**Section 1620.1100 Disciplinary Action under the Ethics Act**

*Disciplinary action under the Ethics Act against a person subject to the Personnel Code, the Secretary of State Merit Employment Code, the Comptroller Merit Employment Code, or the State Treasurer Employment Code is within the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of those Acts.* [5 ILCS 430/20-55(c)]

a) An allegation of a violation of the Ethics Act shall set forth with particularity a statement of facts and a designation of the applicable provisions of the Ethics Act that have been violated or not complied with. Allegations of Ethics Act violations shall be set forth separately from any other allegations of violations.

b) Any appeal must be filed with the Commission within 15 days after the date on which the affected person knew, received written notice, or, through the use of reasonable diligence, should have known, of the disciplinary action. The affected person shall simultaneously serve a copy of the appeal on the Director of the Department of Central Management Services (CMS) or the Secretary of State, Comptroller or Treasurer, as appropriate.

c) The form of the appeal shall be captioned substantially as follows:

|  |  |  |
| --- | --- | --- |
| IN THE EXECUTIVE ETHICS COMMISSION  OF THE STATE OF ILLINOIS | | |
| IN RE APPEAL OF | ) | No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| (employee), | ) |  |
|  | ) |  |
| Appeal | | |

d) The appeal shall state facts and argument to support the person's appeal. Relevant documents may be attached as exhibits.

e) The CMS Director or the Secretary of State, Comptroller or Treasurer, as appropriate, may respond within 15 days after the appeal.

f) Within 60 days after the receipt of the appeal and response, the Commission may set the matter for hearing if it concludes that substantial issues of fact or law exist, or issue its decision, so long as the penalty to be imposed is not removal, discharge, demotion or suspension for a period of more than 30 days within a 12-month period.

g) If the penalty to be imposed is removal, discharge, demotion or suspension for a period of more than 30 days within a 12-month period, the Chair or Administrative Law Judge, if any, shall set the matter for hearing.

h) While related allegations of non-Ethics Act violations are pending with other entities, the Commission may continue proceedings before it generally and suspend time periods described in this Part.

(Source: Amended at 42 Ill. Reg. 13550, effective June 26, 2018)