



COUNTY OF WINNEBAGO

Office of the County Auditor

County Administration Building
404 Elm Street, Room 201
Rockford, Illinois 61101

WILLIAM D. CROWLEY
County Auditor
Phone (815) 319-4206
bcrowley@wincoil.us

January 8th, 2018

To: Winnebago County Elected Officials, Appointed Officials and Department Heads

From: William D. Crowley, Winnebago County Auditor

RE: Potentially Prohibited Political Activity in Winnebago County Offices

The Winnebago County Auditor's office is required to perform several duties under Illinois Compiled Statute 55 ILCS 5/Div. 3.1. Sec. 3-1005. The statute states that the County Auditor is required to "maintain a continuous internal audit of the operations and financial records of the officers, agents or divisions of the County." With this duty comes an obligation to appropriately communicate actual or potential violations of Illinois State Statute or County Ordinance, which is the purpose of this communication.

In recent months, I have noted evidence of potentially prohibited political activity as defined by Illinois State Statute and Winnebago County Ordinance. Similar concerns have been reported to my office consistently and anonymously from employees of multiple offices from within Winnebago County government. Examples of potentially prohibited political activity that I have observed and have been reported to my office include:

- Inappropriate preparation and distribution of political materials supporting a referendum
- Distribution of political materials from County assets such as computers, network drives and email servers
- Display of political campaign logos on Winnebago County property such as the County webpages, emails, stationary, etc.
- Distribution of political endorsements and other political materials on social media outlets during regular business hours

The specific Illinois State Statutes and County Ordinances potentially violated are as follows:

(5 ILCS 430/) State Officials and Employees Ethics Act

The State Officials and Employees Ethics Act (5 ILCS 430/5-15), which applies to local governments, states "State employees shall not intentionally perform any prohibited political activity during any compensated time (other than vacation, personal, or compensatory time off). State employees shall not intentionally misappropriate any State property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization." A person is guilty of a Class A misdemeanor if that person intentionally violates any provision of Section 5-15.

It is our mission to provide high quality services and promote a safe community for all people in Winnebago County.



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Definitions of "prohibited political activity" in the State Officials and Employees Ethic Act include:

- Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- Campaigning for any elective office or for or against any referendum question.

(10 ILCS 5) Election Code

Sec. 9-25.1 Election interference of the Election Code states "No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated for political or campaign purposes to any candidate or political organization." A first time violation is a Class B misdemeanor.

"Public funds" is defined in the statute as "any funds appropriated by the Illinois General Assembly or by any political subdivision of the State of Illinois." Ex. Departmental budgets appropriated by the Winnebago County Board.

Winnebago County Code of Ordinances Chapter 62 - Personnel Sec. 62-4. - Political activities

Sec. 62-4. – Political activities states "Although employees are encouraged to exercise the privileges and prerogatives of their citizenship as voters and citizens, it is not considered in the best interest of the county that employees engage in political activities during working hours. Participation in such activities are a violation of these rules and shall be grounds for dismissal."

Winnebago County Code of Ordinances Chapter 2 - Administration Sec. 2-503. - Ethics and Business Conduct Policy

Sec. 2-503. – Ethics and Business Conduct Policy states "Winnebago County encourages all employees to participate personally in the political process and to support political parties and candidates of their choice. However, engaging in political activities or the display or distribution of political information during working hours, or on Winnebago County property, is considered detrimental to work performance and is prohibited by this policy."

I have attached all statutes and ordinances mentioned in the letter. This document is not a legal opinion and should not be taken as such. Therefore, I recommend that all elected officials, appointed officials and department heads review these materials thoroughly and correct any potentially prohibited political activity going forward.

Please let me know if you have any questions at 815-319-4206 or bcrowley@wincoil.us.

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GENERAL PROVISIONS
(5 ILCS 430/) State Officials and Employees Ethics Act.

(5 ILCS 430/Art. 1 heading)

ARTICLE 1
GENERAL PROVISIONS

(Source: P.A. 93-615, eff. 11-19-03.)

(5 ILCS 430/1-1)

Sec. 1-1. Short title. This Act may be cited as the State Officials and Employees Ethics Act.

(Source: P.A. 93-615, eff. 11-19-03.)

(5 ILCS 430/1-5)

Sec. 1-5. Definitions. As used in this Act:

"Appointee" means a person appointed to a position in or with a State agency, regardless of whether the position is compensated.

"Board members of Regional Transit Boards" means any person appointed to serve on the governing board of a Regional Transit Board.

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected State office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election.

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act.

"Commission" means an ethics commission created by this Act.

"Compensated time" means any time worked by or credited to a State employee that counts toward any minimum work time requirement imposed as a condition of employment with a State agency, but does not include any designated State holidays or any period when the employee is on a leave of absence.

"Compensatory time off" means authorized time off earned by or awarded to a State employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment with a State agency.

"Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code.

"Employee" means (i) any person employed full-time, part-time, or pursuant to a contract and whose employment duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed or (ii) any appointed or elected commissioner, trustee, director, or board member of a board of a State agency, including any retirement system or investment board subject to the Illinois Pension Code or (iii) any other appointee.

"Employment benefits" include but are not limited to the

following: modified compensation or benefit terms; compensated time off; or change of title, job duties, or location of office or employment. An employment benefit may also include favorable treatment in determining whether to bring any disciplinary or similar action or favorable treatment during the course of any disciplinary or similar action or other performance review.

"Executive branch constitutional officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an employee, member, or officer. The value of a gift may be further defined by rules adopted by the appropriate ethics commission or by the Auditor General for the Auditor General and for employees of the office of the Auditor General.

"Governmental entity" means a unit of local government (including a community college district) or a school district but not a State agency or a Regional Transit Board.

"Leave of absence" means any period during which a State employee does not receive (i) compensation for State employment, (ii) service credit towards State pension benefits, and (iii) health insurance benefits paid for by the State.

"Legislative branch constitutional officer" means a member of the General Assembly and the Auditor General.

"Legislative leader" means the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives.

"Member" means a member of the General Assembly.

"Officer" means an executive branch constitutional officer or a legislative branch constitutional officer.

"Political" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties or governmental and public service functions.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization

for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election, except to the extent that under subsection (d) of Section 6 of Article IV of the Illinois Constitution each house of the General Assembly shall judge the elections, returns, and qualifications of its members.

"Prohibited source" means any person or entity who:

(1) is seeking official action (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;

(2) does business or seeks to do business (i) with the member or officer or (ii) in the case of an employee, with the employee or with the member, officer, State agency, or other employee directing the employee;

(3) conducts activities regulated (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the member, officer, or employee;

(5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or

(6) is an agent of, a spouse of, or an immediate family member who is living with a "prohibited source".

"Regional Transit Boards" means (i) the Regional Transportation Authority created by the Regional Transportation Authority Act, (ii) the Suburban Bus Division created by the Regional Transportation Authority Act, (iii) the Commuter Rail Division created by the Regional Transportation Authority Act, and (iv) the Chicago Transit Authority created by the Metropolitan Transit Authority Act.

"State agency" includes all officers, boards, commissions and agencies created by the Constitution, whether in the executive or legislative branch; all officers, departments, boards, commissions, agencies, institutions, authorities, public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), and bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government which are created by or pursuant to statute, other than units of local government (including community college districts) and their officers, school districts, and boards of election commissioners; and all administrative units and corporate outgrowths of the above and as may be created by executive order of the Governor. "State agency" includes the General Assembly, the Senate, the House of Representatives, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the Senate Operations Commission, and the legislative support services agencies. "State agency" includes the Office of the Auditor General. "State agency" does not include the judicial branch.

"State employee" means any employee of a State agency.

"Ultimate jurisdictional authority" means the following:

(1) For members, legislative partisan staff, and legislative secretaries, the appropriate legislative leader: President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, or Minority Leader of the House of Representatives.

(2) For State employees who are professional staff or employees of the Senate and not covered under item (1), the Senate Operations Commission.

(3) For State employees who are professional staff or employees of the House of Representatives and not covered under item (1), the Speaker of the House of Representatives.

(4) For State employees who are employees of the legislative support services agencies, the Joint Committee on Legislative Support Services.

(5) For State employees of the Auditor General, the Auditor General.

(6) For State employees of public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), the board of trustees of the appropriate public institution of higher learning.

(7) For State employees of an executive branch constitutional officer other than those described in paragraph (6), the appropriate executive branch constitutional officer.

(8) For State employees not under the jurisdiction of paragraph (1), (2), (3), (4), (5), (6), or (7), the Governor.

(9) For employees of Regional Transit Boards, the appropriate Regional Transit Board.

(10) For board members of Regional Transit Boards, the Governor.

(Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09; 96-1528, eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff. 7-13-12.)

(5 ILCS 430/1-10)

Sec. 1-10. Applicability. The State Officials and Employees Ethics Act applies only to conduct that occurs on or after the effective date of this Act and to causes of action that accrue on or after the effective date of this Act.

(Source: P.A. 93-615, eff. 11-19-03.)

(5 ILCS 430/5-15)

Sec. 5-15. Prohibited political activities.

(a) State employees shall not intentionally perform any prohibited political activity during any compensated time (other than vacation, personal, or compensatory time off). State employees shall not intentionally misappropriate any State property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization.

(b) At no time shall any executive or legislative branch constitutional officer or any official, director, supervisor, or State employee intentionally misappropriate the services of any State employee by requiring that State employee to perform any prohibited political activity (i) as part of that employee's State duties, (ii) as a condition of State employment, or (iii) during any time off that is compensated by the State (such as vacation, personal, or compensatory time off).

(c) A State employee shall not be required at any time to participate in any prohibited political activity in consideration for that State employee being awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise.

(d) A State employee shall not be awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, in consideration for the State employee's participation in any prohibited political activity.

(e) Nothing in this Section prohibits activities that are otherwise appropriate for a State employee to engage in as a part of his or her official State employment duties or activities that are undertaken by a State employee on a voluntary basis as permitted by law.

(f) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of State employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.
(Source: P.A. 93-615, eff. 11-19-03.)

(10 ILCS 5/9-25.1) (from Ch. 46, par. 9-25.1; formerly Ch. 46, pars. 102, 103 and 104)
Sec. 9-25.1. Election interference.

(a) As used in this Section, "public funds" means any funds appropriated by the Illinois General Assembly or by any political subdivision of the State of Illinois.

(b) No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated for political or campaign purposes to any candidate or political organization. This Section shall not prohibit the use of public funds for dissemination of factual information relative to any proposition appearing on an election ballot, or for dissemination of information and arguments published and distributed under law in connection with a proposition to amend the Constitution of the State of Illinois.

(c) The first time any person violates any provision of this Section, that person shall be guilty of a Class B misdemeanor. Upon the second or any subsequent violation of any provision of this Section, the person violating any provision of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 87-1052.)

Sec. 62-4. - Political activities.

Although employees are encouraged to exercise the privileges and prerogatives of their citizenship as voters and citizens, it is not considered in the best interest of the county that employees engage in political activities during working hours. Participation in such activities are a violation of these rules and shall be grounds for dismissal.

(Ord. No. 88-CO-34, § II(C), 6-23-88)

ARTICLE VIII. - ETHICS AND BUSINESS CONDUCT POLICY^[10]

Sec. 2-501. - Title

This article shall be known, cited and referred to as the "Ethics and Business Conduct Ordinance/Policy"
(Ord. No. 2012-CO-006, 2-23-12)

Sec. 2-502. - Definitions.

As used in this article/policy:

Contribution has the same meaning as that term defined in Section 9-1.4 of the Election Code.

Employee means any full-time, part-time, and contractual employees, as well as appointed and elected officials of the county.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to employment or the official position of the employee or officer of the county.

Leave of absence means any period during which an employee does not receive compensation for county employment, service credit towards IMRF pension benefits, and health insurance benefits paid for by the county.

Officer means an elected or appointed official; regardless of whether the official is compensated.

Political means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities relating to the support or opposition of any executive, legislative, or administrative action relating to collective bargaining; or that otherwise in furtherance of the person's official duties.

Working hours means any time worked by or credited to an employee that counts towards any minimum work time requirement imposed as a condition of employment but does not include any designated holidays or any period the employee is on a leave of absence. This includes compensatory time off which means any time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment with the county.

(Ord. No. 2012-CO-006, 2-23-12)

Sec. 2-503. - Policy.

- (a) *Policy.* This policy affirms Winnebago County's commitment to the highest ethical standards, business conduct expectations and compliance with applicable laws and regulations. Winnebago County as an organization expects all employees, including those holding elected offices (which will be termed "employee" for the balance of this policy), to comply strictly with all laws and regulations which are applicable to its operations. In addition, they are to maintain the standards of the Ethics and Business Conduct stated in this policy; and to remain free of interests and relationships which may be potentially detrimental to the best interests of Winnebago County as an organization.
- (b) *Scope.* This policy shall be applied and enforced with respect to every employee of Winnebago County, including elected officials; and in every aspect of its operations.
- (c) *Employee obligations.* Each employee of Winnebago County is expected to familiarize themselves with this policy and standards of conduct and to review/attend the policy/training opportunities as they are instituted by the organization. Each employee is encouraged to report to management any violations to this Ethics and Business Conduct Policy through means as outlined in this policy. Each employee is expected to be fully familiar with the standard operating procedures, work rules, general orders, or policies applicable to their job responsibilities. Deviations or flagrant violations of those requirements (as determined by Winnebago County) will be viewed as ethical violations and subject to provisions of this policy. All relationships among employees must be based on the highest standards of ethical and

legal conduct. Employees shall not use their position in the organization for a purpose that is, or gives the appearance of being motivated by, the desire for private gain for themselves or others. Employees should specifically avoid use of their positions to obtain services of any kind, with or without compensation, for themselves, their family or relatives or another with whom they have personal, business or financial ties.

- (d) *Management obligations.* Officials, managers and supervisors are expected to ensure that the employees under their reporting structure familiarize themselves with the requirements of this policy. This includes not only the review of the policy but the hands-on involvement through on-going interaction, to ensure that employees are aware of their obligations under this policy and the requirements of their positions.

Management staff are further required to review any/all reports by employees of an ethical violation or other violation of business conduct at Winnebago County and provide a copy of any/all reports to the human resources manager. Management staff will treat all such reports as confidential and assist in the investigation of the report in question.

It is a violation of this policy for any management staff to retaliate against an employee for any good faith report of an ethics or business conduct violation.

- (e) *Business practices.*

Our Employees

We are committed to fair employment practices and to following applicable employment laws throughout our organization. This includes complying with laws that prohibit improper employment discrimination.

Equal Opportunity

It is our policy to employ, train, promote and compensate individuals based on merit, job-related qualifications and abilities. Winnebago County is committed to providing equal opportunity in employment regardless of race, color, religion, national origin, sex, age, sexual orientation, marital status, handicap, disability or status as a veteran of military service or other factors identified in its Equal Employment Opportunity Policy (Policy # 62-2).

Diversity

We value the differences among our employees. Individual differences enrich the workplace and improve our ability to attract employees and work with our constituents and customers. A work environment which values individual differences and encourages the full contribution of every employee creates a stronger organization.

No Harassment

Any kind of unlawful harassment by or against our employees is prohibited. Prohibited conduct includes, but is not limited to, the making of unwelcome sexual advances or engaging in any other conduct with sexual overtones which interferes with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive work environment. Other types of harassment are also prohibited (see discrimination/harassment policy - Policy # 62-14).

Drug and Alcohol Free Workplace

Possession, use, sale or distribution or being under the influence of an illegal drug or illegal controlled substance in the workplace or while conducting business for the organization off premises is strictly prohibited. Illegal drugs and controlled substances have an adverse effect on employee performance, jeopardize the safety of co-workers, customers and constituents and constitute a risk to the business and interests of the organization. Alcohol use may have an adverse effect on performance and safety and poses a risk to the organization and its interests. An employee who reports to work under the influence of, or is unfit to work because of, the effects of alcohol or drugs is subject to disciplinary action, up to and including termination of employment. Refer to the Drug Free and Controlled Substance Policy for more information.

Environmental Protection, Health and Safety

Winnebago County is committed to be an environmentally responsible organization and to providing a safe and healthful workplace for its employees.

It will comply with all applicable environmental, health and safety laws and regulations in all facilities in which Winnebago County conducts business.

Conflicts of Interest

Winnebago County respects the rights of all employees to engage in personal activities outside of work. However, each employee has the responsibility to avoid activities which conflict or appear to conflict with our job responsibilities or the interests of Winnebago County. Any employee activity which may involve a conflict of interest or even the appearance of a conflict of interest must first be reviewed with and approved by the employee's Department Head.

The following are examples of conflicts of interest:

- Engaging in employment or any other activity that interferes with the employees ability to devote the required time and attention to their job responsibilities' with Winnebago County.
- Holding a significant financial interest in a current or prospective customer or supplier of Winnebago County, or serving as an employee, consultant or director of that business.
- Directing Winnebago County business to a supplier that is owned or managed by a relative of an employee of Winnebago County.
- Engaging in employment that is in direct conflict with the interests of Winnebago County.
- Directly supervising the job performance or determining the compensation of a relative.
- Improperly using the organization's confidential information or its assets for the employee's economic/personal benefit or for the economic or personal benefit of others.

Political Contributions and Activities

Financial contributions of Winnebago County funds, use of the organization's assets or facilities/equipment for the benefit of a political party or candidate are strictly prohibited.

Winnebago County encourages all employees to participate personally in the political process and to support political parties and candidates of their choice. However, engaging in political activities or the display or distribution of political information during working hours, or on Winnebago County property, is considered detrimental to work performance and is prohibited by this policy.

Gifts, Entertainment and Improper Payments

Unless properly approved in advance by the employee's department head, Winnebago County employees should not give or receive gifts, favors, personal discounts of more than normal value to or from entities with which the organization conducts business. The giving or receiving of financial items as listed above of a value of \$50.00 U.S. or greater requires the approval of the Winnebago County Administrator. Any of these items which are not permitted or have not been approved per the policy should be declined or turned over to the Winnebago County Administrator. Gifts of a ceremonial, commemorative or business recognition nature may be accepted/given by management staff on behalf of Winnebago County, but must be reported to the Winnebago County Administrator.

The giving or receiving of reasonable and customary meals and entertainment in the normal course of business is permitted. Giving or receiving of lavish meals or inappropriate/illegal entertainment is prohibited.

Payment or acceptance of bribes, kickbacks or other improper payments while conducting Winnebago County business is prohibited. This prohibition applies to dealings with current or potential customers, suppliers, representatives, consultants or other business partners seeking to establish a relationship with Winnebago County.

Customers, Suppliers and Business Partners

Winnebago County has worked to build strong business relationships with our customers and suppliers based on lawful, honest business practices and the best interests of Winnebago County. We are committed to the pursuit of excellence in all of the services that we provide, and strive to meet or exceed our customers' expectations for quality, integrity, safety, and reliability.

When we contract for goods and services on behalf of Winnebago County, we will avoid doing anything that might compromise our objectivity or impair Winnebago County's reputation. Our purchasing decisions will always be based on appropriate business criteria such as price, quality, technical leadership, reliability and the reputation of the supplier and per the Winnebago County Purchasing Ordinance.

Winnebago County's business partners are an extension of our organization and are chosen and monitored carefully. When agents, representatives, consultants, contractors, and joint venture partners are engaged with Winnebago County in business matters, they are required to comply with applicable laws and to adhere to standards of business conduct consistent with the Winnebago County Ethics and Business Conduct Policy.

Personal Data Protection

It is Winnebago County's policy that we must take appropriate steps to protect information relating to individuals, whether they are employees, customers, constituents or suppliers. We are responsible for collecting, processing and transferring personal data only for lawful and legitimate business purposes. Care must be used to safeguard the confidentiality and security of personal data and to respect individual privacy. Winnebago County will utilize its legal counsel to ensure that the use and transmitting of personal data does not in any way violate laws governing this data.

- (f) *Education and awareness.* Winnebago County is committed to fostering a working environment where integrity is valued and forms the foundation for every decision. This environment includes a culture in which open and honest communication is expected and employees at all levels appreciate the importance of demonstrating highly ethical behavior.

The Winnebago County Ethics and Business Conduct Policy certification occurs annually. Employees certify once a year that they will adhere to the policy, which outlines the ethical business conduct required of employees in the performance of their county related responsibilities. Individuals certify that they will not engage in conduct or activity that may raise questions as to the organization's honesty, impartiality or reputation or otherwise cause embarrassment to the organization. Annual employee certification is mandatory for all employees of Winnebago County.

- (g) *Reporting violations/raising questions.* All Winnebago County employees are responsible to promptly report suspected or known violations of the Ethics and Business Conduct Policy, federal, state, or municipal laws or violations of other of the organization's policies. An employee may choose to make a report to the Winnebago County Board Chairman, county administrator, states attorney, human resources manager (see reporting information below), or department head. There will be no reprisals or retaliation against any employee for reporting in good faith a suspected or known violation. Additionally, reports cannot be accepted on an anonymous basis due to the necessity for investigatory input.

Concerns about accounting, internal accounting controls, auditing matters or other financial concerns may also be reported in writing to the Winnebago County Auditors Office.

Suspected concerns will be investigated by appropriate management staff and/or agencies. Where investigation reveals the need to take corrective action, changes to systems or in, practices and procedures will be implemented in addition to appropriate disciplinary/corrective measures.

Violations to the Ethics and Business Conduct Policy are subject to disciplinary action up to and including termination of employment. In many instances, a violation of this policy may also have legal ramifications, subjecting the employee to civil and/or criminal penalties, fines and other sanctions.

Written concerns should be directed to:

Winnebago County-Human Resources Department
404 Elm Street, Room 220
Rockford, IL 61101
Attention: Human Resources Manager

(Ord. No. 2012-CO-006, 2-23-12)