

**SOUTH CAROLINA DEPARTMENT OF
LABOR, LICENSING AND REGULATION**

COLUMBIA, SOUTH CAROLINA

STATE AUDITOR'S REPORT

JUNE 30, 2016



George L. Kennedy, III, CPA
State Auditor

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

July 14, 2017

Ms. Emily Farr, Director
South Carolina Department of
Labor, Licensing and Regulation
State of South Carolina
Columbia, South Carolina

We have performed the procedures described in Attachment 1, which were agreed to by the management of the South Carolina Department of Labor, Licensing and Regulation (the Department), solely to assist you in evaluating the systems, processes and behaviors of the Department for the fiscal year ended June 30, 2016. The sufficiency of these procedures is solely the responsibility of the specified parties in this report. Consequently, we make no representation regarding the sufficiency of the procedures described in Attachment 1 for the purpose of which the agreed-upon procedures report has been requested or for any other purpose.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be an opinion or conclusion, respectively, on the systems, processes and behaviors of the Department. Accordingly, we do not express an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

The concept of materiality does not apply to findings to be reported in an agreed-upon procedures engagement. Therefore, all findings from the application of the agreed-upon procedures must be reported unless the definition of materiality is agreed to by the specified parties. Management of the Department has agreed that the following deficiencies will not be included in the State Auditor's Report on Applying Agreed-Upon Procedures:

- Clerical errors of less than \$1,000 related to processing cash receipts and cash disbursements transactions unless the errors occur in ten percent or more of the transaction class inspected.
- Clerical errors of less than \$1,000 related to reporting packages.
- Errors in applying account coding definitions to accounting transactions unless it is determined that ten percent or more of the accounting transactions inspected were found to be in error.
- Reporting packages which are submitted less than three business days after the due date unless it is determined that more than two of the reporting packages were submitted late.

Ms. Emily Farr, Director
South Carolina Department of
Labor, Licensing and Regulation
July 14, 2017

This report is intended solely for the information and use of the management of the Department and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.



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SC Office of the State Auditor**Agreed Upon Procedures Related to the South Carolina Department of Labor, Licensing and Regulation (R36)****Cash Receipts/Revenues**

1. Compare current year revenues at the subfund and account level from sources other than State General Fund appropriations to those of the prior year. Obtain and document an understanding of variations over \$10,000 and 10% for the General Fund, \$214,500 and 10% for the Earmarked Fund, \$1,000 and 10% for the Restricted Fund, and \$28,600 and 10% for the Federal Fund.
2. Randomly select twenty-five cash receipts transactions and inspect supporting documentation to:
 - Agree transaction amount, date, payor, document number, and account coding to the general ledger.
 - Determine that revenues/receipts were deposited in a timely manner.
 - Ensure that both revenue collections and amounts charged are properly authorized by law.
3. Randomly select twenty-five cash receipts and inspect supporting documentation to determine that receipts are recorded in the proper fiscal year.

We found no exceptions as a result of the procedures.

Cash Disbursements/Non-payroll Expenditures

4. Compare current year non-payroll expenditures at the subfund and account level to those of the prior year. Obtain and document an understanding of variations over \$43,000 and 10% for the General Fund, \$250,000 and 10% for the Earmarked Fund, \$10,000 and 10% for the Restricted Fund, and \$60,000 and 10% for the Federal Fund.
5. Randomly select twenty-five non-payroll disbursements and inspect supporting documentation to determine:
 - Transaction is properly completed as required by agency procedures; invoice(s) agree(s) with general ledger as to vendor, amount, number, and date.
 - All supporting documents and approvals required by agency procedures and good business practice are present and agree with the invoice.
 - The transaction is a bona fide expenditure of the agency, properly coded to the general ledger.
 - Disbursement complied with all State laws, rules, and regulations including the State Consolidated Procurement Code, state travel regulations etc.
 - Clerical accuracy / verify proper sales/use tax.

For federally funded cash disbursements/non-payroll expenditures we will inspect supporting documentation to determine:

- Charges are necessary and reasonable for the proper administration of the program, incurred during the approved grant period, given consistent accounting treatment as other transactions above and applied uniformly to both federally assisted and other activities of the recipient.

Cash Disbursements/Non-Payroll Expenditures (Continued)

6. Randomly select twenty-five non-payroll disbursements and inspect supporting documentation to determine that disbursements are recorded in the proper fiscal year.

We found no exceptions as a result of the procedures.

Payroll

7. Compare current year payroll expenditures at the subfund and account level to those of the prior year. Obtain an understanding of variations over \$43,000 and 10% for the General Fund, \$250,000 and 10% for the Earmarked Fund, \$10,000 and 10% for the Restricted Fund, and \$60,000 and 10% for the Federal Fund.
8. Randomly select twenty-five employees and inspect supporting documentation during the fiscal year to:

For Salaried Employees:

- Obtain and inspect the employee's payroll and/or personnel file for various forms, communications, etc., to confirm that the person is a bona fide employee of the agency.
- Using the personnel records, agree gross pay to supporting documentation noting all changes to gross salary for the year. Determine that all changes have been properly approved.

For Hourly Employees:

- Obtain and inspect the employee's payroll and/or personnel file for various forms, communications, etc., to confirm that the person is a bona fide employee of the agency.
- Confirm the hourly rate and time sheets are properly approved; recalculate gross pay.

9. Randomly select five bonus pay disbursements to determine:
 - Employee does not make more than \$100,000 annually.
 - Bonuses received during fiscal year 2016 did not exceed \$3,000.
 - Transaction was appropriately documented and approved.
10. Randomly select twenty-five bonus pay disbursements authorized by the 2015-2016 Supplemental Appropriations to determine:
 - Employee is a permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015.
 - Employee does not make more than \$100,000 annually.
 - Bonus pay was split between funds according to the ratio of the employee's base salary.
11. Randomly select ten employees hired during the fiscal year to determine if they were added to the payroll in accordance with the agency's policies and procedures and that their first pay check was properly calculated in accordance with applicable State law.
12. Randomly select fourteen employees who terminated employment during the fiscal year to determine if they were removed from the payroll in accordance with the agency's policies and procedures, that the employee's last pay check was properly calculated and that the employee's leave payout was properly calculated in accordance with applicable State law.

Payroll (Continued)

13. Compare the percentage change, from the prior fiscal year, in personal service expenditures to the percentage change in employer contributions. Obtain an explanation of changes of +/- 10%.
14. Compute the percentage distribution of fringe benefit expenditures by fund source and compare to the actual distribution of recorded personal service expenditures by fund source. Obtain an explanation of changes of +/- 10%.

Finding

One temporary employee who was required to take a two-week break did not take one during the twelve-month period. The South Carolina State Human Resources Regulations defines a temporary employee as a full-time or part-time employee who does not occupy an FTE position, whose employment is not to exceed one year, and who is not a covered employee. Additionally, five employees were in the Department's FY16 payroll system though none of the employees worked during FY16. This resulted in the Department having employees on its payroll system who were not utilized. We also observed one employee terminated during FY16 who remained in the Department's payroll system after termination for seven months. This is a repeat finding.

Management's Response

The Agency has taken note of the reconciliation of temporary employees within the Agency as it relates to the South Carolina State Human Resources Regulations and also the Agency's ability to maintain business operations continuity. Since the last audit, the Agency adopted more formal parameters regarding the auditing of its temporary workforce as it relates to the Agency's mission, vision and values. Thus, while there were a few noted exceptions indicated in the current audit, the Agency is committed to ensuring that any exceptions are very limited and result only after a careful, case by case analysis of the need to maintain consistent service to our customers.

Journal Entries and Transfers

15. Randomly select fifteen non-recurring journal entries and ten transfers for the fiscal year to:
 - Trace postings to the general ledger, confirming amounts agree with supporting documentation.
 - Confirm transaction is properly approved.
 - Inspect supporting documentation to confirm the purpose of the transaction.

We found no exceptions as a result of the procedures.

Appropriation Act

16. Complete the Appropriation Act work program provided to management noting areas of noncompliance, if any.
17. Confirm compliance with agency-specific state provisos by inquiring with management and observing supporting documentation.

We found no exceptions as a result of the procedures.

Reporting Packages

18. Obtain copies of fiscal year end reporting packages submitted to the Office of the State Comptroller General. We will inspect the following reporting packages: Master Reporting Checklist, Grants and Contribution Reporting Package, Accounts Payable Reporting Package, Litigation Reporting Package, Compensated Absences Reporting Package and the Subsequent Events Reporting Packages to:
 - Determine if preparation was in accordance with Comptroller General Office requirements (<http://www.cg.sc.gov/guidanceandformsforstateagencies>).
 - Determine if amounts reported in the reporting packages agree with the supporting workpapers and accounting records.

Finding

The Department miscoded five of its payments to private attorneys for its attorney fees totaling a misstatement of \$6,009. The Department coded the private attorney payments to Legal Services when the payments should have been coded to Attorney Fees. The Comptroller General's Office has general ledger guidance to assist agencies in correctly coding transactions. The Department also spent \$31,914 for a private attorney when the approved Attorney General's expenditure maximum was \$12,000. This is a repeat finding.

Management's Response

The Agency has instituted a process that will allow for better tracking of the coding of Attorney Fees and the approved threshold amount caps for outside legal services. It is our intent that this process will remedy future audit exceptions in this particular area.

Status of Prior Findings

19. Inquire about the status of findings reported in the Accountant's Comments section of the prior engagement report to determine if the agency has taken appropriate corrective action.

We found no exceptions as a result of the procedures, except for temporary employees and attorney fees noted above.