

Ethics lessons skimmed?  
State yanks thousands of training certificates  
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Thousands of state employees who went through annual ethics training this year have received notices that the certificates of completion they received are no longer valid because they apparently did not read the material carefully.

A spokesman for a key state employees' union Tuesday called the action "ridiculous."

Some of the letters, sent by the governor's inspector general's office, say the employees finished the training so fast that they couldn't have studied all of the information.

Some employees spent less than 10 minutes on the program, which includes about 80 computer pages. The average employee takes more than a half-hour to review the training.

However, employees taking the training were not told that they needed to spend a minimum amount of time on the task.

The training includes at least five self-help questions, plus a quiz at the end, which leads many people to call it the state "ethics exam." State officials say what is most important is that employees read and understand the material.

About 58,000 state workers in agencies under the governor underwent the training, and about 10 percent of them are being sent a 10-page "ethics orientation for noncompliant employees." The document spells out basic ethics rules and includes a form the employees must return.

"Your failure to complete this additional training on a timely basis, as well as any future failure to properly comply with this annual training requirement, will result in disciplinary action," states a letter signed by James Wright, executive inspector general for the agencies of the governor.

The form requires recipients to acknowledge that failure to complete future annual training could get them fired.

Anders Lindall, spokesman for the statewide Council 31 of the American Federation of State, County and Municipal Employees, which represents thousands of state workers, said employees were not told of the minimum time requirement.

"Effectively, employees are being threatened with punishment for their mastery of the subject matter," Lindall said Tuesday. "To set up an arbitrary time limit, and threaten to

punish them for successfully completing the quiz in less than that amount of time, is preposterous."

David Keahl, director of ethics training and compliance for the inspector general, said the average employee took 32 minutes to do the training.

His office has come up with a time below which a person is considered noncompliant, he said, but he declined to say what that is. Keahl said officials fear some people in the future might spend the minimum amount of time on the training, based on this year's cutoff.

One letter obtained by The State Journal-Register said the recipient had spent less than nine minutes on the training.

The training involves at least five "self-help questions," or multiple-choice boxes, in the text, along with the quiz at the end, Keahl said. But he said those questions are just part of the lessons. Just as drivers periodically need to take a test to renew their driver's licenses, he said, long-time state employees benefit from each year's ethics training. The information also is updated each year.

This year, he said, the ethics material was heavily weighted with information about political activities and what is not allowed on state time.

"Given that this is a general election year, it seemed appropriate to focus on that," he said.

State Rep. Raymond Poe, R-Springfield, said some worried state employees had come to him after receiving their noncompliance letters.

"They were basically registered Republicans" who feared that if they signed the affidavit, "that might give the administration grounds to fire them," Poe said.

One state worker who got a letter said the training covered familiar territory and takes time away from serving the public.

"It is only 45 minutes to an hour of your time over the year," Keahl responded, adding that he would consider one worker's suggestion that if the test is done too quickly, the computer should not issue the certificate of completion of the training.

Keahl also noted that the governor's office is not involved in either development or administration of the ethics program, and he said, "Oh, gosh, no," when asked whether any state workers are being politically targeted.

More than 12,000 people responded to a voluntary survey after this year's training, and about 85 percent found the training "good" or "excellent," Keahl said. About 90 percent said they would "probably or definitely use what they learned in the course of their jobs," he said.

Generally, training is done in state agencies between February and July, Keahl said.

In addition to spending too little time on the training, noncompliance can be a result of having somebody else take the training in a worker's place or having a "cheat sheet" of written answers.

The ethics material sent to noncompliant workers includes descriptions of rules in areas involving personnel, time sheets, conflicts of interest, political activities, gifts, whistleblower protections and other issues.

The inspector general's office works with LRN Corp., based in Los Angeles, which provides Internet-based training tools, technical support, course-development collaboration and compliance-tracking resources.

The state will pay the company about \$401,000 this year to help provide Internet-based training to as many as 165,000 employees, Keahl said.

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## **A lesson in ethics**

Here's a sample page from training taken this year by thousands of state employees. This page did not require a response from the participant in the ethics training. Some pages explain rules, using various methods including fictitious dialogue between two office workers. Other pages in the body of the training are interactive, meaning, for example, the participant may be asked to check which of four situations would be considered a prohibited political activity. And there is also an interactive, multiple choice quiz at the end of the training.

- Restrictions on the use of state resources for political purposes
- Misuse of state time, property, or resources
- So you know that you cannot use state work time for prohibited political activities.
- But what do we mean by state work time?
- State work time is any time worked by or credited to a state employee that counts toward any minimum work time requirement imposed as a condition of employment by a state agency, but does not include any designated state holidays; any period when the employee is on a leave of absence; or vacation, personal, or compensatory time off.

State work time includes, for example, the compensated portion of a state employee's lunch period.

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