



STATE OF ILLINOIS
**OFFICE OF THE
 AUDITOR GENERAL**

Frank J. Mautino, Auditor General

SUMMARY REPORT DIGEST

DEPARTMENT OF HUMAN RIGHTS

Compliance Examination
 For the Two Years Ended June 30, 2019

Release Date: April 15, 2020

FINDINGS THIS AUDIT: 8	AGING SCHEDULE OF REPEATED FINDINGS						
	New	Repeat	Total	Repeated Since	Category 1	Category 2	Category 3
Category 1:	0	0	0	2017		19-1, 19-2	
Category 2:	5	3	8	2007		19-7	
Category 3:	0	0	0				
TOTAL	5	3	8				
FINDINGS LAST AUDIT: 3							

SYNOPSIS

- (19-01) The Illinois Department of Human Rights (Department) did not meet the procedural time limits set forth when a charge of a civil rights violation had been filed
- (19-02) The Department failed to maintain a full-time program of internal auditing.
- (19-05) The Department did not formally evaluate and report on the sexual harassment helpline as required.
- (19-06) The Department did not have adequate file storage capabilities to properly secure all case files.

Category 1: Findings that are **material weaknesses** in internal control and/or a **qualification** on compliance with State laws and regulations (material noncompliance).

Category 2: Findings that are **significant deficiencies** in internal control and **noncompliance** with State laws and regulations.

Category 3: Findings that have **no internal control issues but are in noncompliance** with State laws and regulations.

**DEPARTMENT OF HUMAN RIGHTS
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2019**

EXPENDITURE STATISTICS	2019	2018	2017
Total Expenditures.....	\$ 12,972,390	\$ 10,841,850	\$ 11,923,099
OPERATIONS TOTAL.....	\$ 12,972,390	\$ 10,841,850	\$ 11,923,099
% of Total Expenditures.....	100.0%	100.0%	100.0%
Personal Services.....	10,154,495	8,830,240	9,701,189
Other Payroll Costs (FICA, Retirement).....	1,644,348	1,431,309	1,511,862
All Other Operating Expenditures.....	1,173,547	580,301	710,048
Total Receipts.....	\$ 2,429,651	\$ 2,577,626	\$ 1,617,567
Average Number of Employees.....	122	126	127

AGENCY DIRECTOR
During Examination Period: Ms. Janice Glenn (Acting) (7/1/17-1/20/19); Mr. James L. Bennett (effective 1/21/19) Currently: Mr. James L. Bennett

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

NONCOMPLIANCE WITH STATUTORILY MANDATED TIME LIMITS

The Illinois Department of Human Rights (Department) did not meet the procedural time limits set forth when a charge of a civil rights violation had been filed.

A few of the items we noted during our review of 40 employment cases filed with the Department follows:

Copy of the charge not served to the respondent within 10 days

- In 21 (53%) employment cases tested, the Department did not serve a copy of the charge to the respondent within 10 days of the day the charge was filed. The charges were served on the respondent from 2 to 97 days late.

Did not serve a notice to the complainant of the complainant's right to file a complaint within 10 days

- In 21 (53%) employment cases tested, the Department did not serve a notice to the complainant of the complainant's rights to file a complaint with the Human Rights Commission or commence a civil action in the appropriate circuit court within 10 days of the day the charge was filed. These notices were served on the complainant from 2 to 97 days late. (Finding 1, pages 8-9)

We recommended the Department timely notify the appropriate parties as mandated by the Illinois Human Rights Act.

The Department agreed with our recommendation

The Department agreed with our recommendation and stated they are implementing a new state-of-the art case management system that will improve efficiency and timeliness in the issuance of notices to parties.

FAILURE TO MAINTAIN AN INTERNAL AUDIT PROGRAM

The Department failed to maintain a full-time program of internal auditing.

The Department did not employ a Chief Internal Auditor or any internal audit staff

We noted the Department did not employ a Chief Internal Auditor or any internal audit staff during the examination period. On August 18, 2017, the Department entered into an agreement with the Department of Central Management Services (CMS) to provide the Department with internal auditing services. (Finding 2, page 10)

We recommended the Department comply with the required provisions of the Act by appointing a chief internal auditor and implementing a full-time program of internal auditing.

The Department agreed with our recommendation

The Department agreed with our recommendation and stated they would hire a Chief Internal Auditor who would be responsible for the Department's Internal Audit Program.

FAILURE TO EVALUATE AND REPORT ON SEXUAL HARASSMENT HELPLINE

The Department did not formally evaluate and report on the sexual harassment helpline as required.

Evaluation of the sexual harassment helpline not completed

Report not submitted

Public Act 100-554 as amended by Public Act 100-0588 required the Department to establish and maintain a sexual harassment and discrimination helpline by February 16, 2018. The purpose of the helpline is to help persons who contact the Department through the helpline to find necessary resources, including counseling services, and to assist in the filing of sexual harassment and discrimination complaints with the Department or other applicable agencies. As of December 17, 2019, we noted the Department had not completed its evaluation or submitted the reports.

Certain statistical information is required to be reported

The Illinois Human Rights Act (Act) (775 ILCS 5/2-107(e)), requires the Department to annually evaluate the helpline and report to the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct, the following information: (i) the total number of calls received, including messages left during non-business hours; (ii) the number of calls reporting sexual discrimination claims; (iii) the number of calls reporting harassment claims; (iv) the number of calls reporting sexual harassment claims; (v) the number of calls that were referred to each Executive Inspector General; and (vi) the number of calls that were referred to the Legislative Inspector General. (Finding 5, pages 15-16)

We recommended the Department comply with the Act and submit its report on the sexual harassment and discrimination helpline to the Clerk of the House of Representatives and the Secretary of the Senate as required by the Act.

The Department agreed with our recommendation

The Department agreed with our recommendation and stated they would finalize their draft report and submit it to the General Assembly.

LACK OF ADEQUATE FILE STORAGE CAPACITY

The Department did not have adequate file storage capabilities to properly secure all case files.

Volume of case files has become very large

Not enough file cabinets or locking storage space to secure files

During our examination, we noted the Department did not have adequate storage capacity to properly secure all case files processed by the Department's Chicago Office. The volume of case files located in the Intake Unit and the Case Disposition Unit (CDU) has become very large and the Department does not have enough file cabinets or locking storage space to secure all case files. Throughout our examination, we noted numerous closed case files stacked on top of file cabinets. These files were noted to be in the same location on multiple visits and it was evident that they had remained unsecured during that time.

Anyone who has passed through building security could walk into the Department's office

Others have access to the Department's office after hours

Files are confidential

The Department's Chicago office is located in the James R Thomson Center (JRTC). In order to enter the Department's Chicago Office, an individual must first present a valid form of identification and pass through a security check point located in the lower level of the building. The Department's office is located on the 10th floor of the building but does not have locking doors to limit access to the office. A receptionist is on duty during business hours; however, if she is not at her desk, anyone who had passed through the building's security check could walk into the Department's office. In addition, janitorial staff and employees of other State agencies located in the building have the ability to access the building after hours and potentially could access the Department's office as well. In accordance with the Illinois Human Rights Act (775 ILCS 5/7A-102(B)), the Department's case files are confidential. (Finding 6, pages 17-18)

We recommended the Department take appropriate measures to properly secure all case files.

The Department agreed with our recommendation

The Department agreed with our recommendation and stated they would develop a three point plan to: (a) implement "additional" and "temporary" security measures to further secure physical files during the period of time the State arrives at a final decision on the sale of the JRTC; (b) implement additional permanent measures to optimally secure physical files should the State decide not to sell the JRTC; and (c) ensure new offices procured for the Department contain appropriate safeguards to secure physical files.

OTHER FINDINGS

The remaining findings pertain to lack of access review, noncompliance with report filing requirements, inadequate controls over State property and equipment, and inadequate controls over voucher processing. We will review the

Department of Human Right's progress towards the implementation of our recommendations in our next compliance examination.

ACCOUNTANT'S OPINION

The accountants conducted a compliance examination of the Department of Human Rights for the two years ended June 30, 2019, as required by the Illinois State Auditing Act. The accountants stated the Department of Human Rights complied, in all material respects, with the requirements described in the report.

This compliance examination was conducted by Borschnack, Pelletier & Co.

SIGNED ORIGINAL ON FILE

JANE CLARK
Division Director

This report is transmitted in accordance with Section 3-14 of the Illinois State Auditing Act.

SIGNED ORIGINAL ON FILE

FRANK J. MAUTINO
Auditor General

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