**Section 605.60 Cooperation in Investigations**

a) It is the duty of every employee under the jurisdiction of the Inspector General to cooperate with the Inspector General in any investigation undertaken pursuant to the Act. Failure to cooperate with an investigation of the Inspector General is grounds for disciplinary action, including dismissal. Failure to cooperate includes, but is not limited to, intentional omissions and knowing false statements. Nothing in this provision limits or alters a person's existing rights or protections under State or federal law.

b) Any employee who is the subject of an investigation who, according to present evidence or allegations, faces potential discipline shall be notified by the Inspector General of whether the interview is criminal or administrative in nature and of the right to the presence of a representative or co-worker uninvolved in the investigation or the representation of a private attorney during any interview. The interview subject shall sign a written acknowledgement of his or her understanding of these rights on a form prescribed by the Inspector General. If, at any point, an interview subject indicates that he or she wants the presence of a person authorized by this subsection (b), the interview shall be suspended and a new date and time set. Evidence obtained directly or indirectly in violation of this subsection (b) shall not be admissible in any proceeding.

c) Interviews shall not be audiotaped or otherwise recorded without the written consent of the employee. The written consent shall indicate that the interview subject is not required to consent to the audio recording and his or her refusal to consent to the audio recording does not constitute failure to cooperate with the investigation. The written consent and audiotapes shall be preserved, unedited, in the investigation file.

(Source: Amended at 34 Ill. Reg. 11477, effective August 13, 2010)