

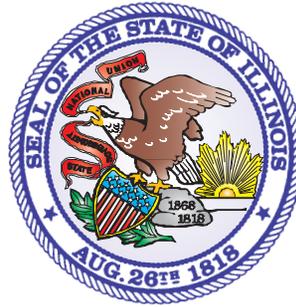
CREATE A POSITIVE ATMOSPHERE

Candid discussions of ethical issues take place only under the right conditions. Supervisors must be accessible and open. “Open door” policies are essential. Staff should be reminded of the confidentiality provisions of the Ethics Act, the availability of their ethics officer, and of their whistleblower rights. Finally, employees must believe that their supervisor will take their concerns seriously and follow up with appropriate action. If an issue needs to be referred to an Executive Inspector General, be prepared to explain the process that follows.

ASK FOR HELP

If you have any questions about your responsibilities or about how to encourage ethics discussion, talk to your ethics officer. Your ethics officer and the Executive Ethics Commission stand ready and willing to help.

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EXECUTIVE ETHICS COMMISSION

State of Illinois
401 S. Spring Street
513 William Stratton Building
Springfield, IL 62706
Phone: (217) 558-1393
Fax: (217) 558-1399
Michelle Casey, Executive Director

*For more information, see the
Executive Ethics Commission's web
site, www.eec.illinois.gov
or contact your agency's Ethics Officer.*

TALKING TO EMPLOYEES ABOUT ETHICS

GUIDANCE FOR SUPERVISORS



Conscientious employees always want to improve the way things are done. They discuss and evaluate proposed policies in light of past successes and failures. Budgetary concerns, personnel matters and legal issues are raised by employees with responsibility for these matters. But who is responsible for raising ethical issues? Who should ask whether current or proposed conduct is fair and in keeping with the agency's values?

Of course, all employees should be asking these questions. But since no single person is responsible, often no one will speak up. They assume someone else will do it. Or, in the minds of some employees, speaking up about ethics may be useless or may even produce negative consequences: "Nothing will be done anyway, so why should I stick my neck out?" "What if my coworkers or supervisors disagree with me?"

With these obstacles in mind, what can we do to encourage employees to raise and discuss ethical issues?

LEAD BY EXAMPLE

Employees look to supervisors for cues about how to behave in the workplace. They model their behavior accordingly. If supervisors never raise ethical concerns in the workplace, neither will their staff.

As a supervisor, you should include a discussion of ethics issues in regular meetings. At first, be prepared to initiate and carry the conversation yourself. Once employees learn that talking about ethics is an appropriate and desirable activity during regular meetings, discussions will follow as they would for any other item on the agenda.

Another way to incorporate ethics into daily work is to include an ethical analysis alongside traditional budgetary, personnel and legal analyses. When an idea for a new project is proposed, the team investigating the project's feasibility should also report on the project's ethical implications. Does the proposed project violate or encourage others to violate the Ethics Act? Does it promote the agency's values as expressed in its policies?

KNOW THE ETHICS LAWS

Supervisors cannot lead by example if they do not know what behavior is permitted and prohibited by the ethics laws. Furthermore, if you raise ethical issues, employees may come to you expecting answers. Don't worry. Clearly, ethics education is important for everyone, but nobody expects that you will always have all the answers. A supervisor's best answer is often "I don't know. Let me look into it." Your ethics officer can answer questions and the Executive Ethics Commission can provide resources to help.



TIMING IS EVERYTHING

Although any time is a good time to talk about ethics, there are certain occasions that provide supervisors especially useful opportunities. For example, early December is a good time to emphasize the issue of the Ethics Act's guidelines regarding gifts. Issues concerning political activity should be raised in the weeks prior to primaries and general elections. Revolving door limitations should be mentioned prior to the end of the year or whenever an employee has expressed an intention to leave State service for other employment. The Executive Ethics Commission has brochures and other resources available to help you discuss each of these issues with your department.

Media reports of scandal provide another opportunity to get employees talking about ethics. A supervisor can direct the conversation beyond speculation and idle gossip. Be prepared to explain what was wrong with the alleged conduct and what the person should have done.

MAKE ETHICS COME ALIVE

Reading the black letter law of the Ethics Act aloud will not hold an employee's interest. It's written in legalese by lawyers for lawyers. Instead, frame a hypothetical situation and present it to your staff for their discussion. The hypothetical situation might involve gifts, political activity, a potential conflict of interest or another situation that is relevant to your office. Make the hypothetical conduct in the "gray" areas of ethics, i.e., not obviously right or wrong. Be prepared to experience some strong opinions from your staff.