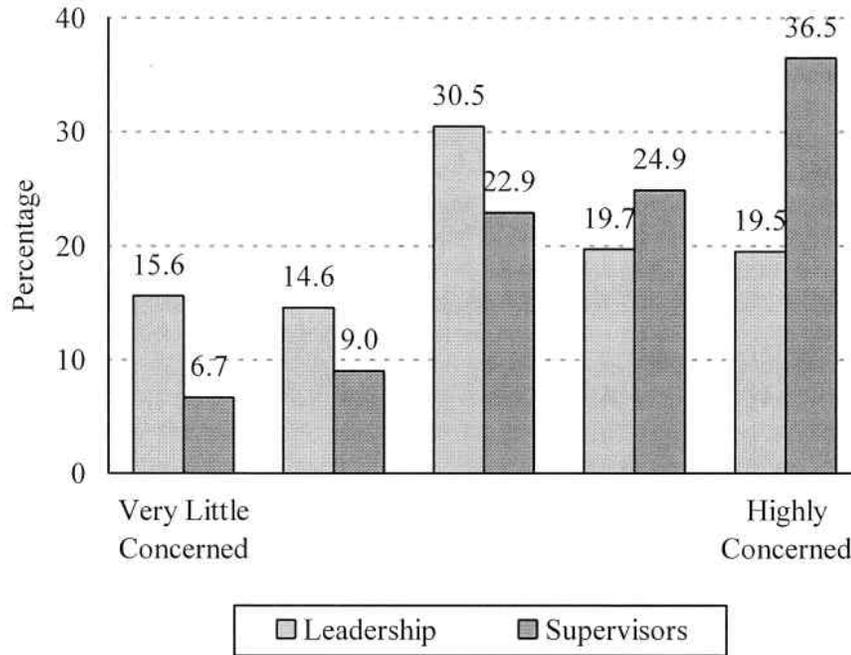
Employees also expect agency leaders to act in a way that is consistent with ethics rules. It is often said that "talking the talk" is not the same thing as "walking the walk". Leaders who express to employees the importance of ethics rules, but do not follow them or enforce them are perceived as inconsistent and insincere. A considerable number of employees see this as a problem. About one-third (33.2%) of employees disagreed or strongly disagreed with the statement "Ethics rules and agency practices are consistent." (QB14). An identical percentage (33.2%) disagreed or strongly disagreed with the statement "This agency practices what it preaches when it comes to ethics." (QB4).

Consistent treatment of employees regardless of their status is an important element of any ethics program. Employees want to believe that senior and junior employees, as well as those with and those without political clout, all will be treated the same when it comes to ethics. Equality under the law is rightfully demanded by everyone. Unfortunately, this is not perceived to be the case among many employees of Governor's agencies. Over one-third (33.4%) of employees disagreed or strongly disagreed with the statement "Employees at all levels in this agency are held accountable for adhering to ethical standards." (QB16). The most troubling response of the survey, however, may be that 45.2% of employees agreed or strongly agreed with the statement "Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees." (QB8). Viewed from the other perspective, just over one-third (35.7%) disagreed or strongly disagreed with the same statement. Thus, those employees who perceive that senior officials and lower-level employees are treated consistently with respect to discipline are, at best, a sizable minority.

This strong perception of favoritism toward senior officials may or may not reflect reality. As mentioned earlier, the Ethics Act does not permit the results of investigations to be made public.

Senior officials may be, in reality, as likely to be disciplined as other employees, but the secrecy required by the Ethics Act means that employees cannot be certain.

Fear of retaliation prevents employees from reporting wrongdoing
A perception that employees face retaliation for reporting wrongdoing exists among many employees. In a climate of fear, the ethical problems will go unaddressed until addressed by the press, law enforcement or by agency leaders. Many employees do not have confidence in agency leadership to resolve these problems.

Nearly one-third (31.7%) of employees disagreed or strongly disagreed with the statement "Employees who report misconduct are not retaliated against." (QC10). Only 35.5% agreed or strongly agreed with the question. Along a similar line, 33.1% disagreed or strongly disagreed with the statement "Employees can talk with supervisors about problems without fear of having comments held against them." (QC5).

Employee perceptions of a demand of blind obedience to authority prevents reporting of wrongdoing
Among a sizable number of employees, there is a perception that they are expected to follow the direction of supervisors without question. Of course, employees should not be expected to carry out directions that are unethical, but when they perceive that this is expected, the ethical climate suffers greatly.

In response to the statement "Employees in this agency are expected to do as they are told, no matter what." (QB15), 34.3% of employees agreed or strongly agreed. Employees must be encouraged to raise ethical issues when they receive appropriate instructions and not follow instructions blindly.

Measure 4: Ethical Outcomes
The ethical culture influences, to some extent, ethical outcomes. For example, where employees work in a culture that does not reward them for seeking ethics advice or that punishes them for seeking ethics advice, they are less likely to seek such advice.

Three outcomes were defined in this study:

1. Employees seek ethics advice
2. Ethics training assists employees in identifying ethical issues and decision making
3. Unethical behavior

Employees are reluctant to seek ethics advice
Not surprisingly in light of other findings that show that communication of ethics issues is often poor, many employees are reluctant to seek ethics advice. In response to the statement "Employees seek advice within the agency when ethics issues arise.", (QC2) 28.9% disagreed or strongly disagreed. A similar number (26.7%) disagreed or strongly disagreed with the statement "When ethical issues arise, employees look for advice within the agency." (QC7). The ethical climate must be changed to encourage employees to access the very resources intended to assist them.

Many employees do not perceive agency ethics programs to be helpful
The ethics program consists of ethics guidance provided by ethics officers and ethics training. If this program does not help employees make ethical decisions, resources need to be redirected. Survey results demonstrate that a large number of employees are rather dubious about the usefulness of agency ethics programs. Nearly one-third (32.2%) of employees disagreed or strongly disagreed with the statement "Employees here make decisions that comply with ethics policies because of the ethics program that is in place." (QC4). Over one-third (35.1%) of employees disagreed or strongly disagreed with the statement "Ethics problem solving in this agency is better because of the agency's ethics program." (QC9).

Employees are only somewhat less cynical toward the usefulness of ethics training. On a scale of 1-5 with 1 meaning not useful and 5 meaning very useful, 25.6% selected 1 or 2 in response to the question "In general, how useful was the ethics training you received in making you more aware of ethics issues in connection with your work?" (QA12a). Using the same scale, 29.9% selected 1 or 2 in response to the question "In general, how useful was the ethics training you received in guiding your decisions and conduct in connections with your work?" (QA12b).

As demonstrated on page 18, the difference in reported usefulness of ethics training between longer-serving employees and those employed for a shorter time is significant. Longer-serving employees do not find the trainings to be as useful as less experienced employees. Efforts should be made to make the ethics training more relevant for senior employees because they often have responsibilities that implicate ethical judgment. These employees would benefit from additional, specialized training.

As shown in Exhibit 13, however, it has been demonstrated that those employees who receive more ethics training describe themselves as more familiar with the Ethics Act.

Specific ethical misconduct
Employees were asked to indicate how often, in their opinion, certain types of unethical conduct occurred at their agency. Employees were asked to rate the prevalence of each type of unethical conduct on a scale between one and five with one meaning that the conduct never occurs at the agency and five meaning that the conduct occurred very frequently at the agency. It would be ideal, but unrealistic to expect every employee to indicate that the each type of ethical conduct never occurs, but the results do show that some unethical conduct is more prevalent than other such conduct.

The most prevalent perceived misconduct relates to misusing official time (QC10f--mean 2.4), misusing government positions (QC10e--2.2) and misusing government property (QC10d--2.1). Employees perceive inappropriate political activity somewhat less often (QC10b—1.9) (QC10h—1.8). The mean for employees receiving inappropriate gifts was 1.8 (QC10a). The least prevalent misconduct measured by this survey was employees receiving financial benefit for doing their government work (QC10c—1.7)(QC10g—1.5).

Qualitative Results
Two open-ended questions allowed respondents to provide more detailed information and opinions regarding barriers and enablers to compliance with ethics policies:

1. What, if anything, makes it difficult for employees to comply with ethics policies?
2. What, if anything, would further assist employees to act ethically in connection with their work?

Over two-thirds of respondents provided answers to these open-ended questions (Question #1—69.1%) and (Question #2—68.2%). This level of response is considered extraordinarily high for open-ended questions.

Each response was evaluated and placed into a single category that best fit the idea presented by the respondent. Where a respondent offered more than one category of response, the response was categorized according to the main idea offered.

The results from each question are presented and discussed below.

Barriers to complying with ethics policies
Among those who responded to the first open-ended question, over one-half (50.8%) of respondents identified leadership or issues within the control of leadership as responsible for making it difficult to comply with ethics policies. That number includes 26.3% of respondents who reported that those in leadership positions provide poor examples or do not provide good examples of ethical behavior. These responses indicated that management sometimes set a bad example by not complying with ethics policies and by failing to take action when a policy is violated by someone else. Typical responses to this question include:

- "Ethics starts at the top. If they don't care about it, why should we?"
- "When people in lesser positions see people in higher positions abuse it, it brings morale down."

Another 9.7% of respondents indicated that the work environment was "too political". For example, respondents identified the use of political affiliation as an inappropriate basis for hiring and promotion. Still another 7.6% wrote that a fear of retaliation made it difficult to comply with ethics policies. From the responses, it was clear that respondents were reluctant to report wrongdoing by others out of a fear that they would face retaliation for reporting the wrongdoing.

- "People violating are politically connected and protected."
- "Reporting any violation would be futile and retaliation by supervisors would be definite."

Another 7.2% of respondents reported that ethics problems do not lie with front-line staff, implying that the problem lies with leadership.

Other respondents identified insufficient education (9.7%) and insufficient moral upbringing (7.2%) as barriers to complying with ethics policies. These barriers speak to the need for additional ethics training.

- "Not knowing all the rules."
- "I believe that employees who find it difficult to comply with ethical policies – were not honest to begin with."

Barriers were not considered to be an issue by 24.8% of respondents and 4.3% reported other barriers, including the existence of opportunities to commit wrongdoing and a lack of accountability for work done.

Exhibit 17: Barriers to Complying with Ethics Policies

Barrier	Percentage
Leadership/Environment	50.8
No Barriers	24.8
Insufficient Education	9.7
Moral Upbringing	7.2
Other	4.3

(Horizontal axis: Percentage, 0 to 60)
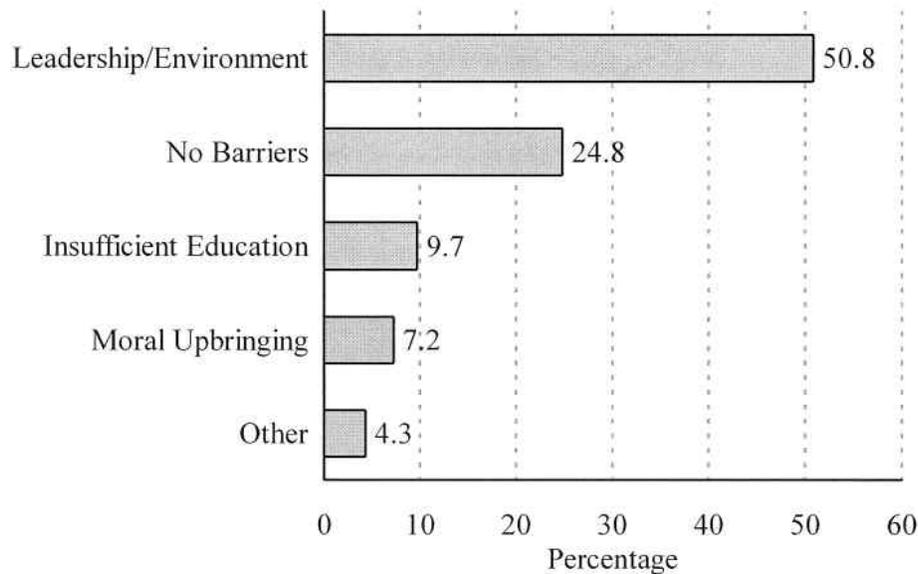
Enablers that assist employees to act ethically

When asked what would further assist employees to act ethically in connection with their work, 41% of respondents answering this question looked to leadership to lead by example and to take measures to create a better ethical environment. 27.0% of respondents indicated that employees would be encouraged to act ethically if leadership provided better ethical examples. Statements such as the need for supervisors and directors to "walk the talk" appeared in many responses.

- "People at the top need to be held accountable."
- "Better conduct by our elected officials."

Other ways to encourage employees to act ethically in with their work can be implemented by leaders. For example, 6.3% of respondents reported that having fair and equal treatment of employees would encourage them to act more ethically. Another 4.4% stated that political influence should be reduced and 3.3% said that reducing the fear of retaliation would encourage more ethical behavior.

- "Fair and equitable treatment regarding performance reviews and compensation."
- "Fear of being punished."

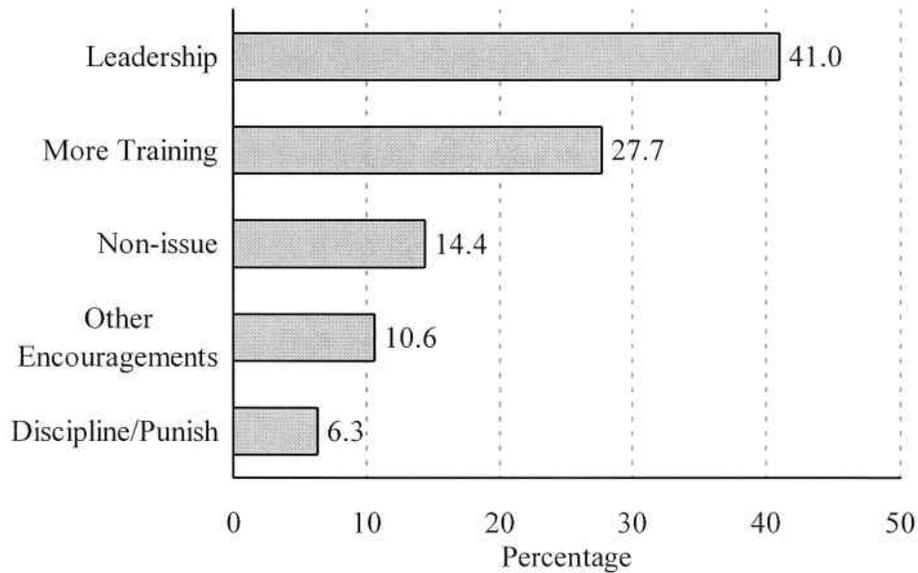A moderate number of respondents looked to solutions related to education to encourage ethical behavior. Increasing the amount of ethics education was cited by 19.6% of respondents as a means to encourage ethical activity. Another 8.1% believe that improving moral upbringing is key to better ethical actions.

- "Better training than the internet class."
- "Better training, being able to understand what is and what is not ethical."

Greater discipline or punishment for wrongdoing is reported by 6.3% of respondents as what would encourage employees to act ethically with their work. Other possible encouragements, including the creation of more guidelines and providing recognition to those engaging in good ethical behavior were cited by 10.4% of respondents. Getting employees to act ethically was not considered to be a problem for 14.4% of respondents.

- "Enforcement of ethics policies upon violators at every level."
- "We are hard-working, dedicated state employees. Being recognized as such would show that we are appreciated."

Exhibit 18: Factors that Would Further Assist Employees to Act Ethically

Recommendations. The Commission recommends that issues identified by the survey be addressed as follows:

1. **Agency leaders must set the right "tone at the top."**
   As noted above, many State employees believe that agency leadership can and should do more to create a climate of ethical communication and behavior. Agency leadership must "talk the talk" and "walk the walk" in order to properly set the tone for their agency.

2. **Agency leadership must make ethics part of employees' daily discussion.**
   Ethics is not being discussed in the workplace by employees or by supervisors. Leadership must both remove barriers to free ethics communications (fear of retaliation, expectations of blind obedience to authority) and actively encourage ethics communications. Ethics should be incorporated into the decision making process.

3. **The role of Ethics Officers should be emphasized.**

   Ethics Officers are a valuable resource for each agency. Created by the Ethics Act, they are there to guide officers and employees in the interpretation and implementation of the Act. Agency leadership should emphasize the importance of turning to agency Ethics Officers when ethics questions and concerns arise. Ethics Officers should receive additional training on ethics rules and encouraging employees to report their ethical concerns.

4. **Ethics training should be made more effective.**

   Annual computer-based annual ethics training alone is not sufficient for State employees. There are other more effective methods of ethics training which can be adapted to take into account the unique ethical challenges facing certain groups of employees, and to be relevant to longer-serving employees. The variety of possible modes of ethics training should take into account the unique ethical challenges facing certain groups of employees and be made more relevant to longer-serving employees. Supervisors, with the assistance of Ethics Officers and the Ethics Commission, should take it on themselves to introduce ethics issues in meetings and conversations with their employees.

5. **The Ethics Act should be changed to increase the transparency of the disciplinary process.**

   Many employees distrust claims that wrongdoing is investigated and punished because the secrecy provisions of the Ethics Act prevent disclosure of violations. Without knowledge of discipline that has been handed down in response to violations, employees doubt that their reports of wrongdoing are taken seriously. Without this knowledge employees believe that senior officials are less likely than other employees to be disciplined for wrongdoing. The EEC strongly urges the General Assembly to pass SB 157, which will increase transparency in the disciplinary process and, in so doing, improve both trust and the ethical climate of State Government.

Employee Ethics Survey 2006-2007

Report prepared by the Illinois Executive Ethics Commission

Please read the following BEFORE completing the survey.

PURPOSE

This survey is designed to gather feedback from employees about their awareness of the State's executive branch ethics program and their attitude toward ethical issues in their agencies. It will be used to help the Illinois Executive Ethics Commission improve the executive branch ethics program.

FREQUENTLY ASKED QUESTIONS

How will confidentiality be maintained?

This survey does not ask for any information that would reveal your identity (for example, your name, social security number or specific work location) or your agency's identity. The survey does not contain any identifying markings. No one will be able to identify you from your survey responses.

Why did I receive a survey and a coworker of mine did not?

Employees who received the survey were randomly selected from employees in the executive branch of state government.

DEFINITION

For the purpose of this survey, the term "ethics" and "ethical" have a narrow meaning. They are intended to describe the rules of ethical conduct based on two fundamental principles. Executive branch employees—
- Should act impartially in carrying out their official duties and
- Should not use their public office for private gain.

The State Officials and Employees Ethics Act, for example, includes ethics restrictions and prohibitions that limit or bar employees from—
- Accepting gifts given to them because of where they work or what they do in their State jobs;
- Doing work for the State that could benefit them personally;
- Misusing official time;
- Using State property, time, or resources for inappropriate political activities;

Types of misconduct NOT covered by this survey include:
- Sexual harassment
- Discrimination
- Unfair treatment in terms of promotions, awards, discipline and evaluations
- Substance abuse

Your agency's ethics program involves activities that are undertaken to assist employees in understanding and adhering to the State Officials and Employees Ethics Act. Program activities include educating employees regarding the ethics standards expected of them and providing counseling and answering employee questions about ethics.

— Thank you very much for taking the time to complete and return this survey. —

EMPLOYEE ETHICS SURVEY 2006

General instructions

Please complete this survey only if you are a State of Illinois employee in the executive branch.

Please respond within seven days of receipt.

The survey will take approximately 20 minutes to complete.

Please select the best response for each question based upon your experiences, opinions or perceptions.

Be sure to answer the front and back of all four survey pages.

Please return your completed survey (all four sheets) in the postage-paid envelope provided. If your envelope was misplaced, please send the survey to:

Executive Ethics Commission
401 S. Spring Street
403 William Stratton Building
Springfield, IL 62706

INSTRUCTIONS: *Unless the instructions otherwise indicate, please select the* **ONE** *most appropriate response for each question.*

PART A.	Not at all				Very Much So
1. How familiar are you with the State Officials and Employees Ethics Act?	1	2	3	4	5
2. To what extent do you believe each of the following items describes an objective of the Ethics Act?					
2a. To prevent violations of ethics policies.	1	2	3	4	5
2b. To educate employees regarding the ethics standards expected of them.	1	2	3	4	5
2c. To ensure and strengthen the public's trust in Government.	1	2	3	4	5
2d. To detect unethical behavior.	1	2	3	4	5
2e. To discipline/prosecute violators.	1	2	3	4	5
2f. To ensure fair and impartial treatment of the public and outside organizations in their dealings with your agency.	1	2	3	4	5
2g. To answer employee questions about ethics.	1	2	3	4	5
3. How familiar are you with the rules of ethical conduct for executive branch employees?	1	2	3	4	5
4. How useful are the rules of ethical conduct in guiding your decisions and conduct in connection with your work?	1	2	3	4	5

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2006

	Yes	No
5. Are you aware that there are officials in your agency whose job responsibilities include providing advice to employees on ethics issues?	Y	N
6. In the last 3 years have you sought ethics-related advice in connection with your work? *(If you selected "No" to Question 6, skip to Question 10.)*	Y	N
7. If you have sought ethics-related advice in the last 3 years, did you consult your agency ethics officer? *(If you selected "No" to Question 7, skip to Question 8.)*	Y	N

	Not Helpful				Very Helpful
7a. How helpful was your agency ethics officer?	1	2	3	4	5
8. If you consulted someone other than your agency ethics officer, indicate whom you consulted (e.g. Supervisor, Human Resource Office, General Counsel's office, etc) and rate the helpfulness of each.					
	1	2	3	4	5
	1	2	3	4	5
	1	2	3	4	5
	1	2	3	4	5

9. If you have sought ethics advice in the last 3 years, but did not consult your agency ethics official, why not?   (Circle all that apply.)

    1. There is no ethics staff
    2. Didn't know there was an ethics staff
    3. They don't have time for me
    4. No confidence I would get good advice
    5. Believed nothing would be done
    6. Afraid I would get into trouble
    7. Other_____
    (If you answered Question 9, skip to Question 11.)

10. If you have not sought ethics-related advice in the last 3 years why not? (Circle all that apply.)

    1. Never had a question
    2. Didn't know whom to ask
    3. Confident in my own ability to address issue
    4. No confidence I would get good advice
    5. Believed nothing would be done
    6. Afraid I would get into trouble
    7. Other_____

EMPLOYEE ETHICS SURVEY 2006

For the purposes of Questions 11 through 13, "ethics training" includes not only instructor-led training in a classroom setting but also the opportunity to review written materials, watch videotapes, participate in computer-based training, etc.

11. During the past 3 years, how often have you received ethics training?
    1. Once, as part of my new-employee orientation
    2. Every few years
    3. Every year
    4. More than one time each year
    5. Have not received training in the last three years
    6. Have never received any training
    (If you selected 5 or 6 in Question 11, skip to Part B)

12. In general, how useful was the ethics training you received.....	Not Useful				Very Useful
12a. In making you more aware of ethics issues in connection with your work?	1	2	3	4	5
12b. In guiding your decisions and conduct in connection with your work?	1	2	3	4	5

13. For each of the following training methods, indicate whether you have received ethics training via that method circle Y for yes and N for no. If yes rate the effectiveness f the training your received.	Effectiveness				
	Not Effective				Very Effective
13a. In-person instructor-led lecture/discussion Y N	1	2	3	4	5
13b. Teleconference or satellite broadcast Y N	1	2	3	4	5
13c. Videotape Y N	1	2	3	4	5
13d. Computer-based training. (e.g. Internet, Intranet) Y N	1	2	3	4	5
13e. Reference materials Y N	1	2	3	4	5
13f. Direct communications (e.g. newsletter, e-mail) Y N	1	2	3	4	5
13g. Tri-fold brochures Y N	1	2	3	4	5
13h. Other (Specify)_____ Y N	1	2	3	4	5

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2006

INSTRUCTIONS: Please mark the response indicating your level of agreement with each of the following statements based on you experience, opinions, or perceptions

Part B.	Strongly Disagree				Strongly Agree
1. Supervisors at my agency include discussions of ethics when talking with their employees.	1	2	3	4	5
2. This agency follows up on ethical concerns that are reported by employees.	1	2	3	4	5
3. Our agency leadership cares more about getting the job done than about ethics.	1	2	3	4	5
4. This agency practices what it preaches when it comes to ethics.	1	2	3	4	5
5. Employees in this agency feel comfortable talking about ethics.	1	2	3	4	5
6. You can ignore ethics and still get ahead in this agency.	1	2	3	4	5
7. Leadership of this agency regularly shows that it cares about ethics.	1	2	3	4	5
8. Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees.	1	2	3	4	5
9. If ethics concerns are reported to the agency, action is taken to resolve them.	1	2	3	4	5
10. Supervisors at my work location usually do not pay attention to ethics.	1	2	3	4	5
11. This agency makes a serious effort to detect violations of ethics standards.	1	2	3	4	5
12. Employees who are caught violating ethics policies are disciplined.	1	2	3	4	5
13. Employees in the agency openly discuss the ethics of their decisions and actions.	1	2	3	4	5
14. Ethics rules and agency practices are consistent.	1	2	3	4	5
15. Employees in this agency are expected to do as they are told, no matter what.	1	2	3	4	5
16. Employees at all levels in this agency are held accountable for adhering to ethical standards.	1	2	3	4	5

EMPLOYEE ETHICS SURVEY 2006

INSTRUCTIONS: Please mark the response indicating your level of agreement with each of the following statements based on you experience, opinions, or perceptions

Part C.	Strongly Disagree				Strongly Agree
1. Employees in the agency recognize ethics issues when they arise.	1	2	3	4	5
2. Employees seek advice within the agency when ethics issues arise.	1	2	3	4	5
3. Employees are comfortable delivering bad news to their supervisors.	1	2	3	4	5
4. Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	1	2	3	4	5
5. Employees can talk with supervisors about problems without fear of having their comments held against them.	1	2	3	4	5
6. I would feel comfortable reporting ethics violations.	1	2	3	4	5
7. When ethical issues arise, employees look for advice within the agency.	1	2	3	4	5
8. Employees in this agency do not recognize ethics issues that come up at work.	1	2	3	4	5
9. Ethics problem solving in this agency is better because of the agency's ethics program.	1	2	3	4	5
10. Employees who report misconduct are not retaliated against.	1	2	3	4	5

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2006

10. In your opinion, how often do these types of conduct occur at your agency?

	Never				Very Frequently
10a. Agency employees improperly accepting gifts given to them because of where they work or what they do in their Government jobs.	1	2	3	4	5
10b. Agency employees misusing Government property, time or resources for inappropriate political activity.	1	2	3	4	5
10c. Agency employees improperly benefiting financially from work they do for the Government.	1	2	3	4	5
10d. Agency employees misusing Government property.	1	2	3	4	5
10e. Agency employees misusing their Government positions.	1	2	3	4	5
10f. Agency employees misusing official time.	1	2	3	4	5
10g. Agency employees improperly accepting payment for doing their Government jobs from people outside of Government.	1	2	3	4	5
10h. Agency employees engaging in inappropriate political activity during official time.	1	2	3	4	5

EMPLOYEE ETHICS SURVEY 2006

PART D.

Instructions: *Please write your responses to the following questions in the space provided. Please write legibly.*

1. In your opinion, what, if anything makes it difficult for employees to comply with ethics policies?

2. In your opinion, what, if anything, would further assist employees to act ethically in connection with their work?

PLEASE CONTINUE ON THE BACK OF THIS PAGE

EMPLOYEE ETHICS SURVEY 2006

PART E.

Instructions: Please circle the one response for each question that most closely describes you.

1. How long have you worked for the State of Illinois?

    1. Less than 4 years
    2. 4+ years to 10 years
    3. 10+ years to 20 years
    4. More than 20 years

2. What are your financial disclosure responsibilities?

    1. I file an Economic Interest Statement.
    2. I am not required to file an Economic Interest Statement.
    3. I do not know my filing status.

3. What is your work location?

    a. Springfield
    b. Chicago
    c. Other

4. Do you hold a supervisory position?

    a. Yes
    b. No

THANK YOU FOR COMPLETING THE EMPLOYEE ETHICS SURVEY!

Please return your completed survey (all four sheets) in the postage-paid envelope provided. If your envelope was misplaced, please send the survey to:

Executive Ethics Commission
401 S. Spring Street
403 William Stratton Building
Springfield, IL 62706

2006-2007 Employee Ethics Survey Final Report
Addendum (4/11/07)

p.17.   On January 4, 2007 the Chicago Tribune reported that about ten percent of employees who had taken the on-line training too quickly were required to complete additional training. ("Profs fail ethics test for taking it too fast" 1/4/07). More recent information from the OEIG indicates that this number is now approximately seven per cent.

p.17.   The average employee spends approximately thirty minutes completing the on-line training, excluding the quiz portion.

p.19.   All university employees who take on-line training take the same training and all Governor's agency employees who take on-line training take the same training, however, on-line training for Governor's agency employees and for university employees is not identical.