**Section 202.60 Ex Parte Communications**

a) The provisions of Section 5-50 of the State Officials and Employees Ethics Act [5 ILCS 430/5-50] and Section 10-60 of the IAPA [5 ILCS 100/10-60] shall apply in full to arbitration proceedings that are subject to this Part.

b) The provisions of Section 10-60 of the IAPA shall not apply, however, to communications between Commission employees who are engaged in investigatory or advocacy functions and other parties to the arbitration proceeding, provided that such Commission employees are still prohibited from communicating on an ex parte basis, as designated in Section 10-60 of the IAPA, directly or indirectly, with members of the Commission, an arbitrator in the proceeding, or any Commission employee who is or reasonably may be expected to be involved in the decisional process of the proceeding.

c) Any Commissioner, arbitrator, or other Commission employee who is or reasonably may be expected to be involved in the decisional process of a proceeding, who receives, or who makes or knowingly causes to be made, a communication prohibited by Section 10-60 of the IAPA as modified by Section 10-103 of the Act shall place on the public record of the proceeding:

1) All such written communications;

2) Memoranda stating the substance of all such oral communications; and

3) All written responses and memoranda stating the substance of all oral responses to the materials described in subsections (c)(1) and (2).

d) The material specified in subsection (c) shall be disclosed to the parties of record by:

1) Service on the parties at the arbitration; or

2) If no arbitration hearing is scheduled within the next seven days, service by hand delivery, overnight mail, courier service, telephone facsimile, or electronic mail on all parties to the arbitration.