



DUPAGE COUNTY

GOVERNMENT

LEARN ABOUT THE COUNTY'S ETHICS ORDINANCE

Purpose of the Ethics Ordinance

The goal of the DuPage County Board and its Chairman in establishing the ethics ordinance was to provide for **fair, efficient and honest government** in compliance with state law. The ordinance is designed to ensure the integrity and objectivity of County officers and employees while serving as a guide when conducting governmental business.

What Does the Ethics Ordinance Cover?

The ethics ordinance covers a variety of topics, including, but not limited to, the following:

- Gifts
- Political Activity
- Conflicts of Interest
- Future Employment
- Disciplinary Actions and Fines
- Lobbying Prohibition
- Whistleblower Protection

Gifts

Unless an exception applies, no person may accept or solicit a gift from any prohibited source. Prohibited sources are generally people or entities who do business with your unit of government.

The gift ban exempts food or refreshments not exceeding \$75 per day or any item(s) with a total value of less than \$100 in any year from the same source. Other exceptions also apply.

Political Activity

Employees are prohibited from engaging in political activities during compensated time, including, but not limited to: fundraising; political meetings; electioneering; soliciting votes; and distributing campaign literature.

No person may require an employee to participate in any political activity. No person may reward or punish an employee for their participation or lack of participation in any political activity.

Conflicts of Interest

Conflicts of interest exist when an official action could result in a personal advantage or disadvantage. Officers and employees must avoid conflicts and are prohibited from accepting any form of compensation from any party that could or has benefited from an action of that officer or employee. Be sure to inform the Ethics Adviser of potential conflicts of interest.

Whistleblower Protection

Any person, acting in good faith, who submits an ethics complaint, has protection as a whistleblower and their identity will be kept confidential and will not be disclosed without their consent, unless the disclosure is otherwise required by law.

Retaliation against an individual who has reported a suspected violation of the ordinance in good faith is prohibited. Any person found to have violated the whistleblower protection section of the ordinance may be disciplined up to and including termination of their employment.

www.dupageco.org/ethics

Ethics Training Requirements

All persons subject to the ethics ordinance must complete an annual ethics training approved by the Ethics Commission. New employees must complete their initial ethics training within their first month of employment. The County's Ethics Adviser monitors compliance with the ethics training.

Filing an Ethics Complaint

If an employee reasonably believes evidence exists that a violation of the ethics ordinance has occurred, it should immediately be brought to the attention of the DuPage County Investigator General.



www.dupageco.org/ethics

✓ Application of the Ethics Ordinance

The ethics ordinance applies to all employees under County Board jurisdiction and those employees and officials from other governmental entities that have adopted the ordinance. The ordinance also applies to the County Board and its Chairman as well as governmental boards, commissions or committees that it has created or those to which its ordinances generally apply.

✓ Investigation and Hearing Process

Upon receipt of an ethics complaint, the Investigator General conducts an investigation. The following steps may occur during the investigation of an ethics complaint:

- 1) Determination of jurisdiction
- 2) Written notification to respondent
- 3) Preliminary investigation
- 4) Finding of reasonable cause
- 5) Filing formal petition with the Ethics Commission

When a formal petition is filed with the Ethics Commission, it must decide to grant or deny it.

If the Commission grants the petition, a hearing date is set within 6 weeks. The Investigator General is responsible for prosecuting

the complaint with a burden of proving the allegations by a preponderance of the evidence. Failure to cooperate with an ethics investigation is a violation of the ethics ordinance.

✓ Disciplinary Action

When a violation of the ordinance is found, the Ethics Commission may recommend one or more of the following courses of disciplinary action against the individual:

- A reprimand
- To cease and desist from the offensive action
- To return or refund money or other items received in violation of the ordinance
- Suspension or termination
- Donation to charity of an amount equal to a prohibited gift

The Ethics Commission may also impose an administrative fine of up to \$5,000 per violation.

ETHICS ADVISER

The Ethics Adviser has the following powers and duties:

- Provides guidance to persons subject to the ordinance.
- Performs ethics training for anyone subject to the ordinance.
- Assists in the preparation of manuals and guides regarding the ordinance.
- Ensures compliance with ethics training requirements.

Questions regarding the ethics ordinance should be directed to the Ethics Adviser:

Daniel F. Hanlon
Ethics Adviser
311 S. County Farm Rd.
Wheaton, IL 60187
(630) 569-6023
Daniel.Hanlon@dupageco.org

INVESTIGATOR GENERAL

The Investigator General has the following powers and duties:

- Receives ethics complaints and conducts investigations.
- Presents evidence of alleged violations to the Ethics Commission.
- Must be an attorney licensed to practice law in the State of Illinois.

Ethics complaints should be submitted in writing to the Investigator General:

Nancy J. Wolfe
Investigator General
P.O. Box 338
Wayne, IL 60184
investigatorgeneral@dupageco.org