

Hiring & Employment Monitoring Report



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

Fourth Quarter
& Annual Report
2020



Message from Executive Inspector General Susan Haling

The Hiring & Employment Monitoring Report provides details on the Office of Executive Inspector General's (OEIG) investigative and compliance work as it relates to State hiring and employment during the fourth quarter of 2020, which ended on December 31, 2020. This also marks the end of the annual reporting period, so data on OEIG activities related to hiring and employment for the entire year, from January 1, 2020 to December 31, 2020, is also included.

In 2020, the OEIG's Hiring & Employment Monitoring (HEM) Division helped implement and ensure State agencies' adherence to the Comprehensive Employment Plan (CEP) by increasing the number of monitored hiring sequences and interviews. HEM also developed and implemented significant changes in how its reviews are processed and communicated and began issuing formal advisories after HEM's reviews are completed. Despite the Covid-19 pandemic and as HEM's other obligations and priorities increased, HEM's compliance reviews remained constant. During 2020, HEM issued over a hundred Advisories to agencies.

Beginning last quarter, and continuing through this quarter, HEM assisted the Illinois Department of Central Management Services (CMS) with implementation of an eight-part Statewide training program on the requirements of the CEP for agency personnel staff. The trainings—led by CMS' Senior Policy Advisor and Chief Compliance Officer, with HEM's Director serving as a panelist—provided an in-depth review of the general principles and agreed-upon procedures applicable to State hiring processes for both non-exempt and exempt positions. All of the CEP training sessions were recorded and are available to agency personnel staff on OneNet.

The training also included instruction on reporting "political contacts" related to hiring or employment actions. Since the CEP's filing, HEM has reported on the number of political contacts it has received or discovered, while also advocating for a user-friendly, shared system for receiving and tracking all political contacts with CMS. An online system, designed and originated by the State that will allow State employees to electronically report political contact information that is immediately available to CMS and HEM, is slated to be available for use in January 2021.

HEM is committed to continuing its work of identifying areas of improvement, while recognizing the agencies' efforts in 2020 to become more compliant. In the coming year, we will continue these internal and external efforts as well as work with the agencies to tackle new areas of improvement, including reviewing implementation of the electronic hiring process.

Sincerely,

A handwritten signature in blue ink that reads "Susan M. Haling".

Susan M. Haling
Executive Inspector General

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I. Overview

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

The State Officials and Employees Ethics Act (Ethics Act), 5 ILCS 430/1 *et seq.*, established the OEIG in 2003. The OEIG is an independent executive branch State agency.

The Ethics Act authorizes the OEIG to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, and violations of the Ethics Act, such as prohibited political activity, the “revolving door” prohibition, sexual harassment, the gift ban, and retaliation. The OEIG also investigates allegations of hiring improprieties.

The OEIG’s jurisdiction includes more than 170,000 State employees, appointees, and officials, including: the Governor; the Lieutenant Governor; more than 300 executive branch State agencies, departments, boards, and commissions; the nine State public universities across a dozen campuses; the four Chicago area Regional Transit Boards (the Regional Transportation Authority, the Chicago Transit Authority, Metra, and Pace); and vendors and contractors of any of those entities.

The OEIG’s Leadership Team includes:

Susan M. Haling, Executive Inspector General

Neil P. Olson, General Counsel

Fallon Opperman, Deputy Inspector General and Chief of Chicago Division

Erin K. Bonales, Director of Hiring & Employment Monitoring Division

Christine P. Benavente, Deputy Inspector General - Executive Projects

Angela Luning, Deputy Inspector General and Acting Chief of Springfield Division

Claudia P. Ortega, Chief Administrative Officer

Investigative Division

The OEIG's Investigative Division receives approximately 2,500 to 3,000 complaints every fiscal year from members of the public, State employees, contractors, bidders, and anonymous sources. In the absence of consent from a complainant, the OEIG is required to ensure that the identities of complainants are and will remain confidential unless otherwise required by law. The OEIG evaluates all new complaints to determine the appropriate action. The OEIG also initiates its own investigations based on publicly reported information or information developed during other investigations.

The OEIG evaluates all new complaints to determine the appropriate action, including opening an investigation, referring the allegations to the appropriate entity, or making a referral to HEM. As part of its investigations, OEIG investigators interview witnesses, collect documents, analyze records, conduct surveillance, perform computer forensics, and use a variety of other investigatory tools and techniques. The OEIG also has subpoena power to obtain information relevant to an investigation. At the conclusion of an investigation, if the OEIG determines that there is reasonable cause to believe that a violation of law or policy or wrongdoing has occurred, it will write a founded report that documents the allegations of wrongdoing; facts confirmed by the investigation; and findings.

Anyone seeking to report possible violations may call the OEIG at 886-814-1113; visit www.inspectorgeneral.illinois.gov; send a fax to 312-814-5479; TTY at 888-261-2734; or write to the OEIG Springfield or Chicago offices. The OEIG has complaint forms available in both English and Spanish.

Hiring & Employment Monitoring Division

The OEIG's Hiring & Employment Monitoring (HEM) Division ensures that State hiring procedures and decisions are lawful, merit-based and/or justifiable. The Ethics Act directs the OEIG to "review hiring and employment files of each State agency within [its] jurisdiction to ensure compliance with *Rutan v. Republican Party of Illinois* ... and with all applicable employment laws." 5 ILCS 430/20-20(9). In keeping with this mandate, HEM conducts compliance-based reviews of State hiring and employment procedures and decisions and provides recommendations in order to help improve the efficiency and quality of State hiring.

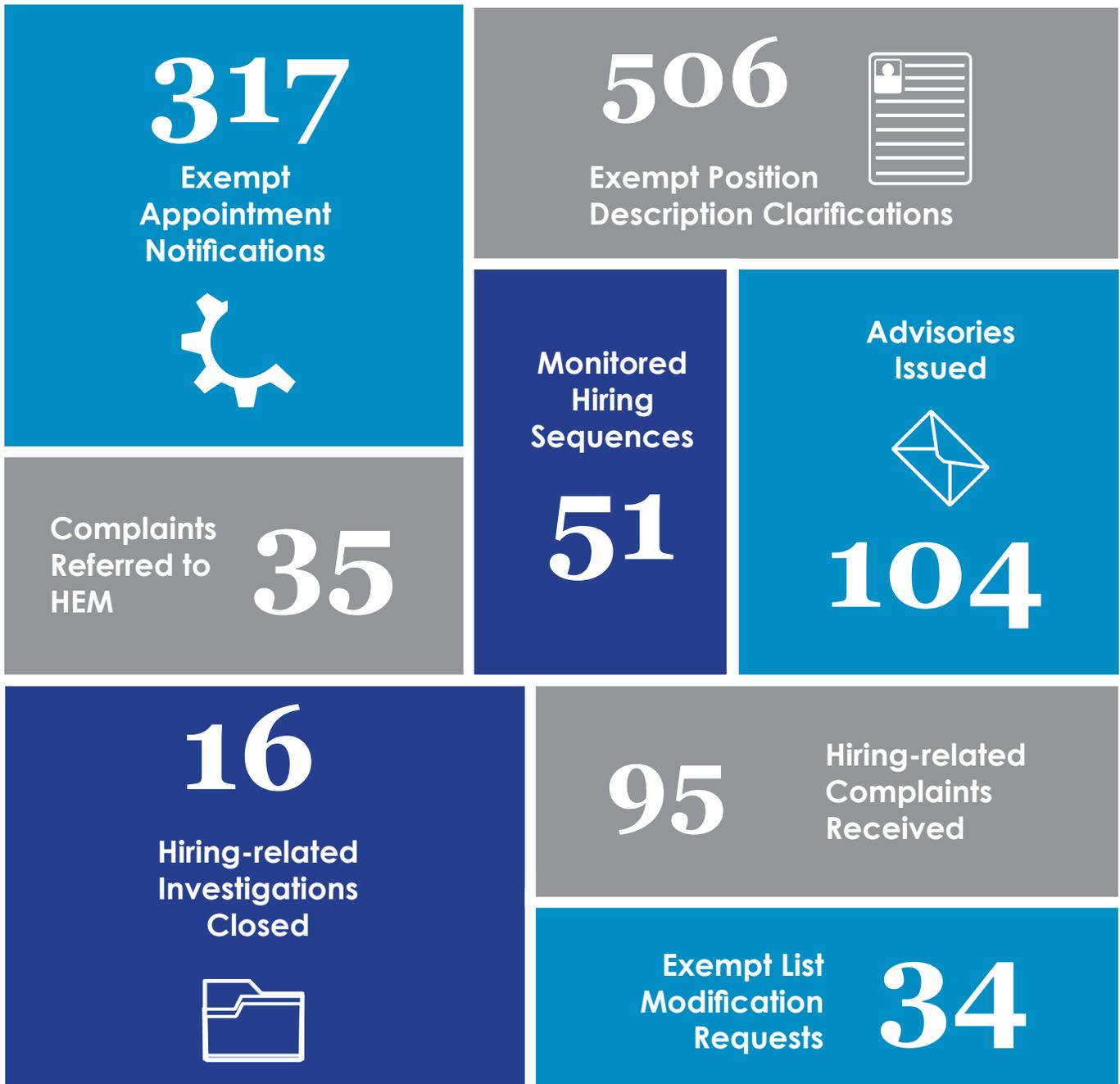
As part of HEM's compliance work, HEM monitors hiring sequences — which includes in-person or virtual, real-time monitoring of interviews — conducts desk audits, and reviews term appointment renewals, complaint referrals, and Political Contacts. HEM also works with the *Shakman* court-appointed monitor, whose initial and ongoing charge to review hiring practices within the Illinois Department of Transportation (IDOT) has since expanded to include a review of all exempt positions under the jurisdiction of the Governor.

From January 1, 2020 to December 31, 2020, HEM staff monitored 51 hiring sequences, completed 57 desk audits, and reviewed 58 term appointment positions to ensure that individuals were selected pursuant to a truly competitive selection process. HEM staff also reviewed 317 exempt appointment notifications and 506 exempt position description clarifications and received 34 Exempt List modification requests. Since November 2019, HEM has issued 104 Advisories.¹

¹ HEM began issuing Advisories in November 2019 and reported these Advisories in the first quarterly report.

STATISTICAL PERFORMANCE

AT A GLANCE: SELECTED HIRING AND EMPLOYMENT METRICS FOR 2020



II. HEM's Compliance Reviews

This quarterly report provides an overview of the hiring-related activities of the OEIG during the period from October 1, 2020 through December 31, 2020 as well as overall from January 1, 2020 to December 31, 2020. The report includes statistics and narrative descriptions of the OEIG's work as required by the Comprehensive Employment Plan for Non-Exempt Employees (CEP).

Hiring Sequences Monitored

HEM monitors hiring sequences at State agencies under the jurisdiction of the Governor's Office to ensure that personnel decisions are competitive, merit-based, and in accordance with governing authority. HEM selects sequences to monitor, in part, by communicating directly with agency human resources personnel or reviewing agency postings on work.illinois.gov. After a sequence is selected, HEM requests and evaluates preliminary paperwork such as the position description and applicant screening decisions, monitors the interviews on-site or via teleconference or video conference, and reviews the resulting documentation including interviewer notes and candidate evaluation forms.

Fourth Quarter

During the fourth quarter, HEM monitored 12 hiring sequences.

2020 Year-End

This calendar year, HEM monitored 51 hiring sequences.

Desk Audits

In addition to monitoring interviews, HEM completes desk audits of agency hiring sequences. HEM selects sequences to audit by contacting agency human resources personnel for paperwork from a particular hiring file. HEM's review of the documentation is similar to HEM's monitoring of hiring sequences except instead of monitoring

interviews in real-time, HEM completes its review after the interviews have occurred. HEM reviews the documentation provided by the agency to ensure all necessary forms are properly completed and evaluates the hiring sequences to determine whether the selection process was competitive and in accordance with governing authority.

Fourth Quarter

During the fourth quarter, HEM completed 11 desk audits.

2020 Year-End

This calendar year, HEM completed 57 desk audits.

Term Appointments

Historically, term appointment positions, codified in section 8b.19 of the Personnel Code (20 ILCS 415/8b.19), were often deemed *Rutan*-exempt, thus revealing competitive hiring did not occur or likely did not occur. Since term appointees can only be discharged for cause during the pendency of their four-year term, HEM reviews every term appointment renewal to ensure that a competitive process occurred. When agencies have been unable to show that term appointees were originally hired through a competitive process, the agencies must post the term appointment positions at the time of renewal and fill them through a competitive process, which HEM also reviews and/or monitors.

Fourth Quarter

During the fourth quarter, HEM reviewed the hiring files for 9 term appointment renewals.²

2020 Year-End

This calendar year, HEM reviewed the hiring files for 58 term appointment renewals.³

² Some term appointments due to expire this quarter were granted extensions by CMS; HEM continues to work directly with the agencies on these extended term appointment sequences.

³ Some term appointments set to expire in 2020 were granted extensions by CMS; HEM continues to work directly with the agencies on these extended term appointment sequences.

Complaint Referrals

The OEIG conducts a review of each hiring complaint it receives and exercises its discretion to determine the most appropriate disposition. Upon receipt of a complaint, the OEIG's Investigative Division performs an initial review of the allegations, which must be completed within 30 days. After this initial review, the OEIG has the discretion to open an investigation, refer to HEM for a hiring compliance review, and/or refer to other entities, as it deems appropriate. In some instances, HEM's compliance function makes it best suited to respond quickly to allegations of hiring violations, as HEM can potentially intervene before, during, or immediately after a hiring violation has occurred.

Fourth Quarter

For the fourth quarter of 2020, the OEIG received 13 hiring-related complaints. Also, in this quarter, the following actions were taken with regard to hiring-related complaints:

- 5 referred intra-Office to HEM;
- 12 referred back to the subject agency;
- 2 opened for OEIG investigations;
- 0 are still in initial review.

2020 Year-End

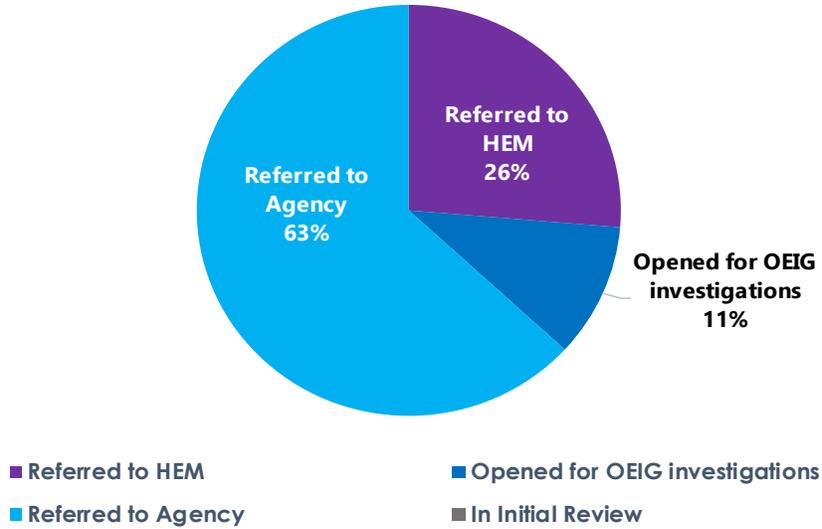
In 2020, the OEIG received 95 hiring-related complaints. During this year, the following actions were taken with regard to hiring-related complaints:⁴

- 35 referred intra-Office to HEM;⁵
- 45 referred back to the subject agency;
- 29 opened for OEIG investigations;
- 0 are still in initial review.

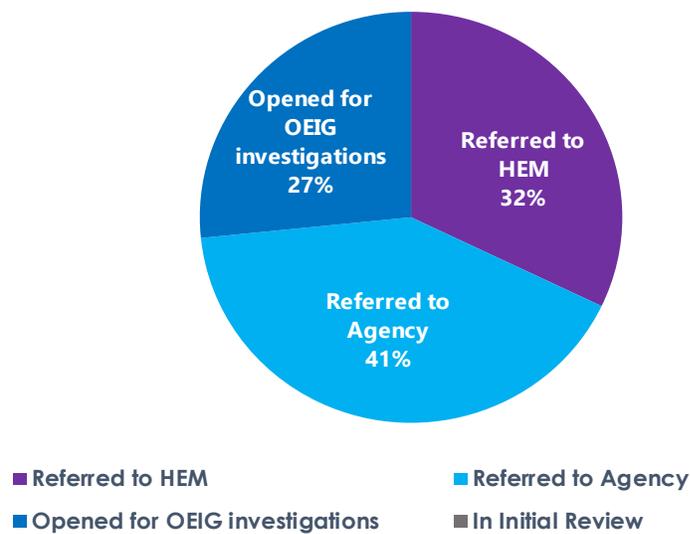
⁴ One hiring-related complaint received during the first quarter was withdrawn by the complainant and subsequently declined.

⁵ After a complaint has been referred to HEM, if another complaint with similar allegations is referred, the OEIG may close the subsequent complaint into the first complaint. This action, as well as a system error, resulted in an underreporting of the number of complaints referred to HEM during the first two quarters. During the First Quarter 2020, the number of complaint referrals to HEM was 18 though it was originally reported as 11; the number of complaints referred to HEM in the Second Quarter 2020 was 6 though it was reported as 5. This was also addressed in the HEM Report, Third Quarter, page 7.

Actions Taken on Hiring-related Complaints Fourth Quarter 2020



Actions Taken on Hiring-related Complaints Year-End 2020



Developments & Training

CEP Training

Beginning last quarter, and continuing through this quarter, the OEIG's Hiring & Employment Monitoring (HEM) Division assisted the Illinois Department of Central Management Services (CMS) with implementation of an eight-part Statewide training program on the requirements of the CEP for agency personnel staff. The trainings – led by CMS's Senior Policy Advisor and Chief Compliance Officer, with HEM's Director serving as a panelist – provided an in-depth review of the general principles and agreed-upon procedures applicable to State hiring processes for both non-exempt and exempt positions. Each training session was approximately two hours in length and covered the following topics: Session 1- Introduction & Exempt Employment Plan; Session 2 – Position Descriptions; Session 3 – Hiring Sequence Pre-Work; Session 4 – After Posting Closes; Session 5 – Interviews/Evaluation; Session 6 – Miscellaneous Topics (e.g., Temporary and Interim Assignments/Personal Services Contracts); and Session 7 – Compliance & Reporting. The eighth part of the training will be implemented in 2021. All of the training sessions were recorded and are available to agency personnel staff on OneNet.

Electronic Application System

CMS has also begun training agency personnel staff on using Success Factors, the software that will be used going forward to manage the State-wide electronic application process. According to CMS, the trainings will continue through the first quarter of 2021.

Political Contact Reporting

The CEP requires that any State employee who receives or has reason to believe a political contact has occurred or is occurring is required to report it within 48 hours, and CMS must maintain records documenting these reports. Since the CEP's filing, the OEIG has advocated for a user-friendly system for receiving and tracking all political contacts. During the seventh CEP training session, CMS announced and demonstrated a new, online system that allows State employees to report political

contact information that is immediately shared with CMS and HEM. The electronic political contact form is slated to be available for use in January 2021. Additional training for others who may be in a position to receive political contacts, such as Legislative Liaisons, General Counsels, Ethics Officers, and Chiefs of Staff, is expected as the process develops.

Agency Hiring Improvements

While monitoring a sequence at the Illinois Department of Public Health, HEM observed that the interview questionnaire had been modified and now includes a place for the interviewers to note, justify, and initial their adjusted interview scores, in addition to the interviewer's initial interview scores. HEM had previously made recommendations to the agency to ensure that interviewer's individual scores, and any changes to them, are clearly documented.

HEM Developments

HEM staff participated in the Association of Inspectors General Illinois Chapter's Fall 2020 Training on November 20 and December 4, 2020. The training included sessions on best practices for conducting investigations remotely; avoiding biases in decision making; detecting antitrust crimes and working on antitrust investigations; and a case study of a City of Chicago audit.

HEM also welcomed a new staff analyst to its team this quarter.

Advisories

Prior to late 2019, HEM's reviews typically included discussions with the agency personnel involved in the hire in order to remedy or improve employment actions and processes. Recently, in order for HEM's compliance work to be more informative and impactful for agencies reforming their hiring practices, on its own initiative, HEM began the process of issuing written Advisories to the agencies at the conclusion of its review. These Advisories are transmitted to the chief Agency Personnel Officer and the CMS Compliance Officer, with copies to the Governor's Office, the head of the Agency, *Shakman* Plaintiffs' Counsel, and the *Shakman* Special Master, and include:

- a summary detailing the subject and scope of the review;
- a description of the conclusions regarding compliance with applicable rules and procedures; and
- recommendations on how to proceed, if necessary.

During the fourth quarter, HEM issued 22 Advisories and 2 Advisory Updates. The substance of these Advisories is set forth below, ordered by the Advisory issue date. In some cases, with the issuance of the Advisory, HEM requested a formal response from the agency, which is also summarized.

Since HEM began issuing Advisories in November 2019, HEM has issued 104 Advisories and 3 Advisory Updates. For Advisories issued prior to this quarter, the summaries are available in the applicable quarterly report.⁶

When, during the course of a HEM review, HEM identifies issues of possible hiring-related wrongdoing that reveal misconduct or may involve political manipulation, as opposed to hiring errors, HEM may transfer the matter to the OEIG Investigative Division for a more in-depth investigation involving OEIG interviews. This quarter, HEM transferred 2 HEM reviews to the OEIG Investigative Division.

⁶ The quarterly reports are available on the OEIG website here: <https://www2.illinois.gov/oeig/HEM/Pages/HEM%20Reports.aspx>

Advisory Summaries

20-HEM-0067

HEM monitored the interviews and reviewed the term appointment renewal for a Centre for Medicare and Medicaid Services OASIS Coordinator at the Illinois Department of Public Health (IDPH). While HEM did not object to the renewal of this term appointment, HEM recommended that interviews should be conducted consistently, i.e., in person or remotely, from the outset. If the method used to interview candidates has to be altered, then the agency should contact CMS.

20-HEM-0054

HEM monitored the hiring sequence and reviewed the hiring file for the Fiscal Control & Compliance Manager at the Illinois Emergency Management Agency (IEMA). While HEM did not have any issues with the selected candidate, HEM made several recommendations. HEM recommended that the agency access the Open Competitive List or utilize the State's new electronic application system to access a larger and more competitive candidate pool. HEM also recommended the agency complete the Relationship Disclosure & Conflict of Interest Forms (Disclosure Forms) in a timely manner to allow sufficient time for vetting prior to the start of interviews; incorporate within the interview schedule sufficient time for scoring after each interview; and provide more detailed scoring guidelines and ideal responses to assist panel members when evaluating the candidates against the hiring criteria.

19-HEM-0045

HEM monitored the hiring sequence and reviewed the hiring file for the Supervising Administrative Law Judge position at the Illinois Department of Human Services (IDHS). While HEM did not have any issues with the selected candidate for one of the two vacancies (the second vacancy remained unfilled), HEM made several recommendations. As IDHS screened out qualified applicants, HEM suggested, and the agency agreed, to add an additional four candidates to the interview pool in order to facilitate a more competitive process. HEM recommended that screeners unfamiliar with a position talk to agency experts about the position to familiarize themselves with the job duties and the types of candidates that would be qualified. IDHS uses a post-interview information form (PIF) to facilitate onboarding selected candidates. The PIF, and the process that accompanies the issuance of the form, hindered the pace at which offers of employment could be made. HEM recommended that the agency provide documentation regarding the PIF process and re-evaluate the process, with the assistance of HEM and CMS, to determine if it could be streamlined. In addition, the agency prematurely sent out rejection letters to candidates before both vacancies were filled. This action caused confusion among the candidates when they were subsequently extended offers of employment. HEM recommended that the agency not send out rejection letters prior to candidates accepting job offers. HEM requested a response.

The agency responded to the Advisory that it will include a subject matter expert to help create and apply the screening tool should one be necessary. In addition, the agency acknowledged that the PIF process could be more efficient and will seek guidance from CMS and HEM to re-evaluate and improve the timeliness of the post-interview and hiring approval process. The agency further stated that it would not send out rejection letters prior to a candidate accepting an offer of employment. Since the advisory had been issued, the agency revised the letters to inform lower-ranking candidates that they were not the top candidate but indicated that if the situation changes and an accepting candidate withdraws their acceptance, they may be considered for the position. Finally, the postings now include anticipated salary ranges, rather than the full classification pay range, to better inform applicants of the potential salary.

20-HEM-0055

HEM monitored the interviews and reviewed the term appointment renewal for a Deputy General Counsel position at the Illinois Workers' Compensation Commission (IWCC). The first round of interviews was conducted in June 2020. In monitoring the June interviews, HEM encountered significant issues, primarily related to candidate scoring, resulting in a request that IWCC repost the position. Interviews for the reposted position were held in September 2020. The scoring issues observed in the June 2020 sequence did not recur in the September 2020 sequence. While HEM did not object to the renewal of this term appointment based on the September interviews, HEM recommended that going forward, IWCC follow the candidate scoring procedures in the CEP and refrain from using consensus scoring. HEM further recommended the agency comport with the CEP's cooperation requirement by ensuring HEM is privy to all aspects of the hiring process for sequences that it monitors, including all scoring discussions. HEM also recommended that agency staff who complete Disclosure Forms do so independently, using their own language to describe any relationships with applicants/interviewees. In addition, HEM recommended that IWCC ensure staff use the current version of the Disclosure Form and that each form is independently vetted by the Agency Personnel Officer or designee, whose signature should be documented on the form. Finally, HEM recommended that in future hiring sequences, IWCC access the Open Competitive List to increase the competitiveness of its candidate pool and achieve the ideal interview pool size of ten candidates, as set forth in the CEP. HEM requested a response from IWCC.

In its response, IWCC committed to assigning a member of its Human Resources team to monitor every hiring sequence going forward. The agency also agreed to implement HEM's recommendations regarding Disclosure Forms and stated it would take measures to increase the size and competitiveness of its candidate pools, including by accessing the Open Competitive List.

20-HEM-0089

HEM monitored the interviews and reviewed the term appointment renewal for a Director of Nursing at the IDHS McFarland Mental Health Center. While HEM did not take issue with the selection decision, HEM recommended that the agency utilize the Open Competitive List to invite as many candidates as feasible. HEM also recommended that the agency ensure proper supervisory oversight and accountability, which includes administering performance evaluations on an informed and timely basis.

20-HEM-0085

HEM reviewed the hiring file and term appointment renewal for the IDPH Training & Technical Direction Section Chief position. While HEM did not take issue with the agency's selection for the position, HEM made several recommendations. HEM noted that the Screening Justification Form (Screening Form) was dated after the posting period closed. The agency explained that when the screener submitted the hiring sequence request in May 2020, the screener submitted the Screening Form for the wrong hiring sequence. While the agency took the correct step in ensuring that the screening criteria was corrected prior to the screener receiving any applications, HEM recommended that the agency thoroughly review Screening Forms before posting a position. HEM also asked that the agency ensure the Screening Form reflects the actual sequence of hiring events, so as to mitigate the follow-up needed. Regarding the Disclosure Forms for this sequence, one of the interviewers simply wrote "working relationships" without disclosing any specific names. The agency explained how they vetted this, and HEM recommended the agency include these details in the hiring file.

Additionally, HEM noted that two Open Competitive List applicants who were not screened yet were invited to interview. When HEM asked the agency to explain, the agency stated that due to the termination of the screener during this sequence, the screener was unable to complete the screening for these applicants. According to the agency, one of these applicants contacted Human Resources stating that the email with the invitation to submit materials had been caught in her Spam folder. HEM followed up with the agency to discuss these two decisions further. HEM recommended that going forward, IDPH require two screeners as described in the CMS screening guidance, apply screening criteria consistently to all applicants, and contact CMS Compliance or HEM with any questions or concerns that arise during a sequence. HEM requested a response from the agency.

In its response, the agency stated that they had discussed the Advisory with their Office of Human Resources staff to ensure compliance in the future. Moving forward, they acknowledged that they will ensure that: 1) all screening is established prior to posting; 2) hiring sequences will have two screeners when possible and they will apply screening to ALL applications; 3) if they have another situation where screening is not completed by the original screener(s) due to unforeseen circumstances, the agency will notify CMS Personnel Compliance and HEM immediately and request assistance on how to properly move forward; and 4) all Disclosure Forms will be reviewed by Human Resources to ensure that a detailed explanation of disclosed relationships is on the form.

19-HEM-0087

HEM monitored the hiring sequence and reviewed the hiring file for the Illinois Correctional Industries (ICI) Financial Officer at the Illinois Department of Corrections (IDOC). In this sequence, all four candidates were in turn extended job offers, and each rejected the offer of employment. The agency ultimately decided not to fill the position. Going forward, HEM recommended that IDOC obtain approval from CMS before canceling a hiring sequence. Additionally, the agency initially did not complete a Screening Form because no screen was applied, and then subsequently completed the form providing inconsistent information. While HEM acknowledges that no screening tool was applied to the candidate pool for this hiring sequence, in the future, HEM recommends that agency personnel complete a Screening Form regardless of whether a screen was applied and complete the form accurately.

20-HEM-0019

In response to a complaint referral, HEM reviewed the hiring documentation for a Downstate Supervisory Regional Counsel at the Illinois Department of Children & Family Services (DCFS). While HEM did not take issue with the selection decision, HEM made several recommendations. In this sequence, the selected candidate retired after only occupying the subject position for a few months. The agency re-posted the position instead of offering the position to the next highest scoring candidate from the previous sequence. HEM recommended that the agency utilize the previous sequence, which remains valid for seven months, instead of re-posting the position. HEM also recommended that the agency access the Open Competitive List to expand its interview pool, notify interviewers well in advance of the sequence of upcoming deadlines, particularly regarding when Disclosure Forms must be completed, and cease using consensus scoring to evaluate candidates.

20-HEM-0058

HEM reviewed the hiring file and term appointment renewal for the IDHS Quality Manager, McFarland Mental Health Center position. While HEM found the agency's selection for the position to be merit-based and justifiable, HEM made several recommendations. HEM recommended that, going forward, the agency review the position description, including Box 19, prior to posting any position, and update the position description – and posting and hiring criteria – to include any required and/or preferred qualifications that will be used in the hiring sequence as a basis for scoring. HEM noted that when scoring criteria is not consistent with the position description, it can suggest the possibility of steering or manipulating a hiring sequence in favor of a particular candidate and recommended that the agency not use hiring criteria, interview questions, and/or preferred responses that intentionally favor internal IDHS candidates over external qualified candidates. HEM reminded the agency that the Candidate Evaluation Forms should indicate the experience or qualification the candidate possesses as it relates to each hiring criterion. HEM also recommended that the agency ensure that performance evaluations are being administered in a timely manner. HEM requested a response from the agency.

In its response, IDHS noted that it has made changes and improvements since the subject posting and interviews took place in 2016. IDHS acknowledged the differences between the position description and the posting for this position and will ensure that the job posting accurately reflects the position description for future hiring sequences. As HEM requested, IDHS reviewed this particular position description to ensure accuracy and, as a result, updated and provided a revised position description that was concurrently submitted to CMS Classifications for approval. IDHS also responded that the agency will continue to ensure that the Candidate Evaluation Forms are sufficiently detailed, support the scores, and indicate the experience or qualification the candidate possess as it relates to each hiring criterion. The agency will also continue to take steps to ensure that performance evaluations are being administered in a timely manner.

20-HEM-0081

HEM reviewed the hiring file and term appointment renewal for the DCFS Associate Deputy Director, Financial Accounting. While HEM found the agency's selection for the position to be merit-based and justifiable, HEM noted that when HEM is monitoring a sequence, interviewers are expected to score in the presence – physical or virtual – of the HEM monitor. HEM recommended that going forward, the agency should follow HEM's requests and proper protocols in order to avoid a possible repost of the position. HEM also reminded the agency to ensure Disclosure Forms are returned at least three days prior to the interviews and to notify interviewers well in advance of these upcoming deadlines.

20-HEM-0080

HEM monitored the interviews and reviewed the term appointment renewal for an IDOC Deputy Chief Legal Counsel. HEM recommended that, going forward, IDOC contact HEM or CMS for assistance in determining whether a relationship disclosed by an individual involved in the hiring sequence constitutes an actual or perceived conflict, such that the discloser should be excluded from further participation in the hiring sequence. This recommendation was based on HEM's determination that a non-scoring Technical Advisor should not have participated in the interviews based on his disclosures regarding a close relationship with the incumbent. As the incumbent was the third-ranked candidate, HEM did not object to the selection decision. HEM also recommended that if IDOC is using Webex to conduct interviews remotely, the agency conduct all interviews in the same manner (i.e., all by video or all by audio).

20-HEM-0098

HEM reviewed the hiring file and term appointment renewal for an IDHS Early Intervention Program Administrator. HEM recommended that the agency ensure that when the interview pool is not so large as to require additional screening, as was the case here, all eligible applicants are invited to interview. In this sequence, due to an oversight, the agency did not invite an eligible reinstatement applicant to interview for the subject position. To remedy this issue, the agency contacted the applicant and invited him to interview. The applicant declined the invitation to interview. HEM also noted Session 4 of the recent training on the Comprehensive Employment Plan, stating that the agency must consider whether the interview pool is sufficiently broad to support competitive selection.

20-HEM-0071

In response to a complaint referral, HEM reviewed the hiring documentation for a Firearms Eligibility Analyst (FEA) Trainee at the Illinois State Police (ISP). HEM's review found that ISP obtained approval from CMS and AFSCME for continuous posting of the FEA Trainee title. There were 99 applicants for the position, but only four – including the individual named in the complaint – were eligible for hire, absent selection from the Open Competitive List. HEM's review of the hiring file revealed that the sequence was appropriately conducted and competitive. HEM also reviewed the temporary hiring plan established by ISP and CMS to hire applicants from the Open Competitive List without conducting interviews and found it to be appropriate in accordance with Section VI of the CEP, Process for Non-Interviewed Non-Exempt Positions. HEM concluded its review and had no recommendations.

20-HEM-0092

HEM monitored the interviews and reviewed the term appointment renewal for an IDPH Life Safety & Construction Division Chief. HEM observed that although the position description and the posting for the subject position contained the same requirements, the hiring criteria contained additional requirements. In particular, the Knowledge & Experience criterion stated that the position required management and supervisory experience, as well as development of rules and regulations, and the Education & Training criterion stated that the position required training in Life Safety Code. Neither of these requirements were found in the position description or posting. HEM recommended that, going forward, the agency should review the position description, including Box 19, prior to posting any position, and update the hiring plan documents to include any required and/or preferred qualifications that will be used in the hiring sequence as a basis for scoring.

20-HEM-0035

In response to a complaint referral, HEM reviewed the hiring documentation for an IDOC PSA, Option 7—Peoria Parole Division position. In reviewing the hiring file provided by the agency, HEM discovered that a candidate, not selected for the position, brought more than 400 pages of documents to the interview. HEM recognized that these materials were appropriately gathered and retained by the agency staff as part of the hiring file. However, in future hiring sequences, HEM recommended that IDOC not only collect these items at the end of the interview, but also thoroughly review the documents and follow up with the candidate regarding the contents to ensure the integrity of the sequence. HEM further recommended that, going forward, the agency follow up to ensure that hiring documentation, including assessment material such as questions and criteria, are appropriately safeguarded.

20-HEM-0096

HEM reviewed the hiring file and term appointment renewal for the IDHS Bureau Chief, Office of Fiscal Services position. Based on HEM's review of the hiring file, HEM found the agency's selection for the position to be merit-based and justifiable, and considers this matter closed.

20-HEM-0091

HEM reviewed the hiring file and term appointment renewal for the IDPH Communicable Disease Section Chief position. Based on HEM's review of the hiring file, HEM found the agency's selection for the position to be merit-based and justifiable and did not take issue with the renewal of the incumbent's term appointment. Additionally, HEM commended the agency for improving its scoring procedures based on previous HEM recommendations. HEM observed that the interview questionnaire had been modified and now includes a place for the interviewer to note not only initial scores, but adjusted interview scores, as well as a place to initial and include a justification for each adjusted score. HEM also noted that the top-ranked candidate was the only candidate that met the threshold minimum interview score and recommended that the agency consider additional recruitment methods and invite as many candidates as available or feasible from the Open Competitive List to ensure a qualified and competitive applicant pool. Alternatively, HEM recommended IDPH consider utilizing the State's new electronic application system.

20-HEM-0079

HEM monitored the hiring sequence and reviewed the hiring file for the Assistant Division Manager – Income Tax at the Illinois Department of Revenue (DOR). While HEM did not have any issues with the selected candidate, HEM made a recommendation. Seven applicants applied to the position, but only four were minimally qualified. The subject matter expert who reviewed the applicants screened out one of the four minimally qualified applicants because she did not meet the preferences of the position. As the agency had such a small pool of minimally qualified candidates, further narrowing the pool based on the preferences of the position was not indicated. When HEM raised this issue to DOR's Human Resources representative, she agreed that the minimally qualified screened out applicant should be invited to interview. The candidate ultimately declined the invitation to interview. HEM recommended that, going forward, unless it is not feasible to do so, all minimally qualified applicants be invited to interview.

20-HEM-0083

HEM reviewed the term appointment renewal for the IDHS Assistant Program Director, Treatment and Detention Center position. HEM found the agency's selection for the position to be justifiable; nonetheless, HEM made several recommendations regarding inviting candidates to interview, maintaining hiring file documentation, and scoring. HEM noted that one applicant appeared to not receive the interview invitation and had requested that the sequence be stopped. While HEM recognized that this sequence occurred six years ago, HEM recommended that such situations be immediately escalated to CMS Compliance. HEM also recommended that going forward, the agency follow-up with non-responsive candidates other than by mail, especially if the interview pool is small. Additionally, one candidate's application was dated after the posting period ended, and the agency was unable to provide any additional information except to note that an earlier application, prior to the posting period, was provided to IDHS and forwarded to CMS for pre-qualification review. HEM recommends that the agency implement procedures to document these types of anomalies, including preserving all received applications. HEM also noted a missing page from the interview notes for one of the interviewers. While HEM was unable to determine how the interviewer scored for each question, HEM was able to determine the total points awarded for that section from the summary scoresheet. HEM reminded the agency to ensure all pieces of the hiring process are maintained.

HEM also recommended that the agency ensure that interviewers are applying the scoring criteria and ideal responses consistently. In this sequence, two candidates, neither of which was the incumbent, appeared to have been scored low under some hiring criteria. HEM also noted that one of the questions asked the interviewers to evaluate each candidate's communication skills, yet the question did not include scoring guidance or a benchmark to award points. HEM recommended that if this question is used in the future, it must include these objective scoring tools, and the interviewers should provide notes, justifying the score, as the other questions require. Finally, HEM reminded the agency that Candidate Evaluation Forms must contain detailed comments for all candidates.

20-HEM-0087

HEM monitored the interviews and reviewed the term appointment renewal for the CMS Senior Financial and Administrative Services Counsel position. While HEM did not object to this hiring sequence, HEM recommended that the agency ensure that all Disclosure Forms are sent to HEM prior to the start of a hiring sequence to provide HEM sufficient time to assess relationship disclosures. HEM also recommended that the agency ensure proper supervisory oversight and accountability, including administering performance evaluations on an informed and timely basis.

20-HEM-0102

HEM monitored the hiring sequence and reviewed the hiring file for the Manager of the Application Development Division at the Illinois Department of Innovation & Technology (DoIT)/IDPH. While HEM did not object to this hiring sequence, HEM recommended that the hiring agency invite all minimally qualified applicants to interview, unless it is not feasible to do so. HEM also recommended that all employees participating in a hiring sequence complete a Disclosure Form, including non-scoring panel members, and that all relationships are appropriately disclosed on the Disclosure Form and vetted. Finally, HEM recommended that the hiring agency ensure that all panel members on a sequence have current interviewer certifications.

20-HEM-0104

HEM reviewed the hiring file and term appointment renewal for the IWCC Accounting Manager position. While HEM did not object to the selection decision, HEM made several recommendations. Given the challenges of finding applicants for this sequence, HEM recommended the agency consult with CMS on additional recruiting methods as well as consider utilizing the State's new electronic application system. Additionally, HEM noted that the agency used a different format (in-person, phone, and video) for all three interviews. HEM acknowledged that technical issues can arise during remote interviews; however, affording one candidate the benefit of an in-person interview is not a fair interview process and creates the appearance of hiring manipulation. Given HEM's previous recommendation to IWCC on this, HEM found that the agency should have reached out to CMS Compliance. HEM will continue to monitor and if it occurs again, may require a repost.

HEM also noted that an interviewer failed to record his initial scores for one candidate. The agency responded by providing the cumulative scoresheet that included all of the interviewers' final scores. HEM recommended that this cumulative documentation be included when the hiring file is sent to HEM. Additionally, because scoring issues at IWCC seem to be a recurring problem, HEM also recommended that IWCC require on-line training be taken by interviewers before participating further in interviews. At a minimum, IWCC should make interviewers aware of their duties as set forth in the CEP and recommendations previously relayed in the 20-HEM-0055 Advisory: document their initial independent scores immediately following each interview; clearly document any changes to initial scores prompted by further discussion following the completion of all interviews; and refrain from using consensus scoring.

HEM also noted inconsistency in how the agency rounded scores on the Candidate Evaluation Forms. While the rounding did not change the ranking of the candidates here, it can in future sequences, so HEM recommended that IWCC ensure consistent scoring occurs. Finally, the interviewers' Disclosure Forms were all signed and dated the same day as the interviews due to remote work schedules. HEM recommended that if interviewers cannot provide a signature electronically, the agency should find another solution, such as printing the interviewers' electronic transmission to verify the interviewers' independent completion.

HEM requested a response from the agency to the Advisory by January 18, 2021.

Advisory Updates

20-HEM-0044-S

During the third quarter, HEM issued Advisory 20-HEM-0044, which was based on HEM's monitoring of the interview sequence for the Chief Grant Administrator at the Illinois Department of Natural Resources (DNR). The top-ranked candidate, who was not the incumbent, accepted the position, but later declined the position, after the Advisory was issued and the quarter ended. The agency then sought HEM's approval to offer the position to the second-ranked candidate, who was the incumbent of the position. In response to the agency's request, HEM continued monitoring the selection process for the subject position. Based on HEM's review, it did not appear that DNR caused or contributed to the top-ranked candidate's declination. However, the second-ranked incumbent candidate also declined DNR's offer. HEM inquired why the incumbent no longer wanted the position and ultimately approved the agency's request to offer the position to the third-ranked candidate. The agency subsequently confirmed that the third-ranked candidate had accepted the position with a start date of September 1, 2020. HEM addressed these additional hiring sequence decisions in the supplemental Advisory.

20-HEM-0057-S

At the end of the third quarter, HEM issued Advisory 20-HEM-0057, which was based on HEM's monitoring and review of the hiring sequence for the Division Manager, Banking position at the Illinois Department of Financial and Professional Regulation (IDFPR). IDFPR responded to the Advisory with a few clarifications and questions, which HEM, IDFPR, and CMS discussed. IDFPR noted that it had requested the Open Competitive List, despite HEM's statement otherwise and recommendation to access the list in the future. In a follow-up Advisory, HEM acknowledged this error. HEM, IDFPR, and CMS also discussed the agency's screening process, specifically, the Advisory's first recommendation to utilize the Screening Form. For this sequence, a Screening Form would have been useful to account for all applicants, including the Open Competitive List applicants, thus mitigating follow-up questions.

Other HEM Compliance Reviews

Political Contacts

HEM reviews all reported or discovered instances where an elected or appointed official of any political party or any agent acting on behalf of an elected or appointed official or political party attempts to affect any hiring or employment action for any Non-Exempt Position by contacting State personnel involved in an employment action whether in person, in writing, by telephone, by facsimile, by e-mail, or any other means. Pursuant to the CEP, any State employee who receives or has reason to believe such Political Contact has occurred, or is occurring, is required to report it to CMS or OEIG HEM within 48 hours of such Political Contact or learning of such Political Contact. CMS is required by the CEP to maintain records documenting all reports of Political Contacts and Political Discrimination.

This quarter, CMS senior staff, including the Chief Compliance Officer, in collaboration with the HEM Director, created an automated system for State employees to report Political Contacts. This system includes a formal notification process whereby HEM will receive all Political Contacts to review pursuant to the process set forth in the CEP. State personnel received CEP training on this topic on November 19, 2020. HEM will continue to work with State personnel to implement this reporting process, which will launch in January 2021.

This quarter, HEM received notice of the following Political Contact:

- A mayor contacted IDOT regarding the application of a former councilman's son for a driver position at IDOT; the applicant interviewed for a Winter Salaried Highway Maintainer (WSHM) and was scored for a Snow Removal Operator position. His WSHM application also included a recommendation letter from a member of the U.S. House of Representatives.

Exempt Appointments and Exempt List Modifications

Federal court orders entered in 2019 in the *Shakman* litigation led to the creation of: the Exempt List, a comprehensive list of exempt positions for which hiring and employment decisions may be made on the basis of political or other non-merit factors; and an Exempt Employment Plan for filling positions on the Exempt List. The Exempt Employment Plan provides that candidates selected for exempt positions must meet the minimum qualifications and perform the duties of the exempt position being filled as set forth in the underlying position description. HEM staff reviews notification paperwork (also referred to as the exempt certification paperwork) for all exempt appointments to ensure compliance with the Exempt Employment Plan.

Fourth Quarter

During the fourth quarter, HEM received and reviewed 69 exempt appointment notifications for positions on the Exempt List to verify that the selected candidate met the minimum qualifications of the position being filled.

2020 Year-End

For this calendar year, HEM received and reviewed 317 exempt appointment notifications for positions on the Exempt List.

The Exempt Employment Plan also sets forth procedures for adding or deleting positions from the Exempt List, providing that only the Governor or the Executive Inspector General (EIG) may initiate such a change. HEM reviews all Exempt List addition and deletion requests from the Governor's Office and recommends approval of or objection to the proposed change to the EIG, who must respond to the Governor's request within 10 business days.

In recommending approval of or objection to each request from the Governor's Office to add a position to the Exempt List, HEM conducts a comprehensive review of all available information related to the position and request. HEM also reviews the Exempt List to determine the agency's percentage of exempt positions and assess whether any

existing exempt positions within the agency could perform the duties of the proposed exempt position. Prior to making a final recommendation, HEM regularly communicates or meets with agency staff with questions about the position’s history, duties, reporting structure, and necessity.

Fourth Quarter

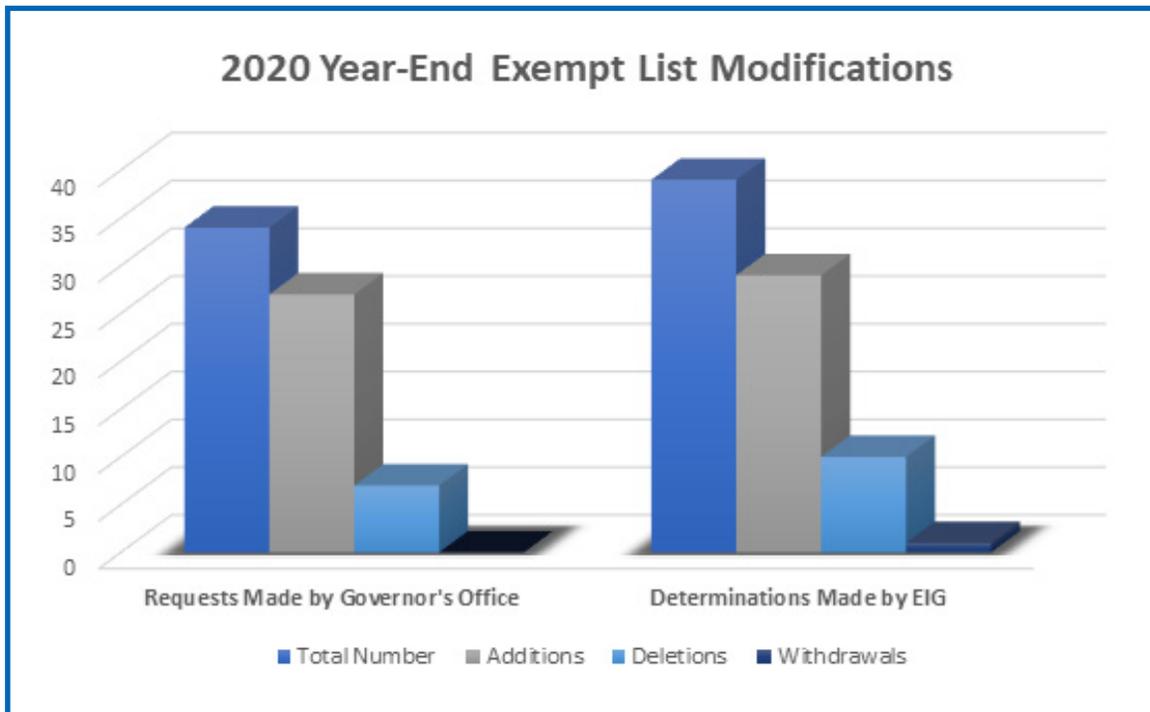
During the fourth quarter, HEM received a total of 9 Exempt List modification requests, including 7 addition requests and 2 deletion requests.⁷ HEM made the following determinations on Exempt List modification requests this quarter:

Exempt List Additions and Deletions by Agency - Fourth Quarter 2020		
Agency	Working Title	OEIG Determination
Illinois Department of Public Health	Public Health Policy Advisor	Approved Addition
Illinois Criminal Justice Information Authority	Director, Federal & State Grants B Unit	Approved Addition
Illinois State Police	Chief, Human Resources Bureau	Approved Addition
Illinois Emergency Management Agency	Private Secretary II	Approved Addition
Illinois Emergency Management Agency	Assistant to the Director	Approved Deletion
Illinois Department of Juvenile Justice	Director of Human Resources	Approved Addition
Illinois Gaming Board	Deputy Administrator – Gaming Controls and Technology	Approved Addition
Illinois Gaming Board	Deputy Administrator – Investigations	Approved Deletion
Illinois Department of Corrections	Medical Compliance Administrator	Approved Addition

⁷ One Exempt List deletion request made this quarter was prompted by HEM.

2020 Year-End

In this calendar year, HEM received a total of 34 Exempt List modification requests, including 27 addition requests and 7 deletion requests.⁸ HEM approved 29 addition requests and 10 deletion requests in 2020.⁹



8 For the Second Quarter 2020, an Exempt List deletion request was inadvertently not counted; while the potential deletion was discussed in relation to an addition request received in the First Quarter, the request was not officially made by the Governor's Office until the Second Quarter. Thus, the total number of Exempt List requests was 11, not 10 as reported in the HEM Report for the Second Quarter, and includes 4 not 3 deletion requests. The determination made on this request was included in the Second Quarter report (See HEM Report, Second Quarter 2020, page 22, DCEO Managing Director of Africa – Approved Deletion).

The number of Exempt List modification requests includes Exempt List deletion requests prompted by HEM.

9 Six determinations made in 2020 were based on requests submitted in 2019. One addition request was withdrawn by the Governor's Office.

Position Description Clarifications

HEM also reviews position description clarifications for positions on the Exempt List to ensure that the modifications do not impact the position's exempt status. Position description clarifications can range in substance and can include changes to the position's location/county code, the number of subordinates, the position's responsibilities, or the minimum requirements. HEM reviews these changes and discusses any concerns with CMS and/or the agency regarding whether the clarifications affect the exempt status of the position.

Fourth Quarter

During this quarter, HEM reviewed 114 clarifications to Exempt List position descriptions. HEM did not object to any clarifications this quarter.

2020 Year-End

This calendar year, HEM reviewed 506 clarifications to Exempt List position descriptions. HEM objected to 1 clarification this year.

III. Hiring Investigations

Upon receipt of a complaint, the OEIG's Investigative Division performs an initial review of the allegations, which must be completed within 30 days. After this initial review, the OEIG has the discretion to open an investigation, refer to HEM for a hiring compliance review, or refer to other entities, as it deems appropriate. In addition, the OEIG also has the authority to self-initiate an investigation based on information discovered in other investigations or available via public sources. Cases may also be transferred to the Investigative Division from HEM when a HEM hiring review reveals evidence of intentional wrongdoing that requires a more in-depth inquiry or evidence of unlawful political discrimination.

After an investigation, the OEIG issues (1) a summary report concluding reasonable cause exists to believe a violation has occurred (a "founded summary report"), or (2) a statement of the decision to close the investigation when there is insufficient evidence that a violation has occurred (an "unfounded summary report"). Founded summary reports document:

- the allegations of wrongdoing;
- facts confirmed by the investigation;
- an analysis of the facts in comparison to the applicable law, rule, or policy; and
- findings and recommendations.

In accordance with State law, the OEIG provides founded reports to the head of each agency affected by or involved with the investigation and the appropriate ultimate jurisdictional authority. The agency or ultimate jurisdictional authority is required to respond to the report and its recommendations within 20 days. Within 30 days after receiving the agency response, the OEIG must forward a copy of the founded report and the agency response to the Executive Ethics Commission (EEC).¹⁰ Pursuant to the Ethics Act, the EEC is the only entity permitted to determine the public release of OEIG founded summary reports.

¹⁰ The exception is when the OEIG forwards a complaint to the Attorney General's Office to pursue an Ethics Act violation before the EEC.

Fourth Quarter

At the close of this quarter, the OEIG had 30 hiring-related investigations pending.¹¹ Three hiring-related investigations were closed this quarter.

During the fourth quarter, the OEIG issued 2 founded reports related to hiring.

During the fourth quarter, the EEC did not make any OEIG founded reports related to hiring available to the public.

Redacted reports from past quarters and fiscal years are available at www.inspectorgeneral.illinois.gov.

2020 Year-End

At the end of this year, the OEIG had 30 hiring-related investigations pending.¹² Sixteen hiring-related investigations were closed this year.

During 2020, the OEIG issued 4 founded reports related to hiring.

During 2020, the EEC made 1 OEIG founded report related to hiring available to the public. The OEIG founded report is:

- In re: Courtney Avery, William Dart, and Debbie Magerl, Case #18-01396

Redacted reports from past quarters and fiscal years are available at www.inspectorgeneral.illinois.gov.

¹¹ These numbers include all agencies under the jurisdiction of the OEIG and are not limited to the agencies affected by the *Shakman* litigation.

¹² See footnote 11.

Appendices

A. Leadership

B. Percentage of Exempt Positions by Agency

A. Leadership

Susan M. Haling, Executive Inspector General

Ms. Haling was nominated as Executive Inspector General in March 2018, and confirmed by the Illinois Senate in May 2019. She first joined the OEIG in December 2011 as Special Counsel, and served as the First Assistant Inspector General beginning in 2015. In addition, she has more than nine years of experience as an Assistant U.S. Attorney in Chicago, where she tried over 20 criminal trials. Ms. Haling also previously worked for the U.S. Justice Department, Criminal Division, in Washington, D.C. Ms. Haling was a law clerk for the Honorable James F. Holderman, a former U.S. District Judge for the Northern District of Illinois. Ms. Haling received her BA from the University of Notre Dame and obtained her law degree from the DePaul University College of Law, where she graduated Order of the Coif, served as editor for the Law Review, and was a member of the Moot Court Trial Team

Neil P. Olson, General Counsel

Mr. Olson returned to the OEIG in May 2018 and serves as General Counsel. Mr. Olson previously worked at the OEIG as Deputy Inspector General and Chief of Springfield Division before leaving the OEIG in 2013 to serve as General Counsel in the Office of the Illinois State Treasurer. Prior to his return to the OEIG, Mr. Olson also served as an Assistant Attorney General and then the Deputy Public Access Counselor in the Office of the Illinois Attorney General. He also previously worked for the Massachusetts Attorney General's Office, the Massachusetts Commission on Judicial Conduct, as a litigator in private practice, and as the law clerk to the Honorable Kenneth Laurence of the Massachusetts Appeals Court. Mr. Olson is a graduate of Grinnell College and Northeastern University School of Law, and is licensed to practice law in Massachusetts and Illinois.

Fallon Opperman, Deputy Inspector General and Chief of Chicago Division

Ms. Opperman joined the OEIG as an Assistant Inspector General in June 2008 and then served as Chief of the Regional Transit Board Division. As Deputy Inspector General and Chief of Chicago Division since February 2015, Ms. Opperman manages the investigative activities of the OEIG's Chicago office, including oversight of the Regional Transit Board Division. Ms. Opperman received a BA from North Central College and obtained her law degree from the DePaul University College of Law.

Erin K. Bonales, Director of Hiring & Employment Monitoring

Ms. Bonales is responsible for directing the OEIG's Hiring & Employment Monitoring Division, which engages in compliance reviews and monitoring activities related to hiring and employment decisions, policies, and practices. Ms. Bonales previously worked for the OEIG for nearly eight years, including serving as Deputy Inspector General and Chief of the Chicago Investigative Division. Prior to joining the OEIG in May 2006, Ms. Bonales was an Assistant General Counsel for the Illinois Department of Human Services for approximately five years. Ms. Bonales received a JD from the University of Illinois College of Law, and a BA in Political Science from Southern Illinois University.

Christine P. Benavente, Deputy Inspector General - Executive Projects

Ms. Benavente joined the OEIG as an Assistant Inspector General in August 2011 and later served as a Legislative Assistant Inspector General. As Deputy Inspector General – Executive Projects, Ms. Benavente leads numerous executive projects, including overseeing the Division of External Compliance & Outreach and serving as the legislative attorney for all legislative matters pertaining to the OEIG. Prior to working at the OEIG, she was an Associate at Jenner & Block, LLP. Ms. Benavente obtained her law degree from DePaul University College of Law where she graduated Order of the Coif and magna cum laude. During law school, she served as Editor-in-Chief of the Women's Law Caucus Digest and Moot Court Representative for the Hispanic National Bar Association. She obtained BAs from the University of Iowa.

Angela Luning, Deputy Inspector General and Acting Chief of Springfield Division

Ms. Luning joined the OEIG as an Assistant Inspector General in 2012, became a Deputy Inspector General for Investigations in 2015, and currently serves as Acting Chief of the Springfield Division. Ms. Luning previously served as an Assistant State's Attorney in the Will County State's Attorney's Office, an Assistant Attorney General, and an Assistant Corporation Counsel for the City of Chicago; she also was a law clerk to the Hon. George W. Lindberg in the U.S. District Court for the Northern District of Illinois. Ms. Luning has a BA from Yale University, and received her law degree from Loyola University Chicago, where she served as the Executive Editor for Lead Articles on the Loyola University Chicago Law Journal.

Claudia P. Ortega, Chief Administrative Officer

Ms. Ortega joined the OEIG in March 2014 and currently serves as Chief Administrative Officer. She manages the OEIG's finance, information technology, procurement, and other administrative functions. Previously, Ms. Ortega worked in a financial reporting role for a State university and for a global forensics investigative firm. She holds an MSA in accounting from Benedictine University and a BA in accounting from DePaul University and she is a Certified Fraud Examiner.

B. Percentage of Exempt Positions by Agency

Percentage of Exempt Positions by Agency Fourth Quarter 2020		
Agency	Agency Headcount ¹	% of Exempt Positions ²
Abraham Lincoln Presidential Library & Museum	84	14%
Aging	152	11%
Agriculture	590	3%
Arts Council	13	31%
Capital Development Board	118	14%
Central Management Services	738	7%
Children & Family Services	2850	2%
Commerce & Economic Opportunity	273	18%
Corrections	12600	1%
Council on Developmental Disabilities	6	17%
Criminal Justice Information Authority	69	13%
Deaf & Hard of Hearing Commission	4	50%
Emergency Management Agency	179	10%
Employment Security	1033	3%
Environmental Protection Agency	637	3%
Financial & Professional Regulation	411	16%
Gaming Board	165	8%
Guardianship & Advocacy Commission	106	10%
Healthcare & Family Services	1809	2%

1 The agency headcount was obtained from the FY2020 SERS Headcount (June 2020) in the FY2021 Budget Summary.

2 The percentage was obtained using the number of exempt positions on the December 9, 2020 Exempt List and the agency headcount.

Agency	Agency Headcount	% of Exempt Positions
Human Rights	130	11%
Human Services	13196	1%
Innovation & Technology	712	9%
Insurance	207	10%
Juvenile Justice	876	4%
Labor	81	14%
Liquor Control Commission	43	21%
Lottery	149	5%
Military Affairs	224	2%
Natural Resources	1490	2%
Prisoner Review Board	25	4%
Property Tax Appeal Board	35	14%
Public Health	1171	4%
Revenue	1364	3%
Sentencing Policy Advisory Council ³	6	17%
State Fire Marshal	144	6%
State Police	2861	1%
Transportation	5181	2%
Veterans' Affairs	1210	1%
% of Exempt Positions Based on Total Headcount	50942	2%

³ The agency headcount was based on information found on the agency's website.