

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS**

**COMPLIANCE EXAMINATION
FOR THE TWO YEARS ENDED JUNE 30, 2017**

**Performed as Special Assistant Auditors
for the Auditor General, State of Illinois**

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPLIANCE EXAMINATION
FOR THE TWO YEARS ENDED JUNE 30, 2017**

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**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPLIANCE EXAMINATION
FOR THE TWO YEARS ENDED JUNE 30, 2017**

DEPARTMENT OFFICIALS

Acting Director (July 1, 2016 to present)	Ms. Janice Glenn
Director (through June 30, 2016)	Mr. Rocco Claps
Deputy Director (June 1, 2017 to present)	Mr. H. Alex Bautista
Deputy Director (April 8, 2017 to May 31, 2017)	Vacant
Deputy Director (October 17, 2016 to April 7, 2017)	Mr. Ryan Dunigan
Deputy Director (September 2, 2016 to October 16, 2016)	Vacant
Deputy Director (through September 1, 2016)	Ms. Bobbie Wanzo
Chief Fiscal Officer (May 1, 2017 to present)	Mr. Alan Brazil
Acting Chief Fiscal Officer (through April 30, 2017)	Ms. Marla Butler
Chief Legal Counsel (November 1, 2017 to present)	Ms. Mary. M. Madden
Acting Chief Legal Counsel (September 7, 2017 to October 31, 2017)	Mr. Lon Meltesen
Chief Legal Counsel (September 5, 2017 to September 6, 2017)	Vacant
Chief Legal Counsel (through September 4, 2017)	Ms. Ngozi Okorafor

Department offices are located at:

100 West Randolph Street
Suite 10-100
Chicago, Illinois 60601

222 South College
Floor 1
Springfield, Illinois 62704

2309 West Main Street
Suite 112
Marion, Illinois 62959

ILLINOIS DEPARTMENT OF
Human Rights

Bruce Rauner, Governor
Janice Glenn, Acting Director

December 15, 2017

Borschnack, Pelletier & Co.
Certified Public Accountants
200 E. Court St., Suite 608
Kankakee, IL 60901

Ladies and Gentlemen:

We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the State of Illinois, Department of Human Rights. We are responsible for and we have established and maintained an effective system of internal controls over compliance requirements. We have performed an evaluation of the State of Illinois, Department of Human Rights' compliance with the following assertions during the two-year period ended June 30, 2017. Based on this evaluation, we assert that during the years ended June 30, 2017 and June 30, 2016, the State of Illinois, Department of Human Rights has materially complied with the assertions below.

- A. The State of Illinois, Department of Human Rights has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Department of Human Rights has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions, or mandatory directions imposed by law upon such obligation, expenditure, receipt, or use.
- C. The State of Illinois, Department of Human Rights has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the State of Illinois, Department of Human Rights are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate, and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the State of Illinois, Department of Human Rights on behalf of the State or held in trust by the State of Illinois, Department of Human Rights have been properly and legally administered, and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

Yours truly,

State of Illinois, Department of Human Rights

SIGNED ORIGINAL ON FILE

Janice Glenn, Acting Director

SIGNED ORIGINAL ON FILE

Mary M. Madden, Chief Legal Counsel

SIGNED ORIGINAL ON FILE

Alan Brazil, Chief Fiscal Officer

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPLIANCE EXAMINATION
FOR THE TWO YEARS ENDED JUNE 30, 2017**

COMPLIANCE REPORT

SUMMARY

The compliance testing performed during this examination was conducted in accordance with *Government Auditing Standards* and in accordance with the Illinois State Auditing Act.

ACCOUNTANT’S REPORT

The Independent Accountant’s Report on State Compliance, on Internal Control Over Compliance and on Supplementary Information for State Compliance Purposes does not contain scope limitations, disclaimers, or other significant non-standard language.

SUMMARY OF FINDINGS

<u>Number of</u>	<u>Current</u>	<u>Prior</u>
Findings	Report	Report
Repeated findings	3	6
Prior recommendations implemented or not repeated	1	1
	5	3

SCHEDULE OF FINDINGS

<u>Item</u>	<u>Page</u>	<u>Description</u>	<u>Finding Type</u>
<u>No.</u>			
FINDINGS (STATE COMPLIANCE)			
2017-001	8	Noncompliance with Statutorily Mandated Time Limits	Significant Deficiency and Noncompliance
2017-002	10	Failure to Maintain an Internal Audit Program	Significant Deficiency and Noncompliance
2017-003	11	Inadequate Controls over State Property and Equipment	Significant Deficiency and Noncompliance

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPLIANCE EXAMINATION
FOR THE TWO YEARS ENDED JUNE 30, 2017**

COMPLIANCE REPORT

SUMMARY

PRIOR FINDINGS NOT REPEATED

A	14	Inappropriate Expenditure of Appropriated General Revenue Funds
B	14	Inadequate Controls over Compliance with Travel Regulations
C	14	Noncompliance with the Fiscal Control and Internal Auditing Act
D	14	Noncompliance with the Illinois Vehicle Code
E	15	Improper Processing of Refund Receipts

EXIT CONFERENCE

The findings and recommendations appearing in this report were discussed with the Department of Human Rights personnel in an exit conference on December 11, 2017. Attending were:

Department of Human Rights

Janice Glenn, Acting Director
H. Alex Bautista, Deputy Director
Alan Brazil, Chief Fiscal Officer
Mary M. Madden, Chief Legal Counsel
Brent Harzman, Charge Processing Manager
Lon Meltesen, Fair Housing Manager

Office of the Auditor General

Janis Van Durme, Audit Manager

Borschnack, Pelletier & Co.

Paul Pelletier, Partner
Brian Creek, Manager

Responses to the recommendations were provided by Alan Brazil in correspondence dated December 14, 2017.



Certified Public Accountants & Consultants

200 East Court Street • Suite 608 • Kankakee, IL 60901
815.933.1771 • fax: 815.933.1163

**INDEPENDENT ACCOUNTANT'S REPORT ON STATE COMPLIANCE, ON
INTERNAL CONTROL OVER COMPLIANCE, AND ON SUPPLEMENTARY
INFORMATION FOR STATE COMPLIANCE PURPOSES**

Honorable Frank J. Mautino
Auditor General
State of Illinois

Compliance

As Special Assistant Auditors for the Auditor General, we have examined the State of Illinois, Department of Human Rights' compliance with the requirements listed below, as more fully described in the Audit Guide for Financial Audits and Compliance Attestation Engagements of Illinois State Agencies (Audit Guide) as adopted by the Auditor General, during the two years ended June 30, 2017. The management of the State of Illinois, Department of Human Rights is responsible for compliance with these requirements. Our responsibility is to express an opinion on the State of Illinois, Department of Human Rights' compliance based on our examination.

- A. The State of Illinois, Department of Human Rights has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Department of Human Rights has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The State of Illinois, Department of Human Rights has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the State of Illinois, Department of Human Rights are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the State of Illinois, Department of Human Rights on behalf of the State or held in trust by the State of Illinois, Department of Human Rights have been properly and legally administered and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants; the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States; the Illinois State Auditing Act (Act); and the Audit Guide as adopted by the Auditor General pursuant to the Act (the Audit Guide). Those standards, the Act, and the Audit Guide require that we plan and perform the examination to obtain reasonable assurance about whether the State of Illinois, Department of Human Rights complied, in all material respects, with the specified requirements listed above. An examination involves performing procedures to obtain evidence about whether the State of Illinois, Department of Human Rights complied with the specified requirements listed above. The nature, timing and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error.

We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the State of Illinois, Department of Human Rights' compliance with specified requirements.

In our opinion, the State of Illinois, Department of Human Rights complied, in all material respects, with the compliance requirements listed in the first paragraph of this report during the two years ended June 30, 2017. However, the results of our procedures disclosed instances of noncompliance with the requirements, which are required to be reported in accordance with criteria established by the Audit Guide, issued by the Illinois Office of the Auditor General and which are described in the accompanying schedule of findings as items 2017-001 through 2017-003.

The State of Illinois, Department of Human Rights' responses to the findings identified in our examination are described in the accompanying schedule of findings. The State of Illinois, Department of Human Rights' responses were not subjected to the procedures applied in the compliance examination and, accordingly, we express no opinion on the responses.

The purpose of this report on compliance is solely to describe the scope of our testing and the results of that testing in accordance with the requirements of the Audit Guide issued by the Illinois Office of the Auditor General. Accordingly, this report is not suitable for any other purpose.

Internal Control

Management of the State of Illinois, Department of Human Rights is responsible for establishing and maintaining effective internal control over compliance with the requirements listed in the first paragraph of this report. In planning and performing our examination, we considered the State of Illinois, Department of Human Rights' internal control over compliance with the requirements listed in the first paragraph of this report to determine the examination procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Audit Guide, issued by the Illinois Office of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of the State of Illinois, Department of Human Rights' internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the State of Illinois, Department of Human Rights' internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with the requirements listed in the first paragraph of this report on a timely basis. *A material weakness in internal control over compliance* is a

deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a requirement listed in the first paragraph of this report will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we identified certain deficiencies in internal control over compliance, as described in the accompanying schedule of findings as items 2017-001 through 2017-003, that we consider to be significant deficiencies.

As required by the Audit Guide, immaterial findings excluded from this report have been reported in a separate letter to your office.

The State of Illinois, Department of Human Rights' responses to the findings identified in our examination are described in the accompanying schedule of findings. The State of Illinois, Department of Human Rights' responses were not subjected to the procedures applied in the compliance examination and, accordingly, we express no opinion on the responses.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Audit Guide, issued by the Illinois Office of the Auditor General. Accordingly, this report is not suitable for any other purpose.

Supplementary Information for State Compliance Purposes

Our examination was conducted for the purpose of forming an opinion on compliance with the requirements listed in the first paragraph of this report. The accompanying supplementary information for the years ended June 30, 2017 and June 30, 2016 in Schedules 1 through 5 and the Analysis of Operations Section is presented for purposes of additional analysis. We have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2017 and June 30, 2016 accompanying supplementary information in Schedules 1 through 5. However, we do not express an opinion on the accompanying supplementary information.

We have not applied procedures to the June 30, 2015 accompanying supplementary information in Schedules 3 through 5 and in the Analysis of Operations Section, and accordingly, we do not express an opinion or provide any assurance on it.

SIGNED ORIGINAL ON FILE

Kankakee, IL

December 15, 2017

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

CURRENT FINDINGS (STATE COMPLIANCE)

2017-001 **FINDING** (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 has been filed.

In our review of 40 employment cases filed with the Department, we noted the following:

- In 28 (70%) 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 1 to 115 days late.
- In 25 (63%) 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 1 to 115 days late.
- In 34 (85%) employment cases tested, the Department did not serve a notice to the respondent of the complainant's rights to file 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.

The Illinois Human Rights Act (Act) (775 ILCS 5/7A-102(B)), which deals with employment and other civil rights cases, requires the Department shall within 10 days of the date on which the charge was filed, serve a copy of the charge to the respondent. The Act further requires the Department shall within 10 days of the date on which the charge was filed, and again no later than 335 days thereafter, send by certified or registered mail written notice to the complainant and to the respondent informing the complainant of the complainant's right to either file a complaint with the Human Rights Commission or commence a civil action in the appropriate circuit court.

Department management stated the Department's untimely issuance of notices was due to a lack of personnel and equipment, charges received by mail, and the number of cases filed in the Charge Processing Division. In addition, the Department had not previously interpreted the statute as requiring notification to the respondent of the complainant's right to file with the Human Right Commission or commence a civil action.

The complainant and respondent of a charge being filed need to be informed of their rights so they have time to respond or prepare for the charge. Failure to provide the notification or untimely notifying them as outlined in statute is noncompliance with the State law. (Finding Code No. 2017-001)

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

CURRENT FINDINGS (STATE COMPLIANCE)

2017-001 **FINDING** (Noncompliance with Statutorily Mandated Time Limits) (continued)

RECOMMENDATION

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

DEPARTMENT RESPONSE

The Department accepts this recommendation. The Department has initiated procedures to timely notify complainant and respondent of complainant's right to file with the Human Rights Commission or commence a civil action, and to timely serve a copy of the charge to respondent.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

CURRENT FINDINGS (STATE COMPLIANCE)

2017-002 **FINDING** (Failure to Maintain an Internal Audit Program)

The Illinois Department of Human Rights (Department) failed to maintain a full-time program of internal auditing.

We noted the Department did not employ a Chief Internal Auditor or any internal audit staff during the examination period.

The Fiscal Control and Internal Auditing Act (Act) (30 ILCS 10/2001(a)) states, "Each designated State agency as defined in section 1003(a) shall maintain a full-time program of internal auditing." Section 1003(a) defines designated State agencies to include each Department of State government created in the Civil Administrative Code of Illinois (20 ILCS 5/5-15) which includes the Department of Human Rights.

Department management stated the Department has not maintained an internal audit staff due to the small size of the Department and budgetary constraints.

Failure to maintain a full-time program of internal auditing is a violation of the State law and can lead to unidentified significant deficiencies and material weaknesses with the Department's operations. (Finding Code No. 2017-002)

RECOMMENDATION

We recommend the Department comply with the required provisions of the Act by implementing a full-time program of internal auditing.

DEPARTMENT RESPONSE

The Department accepts this finding and has engaged the services of the Internal Audit Division of the Department of Central Management Services to perform a risk assessment and ongoing internal audits with an effective date of November 1, 2017 pursuant to an intergovernmental agreement entered into on August 18, 2017. This arrangement will provide an appropriate level of independence with respect to effectively identifying, testing and reporting on potential areas requiring correction or improvement and therefore, bring the Department into compliance with the Fiscal Control and Internal Auditing Act.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

CURRENT FINDINGS (STATE COMPLIANCE)

2017-003 **FINDING** (Inadequate Controls over State Property and Equipment)

The Illinois Department of Human Rights (Department) did not have adequate controls over its property and equipment.

We noted the following:

- We selected 60 items of equipment from the Department's property control records and requested to physically examine the items. We noted 2 (3%) items (2 desks) with a recorded value totaling \$1,681 in the Chicago office did not have a State tag number attached. We also noted 2 (3%) items (2 chairs) with a recorded value of \$223 which were to be in the Chicago office could not be located for observation.

The Illinois Administrative Code (Code) (44 Ill. Adm. Code 5010.210) requires all agencies to mark each piece of State-owned equipment in their possession with a unique six-digit identification number. The State Property Control Act (30 ILCS 605/4) requires responsible officers at each State agency to be accountable for the supervision, control, and inventory of property under their jurisdiction to ensure proper accounting and safeguarding of assets.

Department management stated the Department follows tagging guidelines but has some assets that have not been tagged along with certain assets that are interchangeable in nature, such as office furniture, whose movement within Department offices is not tracked by management.

- We tested all 8 (100%) Agency Reports of State Property (C-15) and noted the Department did not properly report equipment additions, deletions and/or transfers on 5 (63%) of the C-15s. The supporting documentation indicated the following errors:
 - \$13,876 of additions, \$2,076 of deletions, and \$15,568 of transfers were not reported in the proper quarter.
 - \$400 of additions were errantly reported as transfers in.

The Statewide Accounting Management System (SAMS) Manual (Procedure 29.20.10) requires agencies to enter, on the appropriate line of the C-15, all additions, deletions and net transfers that occurred during the quarter being reported. The SAMS Manual (Procedure 29.20.10) also defines additions as being new purchases and transfers as items that move between agencies.

Department management stated the C-15 reporting errors were due to administrative oversight and lack of an additional level of review.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

CURRENT FINDINGS (STATE COMPLIANCE)

2017-003 **FINDING** (Inadequate Controls over State Property and Equipment) (continued)

- During our testing, we also noted 7 computers were transferred to the State Surplus. We requested documentation that the hard drives on these computers had been wiped prior to transfer, but the Department did not maintain documentation to certify the data on the computers was erased, wiped, sanitized or destroyed prior to transfer.

The Data Security on State Computers Act (20 ILCS 450/20) requires agencies to certify in writing that the overwriting process has been completed by providing the following information: (1) the serial number of the computer; (2) the name of the overwriting software; and (3) the name, date, and signature of the person performing the overwriting or destruction process.

Department management stated the Department conducted the wiping of obsolete computer hard drives during the examination period. Due to employee attrition, the Department was unable to locate the required certifications documenting performance of this task.

- We tested 15 equipment additions, totaling \$5,032, from the Department's property control records. We noted 6 (40%) additions, totaling \$648, which were not recorded in the Department's property control records within 30 days of the acquisition. Specifically, the items noted were added to the Department's property records between 72 and 241 days late.
- We tested 15 deletions/transfers-out totaling \$4,318 from the Department's property control records. We noted 6 (40%) transfers-out, totaling \$2,751, and 2 (13%) deletions, totaling \$204, which were not recorded on the property control records within 30 days of removal. Specifically, the items noted were deleted from the Department's property records between 166 and 193 days late. Further, we noted 5 (33%) items totaling \$843, had incorrect removal transaction codes recorded in the property control records. The Property Control Form used by the Department for internal inventory control correctly listed code number 24 – Not Located, and the property control records incorrectly reflected code number 40 – Surplus Warehouse.

The Code (44 Ill. Adm. Code 5010.400) requires agencies to adjust property records within 30 days of acquisition, change or deletion of equipment items. Further, the Code (44 Ill. Adm. Code 5010.310) requires agencies to use code number 24 to remove equipment from the property control records that is not able to be located.

Department management stated the timeliness of addition/deletion entries and the accuracy of codes in the Department's property control records were the result of limited staffing and administrative oversight.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

CURRENT FINDINGS (STATE COMPLIANCE)

2017-003 **FINDING** (Inadequate Controls over State Property and Equipment) (continued)

Failure to exercise adequate control over property and maintain accurate property control records increases the risk of loss and misappropriation, an increased risk of potential exposure of confidential information, and inaccurate information being submitted to the State Comptroller. Further, failure to update property records timely results in noncompliance with the Code. (Finding Code No. 2017-003, 2015-003, 2013-004, 11-4, 09-3, 07-3)

RECOMMENDATION

We recommend the Department improve its procedures to ensure compliance with the property control rules.

DEPARTMENT RESPONSE

The Department accepts this finding and will perform a full inventory of all assets in its offices to confirm that they are tagged and included in our records. Additionally, the Department will improve its mechanisms for tracking movement of assets within the Department. In particular, the Department will focus on the improvement of policies to ensure: (a) property is properly tagged when acquired; (b) the adding, deleting or transfer of property is properly reported; (c) the wiping of obsolete computers are properly certified by Department staff prior to disposal; (d) newly acquired property is recorded in a timely manner; and (e) disposed of property is timely deleted from the Department's property control records.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

PRIOR FINDINGS NOT REPEATED

A. **FINDING** (Inappropriate Expenditure of Appropriated General Revenue Funds)

During the previous examination, the Illinois Department of Human Rights (Department) inappropriately expended General Revenue funds that were appropriated to the Department to fund the expenses of the Commission on Discrimination and Hate Crimes.

During the current examination, the Department did not receive a special appropriation to fund the expenses of the Commission on Discrimination and Hate Crimes. (Finding Code No. 2015-001)

B. **FINDING** (Inadequate Controls over Compliance with Travel Regulations)

During the previous examination, the Department did not have adequate controls over employee travel reimbursement vouchers.

During the current examination, our sample testing indicated the Department had improved controls over compliance with travel regulations. (Finding Code No. 2015-002)

C. **FINDING** (Noncompliance with the Fiscal Control and Internal Auditing Act)

During the previous examination, the Department did not comply with the Fiscal Control and Internal Auditing Act (FCIAA). The Department did not file its FCIAA certification with the Office of the Auditor General for Fiscal Years 2014 and 2015.

During the current examination, the Department properly filed its FCIAA certifications with the Office of the Auditor General for Fiscal Years 2016 and 2017. (Finding Code No. 2015-004)

D. **FINDING** (Noncompliance with the Illinois Vehicle Code)

During the previous examination, the Department failed to comply with provisions of the Illinois Vehicle Code (Code). One vehicle assigned to an individual could not provide certification of licensure and insurance.

During the current examination, the Department removed the vehicle assignment and was made a pool car. (Finding Code No. 2015-005)

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF FINDINGS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

PRIOR FINDINGS NOT REPEATED

E. **FINDING** (Improper Processing of Refund Receipts)

During the previous examination, the Department did not follow appropriate processing procedures for cash refunds received during the examination period. Cash refunds were processed using a receipt deposit transmittal form instead of an expenditure adjustment transmittal form.

During the current examination, our sample testing indicated the Department had followed appropriate processing procedures for cash refunds received during the examination period. (Finding Code No. 2015-006)

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPLIANCE EXAMINATION
FOR THE TWO YEARS ENDED JUNE 30, 2017**

SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

SUMMARY

Supplementary Information for State Compliance Purposes presented in this section of the report includes the following:

Fiscal Schedules and Analysis:

- Schedule of Appropriations, Expenditures and Lapsed Balances – Fiscal Year 2017
- Schedule of Appropriations, Expenditures and Lapsed Balances – Fiscal Year 2016
- Comparative Schedule of Net Appropriations, Expenditures and Lapsed Balances
- Schedule of Changes in State Property
- Comparative Schedule of Cash Receipts and Reconciliation of Cash Receipts to Deposits Remitted to the State Comptroller

Analysis of Operations (Not Examined):

- Agency Functions and Planning Program (Not Examined)
- Analysis of Significant Variations in Expenditures (Not Examined)
- Analysis of Significant Variations in Receipts (Not Examined)
- Analysis of Significant Lapse Period Spending (Not Examined)
- Budget Impasse Disclosure (Not Examined)
- Alternative Financing in Lieu of Appropriations and Programs to Address Untimely Payments to Vendors (Not Examined)
- Interest Costs on Invoices (Not Examined)
- Average Number of Employees (Not Examined)
- Memorandums of Understanding (Not Examined)
- Service Efforts and Accomplishments (Not Examined)

The accountant's report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the accountants have applied certain limited procedures as prescribed by the Audit Guide, as adopted by the Auditor General, to the June 30, 2017 and June 30, 2016 accompanying supplementary information in Schedules 1 through 5. However, the accountants do not express an opinion on the supplementary information. The accountant's report also states that they have not applied procedures to the Analysis of Operations Section, and accordingly, they do not express an opinion or provide any assurance on it.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
EXPENDITURE AUTHORITY FOR FISCAL YEAR 2017

FIFTEEN MONTHS ENDED SEPTEMBER 30, 2017

	Expenditure Authority (Net of Transfers)	Expenditures Through 6/30/17	Lapse Period Expenditures 7/01 - 9/30/17	Total Expenditures	Balances Lapsed
APPROPRIATED FUNDS					
General Revenue Fund - 0001 (Court Ordered Expenditures)					
Operational Expenses		\$ 9,184,371	\$ 40,069	\$ 9,224,440	
Total Fund 0001		\$ 9,184,371	\$ 40,069	\$ 9,224,440	
Special Projects Division Fund - 0607 (P.A. 99-0524)					
Personal Services	\$ 2,493,500	\$ 743,022	\$ 360,540	\$ 1,103,562	\$ 1,389,938
State Contributions to State Employees					
Retirement System	1,159,500	331,904	161,042	492,946	666,554
State Contributions to Social Security	190,700	54,161	26,453	80,614	110,086
Group Insurance	464,000	209,325	102,165	311,490	152,510
Contractual Services	177,000	65,570	10,472	76,042	100,958
Travel	37,000	29,991	975	30,966	6,034
Commodities	6,800	5,955	649	6,604	196
Printing	9,300	6,667	-	6,667	2,633
Total Fund 0607	\$ 4,537,800	\$ 1,446,595	\$ 662,296	\$ 2,108,891	\$ 2,428,909
Budget Stabilization Fund - 0686 (P.A. 99-0524)					
Ordinary and Contingent Expenses	\$ 500,000	\$ 499,996	\$ -	\$ 499,996	\$ 4
Total Fund 0686	\$ 500,000	\$ 499,996	\$ -	\$ 499,996	\$ 4
DHR Training and Development Fund - 0778 (P.A. 99-0524)					
Administrative Expenses	\$ 100,000	\$ 6,102	\$ 305	\$ 6,407	\$ 93,593
Total Fund 0778	\$ 100,000	\$ 6,102	\$ 305	\$ 6,407	\$ 93,593
DHR Special Fund - 0797 (P.A. 99-0524)					
Funding Expenses of DHR	\$ 500,000	\$ 52,489	\$ 30,876	\$ 83,365	\$ 416,635
Total Fund 0797	\$ 500,000	\$ 52,489	\$ 30,876	\$ 83,365	\$ 416,635
GRAND TOTAL ALL FUNDS	\$ 5,637,800	\$ 11,189,553	\$ 733,546	\$ 11,923,099	\$ 2,939,141

Note 1: Expenditure authority, appropriations, total expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2017 and have been reconciled to the Department's records.

Note 2: Expenditure amounts are vouchers approved for payment by the Department and submitted to the State Comptroller for payment to the vendor.

Note 3: The Circuit Court of St. Clair County in *AFSCME Council 31 v. Munger* (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As Public Act 100-0021 states appropriation authority granted by the General Assembly does not supercede any court order directing the expenditure of funds and states such payments are added to the appropriations granted by the General Assembly, the Department was able to submit vouchers to pay its employees in full from Fund 0001 without a maximum expenditure limit for personal service costs during Fiscal Year 2017.

Note 4: Public Act 99-524 authorized the Department to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 33 includes information from Department management about the number of invoices and the total dollar amount of invoices held by the Department submitted against its Fiscal Year 2017 appropriation.

0797.

Note 6: Notwithstanding anything within Public Act 100-0021 to the contrary, Public Act 100-0021 authorized the Department to pay for all costs incurred prior to July 1, 2018, using its Fiscal Year 2018 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 33 includes information from Department management about the number of invoices and the total dollar amount of invoices from Fiscal Year 2016 and Fiscal Year 2017 held by the Department to be submitted against Fiscal Year 2018 appropriations.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
EXPENDITURE AUTHORITY FOR FISCAL YEAR 2016

FIFTEEN MONTHS ENDED SEPTEMBER 30, 2016

	Expenditure Authority (Net of Transfers)	Expenditures Through 6/30/16	Lapse Period Expenditures 7/01 - 9/30/16	Total Expenditures	Balances Lapsed
<u>APPROPRIATED FUNDS</u>					
<u>General Revenue Fund - 0001 (Court Ordered Expenditures)</u>					
Operational Expenses		\$ 9,086,319	\$ 244,883	\$ 9,331,202	
Total Fund 0001		<u>\$ 9,086,319</u>	<u>\$ 244,883</u>	<u>\$ 9,331,202</u>	
<u>Special Projects Division Fund - 0607 (P.A. 99-0409)</u>					
Personal Services	\$ 2,563,500	\$ 805,085	\$ 181,925	\$ 987,010	\$ 1,576,490
State Contributions to State Employees					
Retirement System	1,085,400	367,799	83,179	450,978	634,422
State Contributions to Social Security	146,200	58,782	13,408	72,190	74,010
Group Insurance	464,000	227,248	37,104	264,352	199,648
Contractual Services	183,000	37,012	92,268	129,280	53,720
Travel	47,000	41,349	1,229	42,578	4,422
Commodities	16,800	13,682	412	14,094	2,706
Printing	15,300	10,086	-	10,086	5,214
Equipment	9,600	-	-	-	9,600
Telecommunications	7,000	-	-	-	7,000
Total Fund 0607	<u>\$ 4,537,800</u>	<u>\$ 1,561,043</u>	<u>\$ 409,525</u>	<u>\$ 1,970,568</u>	<u>\$ 2,567,232</u>
<u>DHR Training and Development Fund - 0778 (P.A. 99-0524)</u>					
Administrative Expenses	\$ 100,000	\$ -	\$ 90	\$ 90	\$ 99,910
Total Fund 0778	<u>\$ 100,000</u>	<u>\$ -</u>	<u>\$ 90</u>	<u>\$ 90</u>	<u>\$ 99,910</u>
<u>DHR Special Fund - 0797 (P.A. 99-0524)</u>					
Funding Expenses of DHR	\$ 500,000	\$ -	\$ 101,748	\$ 101,748	\$ 398,252
Total Fund 0797	<u>\$ 500,000</u>	<u>\$ -</u>	<u>\$ 101,748</u>	<u>\$ 101,748</u>	<u>\$ 398,252</u>
GRAND TOTAL ALL FUNDS	<u>\$ 5,137,800</u>	<u>\$ 10,647,362</u>	<u>\$ 756,246</u>	<u>\$ 11,403,608</u>	<u>\$ 3,065,394</u>

Note 1: Expenditure authority, appropriations, total expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2016 and have been reconciled to the Department's records.

Note 2: Expenditure amounts are vouchers approved for payment by the Department and submitted to the State Comptroller for payment to the vendor.

Note 3: The Circuit Court of St. Clair County in *AFSCME Council 31 v. Munger* (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As the Department never received an enacted personal services appropriation for Fund 0001, the Department was able to submit vouchers to pay its employees in full without a maximum expenditure limit for personal service costs during Fiscal Year 2016.

Note 4: During Fiscal Year 2016, the Department operated without enacted appropriations until Public Act 99-0409 and Public Act 99-0524 were signed into law on August 20, 2015 and June 30, 2016, respectively. During the impasse, the Circuit Court of St. Clair County in *AFSCME Council 31 v. Munger* (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." The Department incurred non-payroll obligations within Fund 0778 and Fund 0797, which the Department was unable to pay until the passage of Public Act 99-0524.

Note 5: Public Act 99-524 authorized the Department to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 33 includes information from Department management about the number of invoices and the total dollar amount of invoices held by the Department submitted against its Fiscal Year 2017 appropriation.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
FOR THE FISCAL YEARS ENDED JUNE 30,

	Fiscal Year		
	2017	2016	2015
	Court Order P.A. 99-0524	Court Order P.A. 99-0409 P.A. 99-0524	P.A. 98-0680 P.A. 99-0001
<u>General Revenue Fund - 0001</u>			
Appropriations (Net After Transfers)	\$ -	\$ -	\$ 10,537,500
Expenditures			
Operational Expenses	\$ 9,224,440	\$ 9,331,202	\$ 9,485,800
Expenses of Investigation and Processing of Human Rights Cases	-	-	978,161
Expenses of Commission on Discrimination and Hate Crimes	-	-	73,500
Total Expenditures	\$ 9,224,440	\$ 9,331,202	\$ 10,537,461
Lapsed Balances	\$ -	\$ -	\$ 39
<u>Special Projects Division Fund - 0607</u>			
Appropriations (Net After Transfers)	\$ 4,537,800	\$ 4,537,800	\$ 4,537,800
Expenditures			
Personal Services	\$ 1,103,562	\$ 987,010	\$ 1,101,973
State Contributions to State Employees Retirement System	492,946	450,978	467,358
State Contributions to Social Security	80,614	72,190	84,529
Group Insurance	311,490	264,352	291,053
Contractual Services	76,042	129,280	222,054
Travel	30,966	42,578	28,867
Commodities	6,604	14,094	5,830
Printing	6,667	10,086	5,953
Total Expenditures	\$ 2,108,891	\$ 1,970,568	\$ 2,207,617
Lapsed Balances	\$ 2,428,909	\$ 2,567,232	\$ 2,330,183
<u>Budget Stabilization Fund - 0686</u>			
Appropriations (Net After Transfers)	\$ 500,000	\$ -	\$ -
Expenditures			
Ordinary and Contingent Expenses	\$ 499,996	\$ -	\$ -
Total Expenditures	\$ 499,996	\$ -	\$ -
Lapsed Balances	\$ 4	\$ -	\$ -

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
FOR THE FISCAL YEARS ENDED JUNE 30,

	Fiscal Year		
	2017	2016	2015
	Court Order P.A. 99-0524	Court Order P.A. 99-0409 P.A. 99-0524	P.A. 98-0680 P.A. 99-0001
<u>DHR Training and Development Fund - 0778</u>			
Appropriations (Net After Transfers)	\$ 100,000	\$ 100,000	\$ 350,000
Expenditures			
Administrative Expenses	\$ 6,407	\$ 90	\$ 2,581
Total Expenditures	\$ 6,407	\$ 90	\$ 2,581
Lapsed Balances	\$ 93,593	\$ 99,910	\$ 347,419
<u>DHR Special Fund - 0797</u>			
Appropriations (Net After Transfers)	\$ 500,000	\$ 500,000	\$ 500,000
Expenditures			
Funding Expenses for DHR	\$ 83,365	\$ 101,748	\$ 199,700
Total Expenditures	\$ 83,365	\$ 101,748	\$ 199,700
Lapsed Balances	\$ 416,635	\$ 398,252	\$ 300,300
<u>GRAND TOTAL, ALL FUNDS</u>			
Appropriations (Net After Transfers)	\$ 5,637,800	\$ 5,137,800	\$ 15,925,300
Total Expenditures	11,923,099	11,403,608	12,947,359
Lapsed Balances	\$ 2,939,141	\$ 3,065,394	\$ 2,977,941

The comparative schedule of net appropriations, expenditures, and lapsed balances does not include State Officer's salaries paid by the Office of the Comptroller. For the years ended June 30, 2017, 2016, and 2015, State Officer's salaries were as follows:

	P.A. 100-0021	Court Order	P.A. 98-0679
<u>General Revenue Fund - 0001 State Comptroller</u>			
Appropriations (Net After Transfers)	\$ 115,700	\$ 115,700	\$ 115,700
Expenditures			
Director's Salary	\$ 115,613	\$ 115,613	\$ 115,613
Total Expenditures	\$ 115,613	\$ 115,613	\$ 115,613
Lapsed Balances	\$ 87	\$ 87	\$ 87

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
FOR THE FISCAL YEARS ENDED JUNE 30,

Note 1: Fiscal Year 2017 expenditure authority, appropriations, total expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2017 and have been reconciled to the Department's records.

Note 2: Fiscal Year 2016 expenditure authority, appropriations, total expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2016 and have been reconciled to the Department's records.

Note 3: Expenditure amounts are vouchers approved for payment by the Department and submitted to the State Comptroller for payment to the vendor.

Note 4: The Circuit Court of St. Clair County in AFSCME Council 31 v. Munger (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As the Department never received an enacted personal services appropriation for Fund 0001, the Department was able to submit vouchers to pay its employees in full without a maximum expenditure limit for personal service costs during Fiscal Year 2016 and 2017.

Note 5: During Fiscal Year 2016, the Department operated without enacted appropriations until Public Act 99-0409 and Public Act 99-0524 were signed into law on August 20, 2015 and June 30, 2016, respectively. During the impasse, the Circuit Court of St. Clair County in AFSCME Council 31 v. Munger (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." The Department incurred non-payroll obligations within Fund 0778 and Fund 0797, which the Department was unable to pay until the passage of Public Act 99-0524.

Note 6: During Fiscal Year 2017, the Department operated from Fiscal Year 2017 appropriations granted by Public Act 99-0524 for Funds 0607, 0686, 0778, and 0797.

Note 7: Public Act 99-524 authorized the Department to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 33 includes information from Department management about the number of invoices and the total dollar amount of invoices held by the Department submitted against its Fiscal Year 2017 appropriation.

Note 8: Notwithstanding anything within Public Act 100-0021 to the contrary, Public Act 100-0021 authorized the Department to pay for all costs incurred prior to July 1, 2018, using its Fiscal Year 2018 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 33 includes information from Department management about the number of invoices and the total dollar amount of invoices from Fiscal Year 2016 and Fiscal Year 2017 held by the Department to be submitted against Fiscal Year 2018 appropriations.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
SCHEDULE OF CHANGES IN STATE PROPERTY
FOR THE TWO YEARS ENDED JUNE 30, 2017**

	<u>State Property</u>
Balance at July 1, 2015	\$ 423,659
Additions	14,252
Deletions	-
Net Transfers	(462)
Adjustments	-
Balance at June 30, 2016	\$ 437,449
Balance at July 1, 2016	\$ 437,449
Additions	11,949
Deletions	(12,212)
Net Transfers	(22,109)
Adjustments	-
Balance at June 30, 2017	\$ 415,077

Note: This schedule has been prepared from the Department's records and adjusted for errors identified during the examination procedures and reported in Finding 2017-003. This schedule has been reconciled to the Agency Reports of State Property (C-15) submitted to the Office of the Comptroller.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
COMPARATIVE SCHEDULE OF CASH RECEIPTS AND RECONCILIATION OF
CASH RECEIPTS TO DEPOSITS REMITTED TO THE STATE COMPTROLLER
FOR THE FISCAL YEARS ENDED JUNE 30, 2017, 2016 and 2015

	2017	2016	2015
General Revenue Fund - 0001			
Jury Duty and Reimbursements	\$ 305	\$ 385	\$ 542
Prior Year Refunds	-	-	141
Total Cash Receipts per Department	<u>305</u>	<u>385</u>	<u>683</u>
Less - In Transit at End of Year	-	25	50
Add - In Transit at Beginning of Year	25	50	405
Total Cash Receipts per State Comptroller's Records	<u><u>\$ 330</u></u>	<u><u>\$ 410</u></u>	<u><u>\$ 1,038</u></u>
Special Projects Division Fund - 0607			
Equal Employment Opportunity Commission (EEOC)	\$ 577,000	\$ 2,336,650	\$ 1,613,800
U.S. Department of Housing and Urban Development	890,244	998,714	1,091,729
Prior Year Refund	2,145	314	453
Total Cash Receipts per Department	<u>1,469,389</u>	<u>3,335,678</u>	<u>2,705,982</u>
Less - In Transit at End of Year	-	8	-
Add - In Transit at Beginning of Year	8	-	70,732
Total Cash Receipts per State Comptroller's Records	<u><u>\$ 1,469,397</u></u>	<u><u>\$ 3,335,670</u></u>	<u><u>\$ 2,776,714</u></u>
DHR Training and Development Fund - 0778			
Training Fees	\$ 13,998	\$ 11,803	\$ 22,542
Total Cash Receipts per Department	<u>13,998</u>	<u>11,803</u>	<u>22,542</u>
Less - In Transit at End of Year	-	2,157	-
Add - In Transit at Beginning of Year	2,157	-	348
Total Cash Receipts per State Comptroller's Records	<u><u>\$ 16,155</u></u>	<u><u>\$ 9,646</u></u>	<u><u>\$ 22,890</u></u>
DHR Special Fund - 0797			
Registration Fees	\$ 133,875	\$ 144,825	\$ 180,675
Prior Year Refund	-	28	-
Total Cash Receipts per Department	<u>133,875</u>	<u>144,853</u>	<u>180,675</u>
Less - In Transit at End of Year	2,850	5,100	14,325
Add - In Transit at Beginning of Year	5,100	14,325	7,725
Total Cash Receipts per State Comptroller's Records	<u><u>\$ 136,125</u></u>	<u><u>\$ 154,078</u></u>	<u><u>\$ 174,075</u></u>
GRAND TOTAL - ALL FUNDS			
Total Cash Receipts per Department	\$ 1,617,567	\$ 3,492,719	\$ 2,909,882
Less - In Transit at End of Year	2,850	7,290	14,375
Add - In Transit at Beginning of Year	7,290	14,375	79,210
Total Cash Receipts per State Comptroller's Records - All Funds	<u><u>\$ 1,622,007</u></u>	<u><u>\$ 3,499,804</u></u>	<u><u>\$ 2,974,717</u></u>

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

AGENCY FUNCTIONS AND PLANNING PROGRAM (Not Examined)

FUNCTIONS

Introduction

The Department of Human Rights (Department) administers the Illinois Human Rights Act (Act), which prohibits discrimination because of race, color, religion, sex, sexual orientation, national origin, ancestry, citizenship status (with regard to employment), age 40 and over, marital status, physical or mental disability, military service or unfavorable military discharge. The Act prohibits discrimination in connection with employment opportunities, real estate transactions, access to financial credit, and the availability of public services and public accommodations. It also provides protection from sexual harassment in employment, sexual harassment of students in education, and retaliation for having filed a discrimination charge. A discrimination charge can be initiated by calling, writing, or appearing in person at the Department's Chicago or Springfield office within 180 days of the date of the alleged discrimination took place in all cases except housing discrimination (one year filing deadline).

Administration Division

The Administration Division is the managerial and administrative body for the Department and is responsible for the following functions: Financial Management, Fiscal Planning, Procurement, Inventory, Auditing, Legislative Bill Review and Analysis, Governmental Relations, Personnel, Public Information/Communications, General Office Services, Information Systems and Operational Planning.

Organizationally, the Administrative Division consists of the following program areas: Fiscal, Legislative Operations, Management Operations, Personnel, Public information and Research Planning and Development.

Charge Processing Division

The Charge Processing Division receives and investigates charges of discrimination in connection with employment opportunities, access to financial credit, or the availability of public services and public accommodations, sexual harassment in employment, sexual harassment of students in education, and retaliation for having opposed discrimination. The Charge Processing Division receives about 30,000 inquiries and processes an average of 4,000 cases per year. The Charge Processing Division is the largest division in the Department, consisting of the Intake Unit, Investigation groups, and Quality Control Unit.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

AGENCY FUNCTIONS AND PLANNING PROGRAM (Not Examined) (Continued)

Fair Housing Division

The Fair Housing Division investigates charges of discrimination involving housing and real estate transactions on the basis of race, color, religion, sex (including sexual harassment), pregnancy, national origin, familial status (children under 18), ancestry, age (40 and over), marital status, physical and mental disability, sexual orientation (including gender-related identity), military status, unfavorable discharge from military service, and order of protection status.

Legal Division

The Legal Division oversees the investigative works of the Department and monitors the Liaison Unit and the Public Contracts Unit.

Staff attorneys review all investigation reports that recommend a finding of Substantial Evidence and approve the findings before they become final and the parties are notified. Attorneys also conciliate these cases and attempt settlements. If the investigator recommends a finding of Lack of Substantial Evidence, the complainant may file a Request for Review with the Illinois Human Rights Commission to which the Department's attorneys file a response.

The Legal Division also provides investigators with technical advice, responds to inquiries from the public on a daily basis by staffing the "Attorney of the Day" post, and responds to requests under the Freedom of Information Act.

Liaison Unit

The Liaison Unit of the Legal Division provides specialized technical assistance to State agencies and other entities to enhance, strengthen, and promote their equal employment opportunity/affirmative action compliance obligations.

It provides technical assistance on disability issues as the Department's Coordinator of American Disability Association and Section 503/504 for disability issues. That makes the Department Director, in his capacity, co-chair of the Interagency Committee for Employees with Disabilities.

Public Contracts Unit

The Public Contracts Unit of the Legal Division processes the registration of companies bidding on public contracts and provides technical assistance in matters of equal employment and Affirmative Action implementation.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

AGENCY FUNCTIONS AND PLANNING PROGRAM (Not Examined) (Continued)

Other Services

Institute for Training and Development

The Institute for Training and Development provides a broad range of workshops and seminars in the areas of equal employment opportunity and fair housing, etc., to enhance the sensitivity and technical knowledge of human rights organization, municipal agencies, and the business sector.

Disability Program

The Disability Program provides information and advice to individuals and organizations around the State about disability issues and the requirements of related laws. The program coordinator also serves as internal expert concerning matters relating to disability issues.

PLANNING PROGRAM

The Department's mission is to secure for all individuals within the State of Illinois freedom from unlawful discrimination, and to establish and promote equal opportunity and affirmative action as the policy of the State for all its residents.

The priorities set forth by the Department are as follows:

- I. Prohibit discrimination in employment, housing, public accommodations, financial credit and sexual harassment in higher education.
- II. Enhance State agencies' compliance with equal employment opportunity / affirmative action guidelines and public contractor and eligible bidder compliance with non-discrimination and affirmative action legal requirements.
- III. Promote public outreach, education and training regarding unlawful discrimination.
- IV. Promote the mission of the Commission on Discrimination and Hate Crimes to combat discrimination based on ethnicity, religion, skin color, gender, gender identification, disability or sexual orientation.
- V. Generate revenue for the identified Department programs.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES (Not Examined)

Management of the Department of Human Rights (Department) provided the following explanations for the significant variations (\$10,000 and 20%) in expenditures.

FISCAL YEAR 2017

Special Projects Division Fund – 0607

<u>Expenditure Item</u>	<u>Fiscal Year Ended June 30,</u>		<u>Increase (Decrease)</u>	
	<u>2017</u>	<u>2016</u>	<u>Amount</u>	<u>%</u>
Contractual Services	\$ 76,042	\$ 129,280	\$ (53,238)	-41%
Travel	\$ 30,966	\$ 42,578	\$ (11,612)	-27%

Contractual Services

Contractual service expenditures decreased \$53,238 (41%) primarily due to an \$89,782 payment to the Statistical Services Revolving Fund in Fiscal Year 2016. Similar payments did not occur in Fiscal Year 2017.

Travel

Travel expenditures decreased \$11,612 (27%) primarily due to the travel of the Department's Legislative Liaison being paid from Fund 607 in Fiscal Year 2016. In Fiscal Year 2017, the Department's Legislative Liaison's travel was paid from the DHR Special Fund 0797.

Budget Stabilization Fund – 0686

<u>Expenditure Item</u>	<u>Fiscal Year Ended June 30,</u>		<u>Increase (Decrease)</u>	
	<u>2017</u>	<u>2016</u>	<u>Amount</u>	<u>%</u>
Ordinary and Contingent Expenses	\$ 499,996	\$ -	\$ 499,996	n/a

Ordinary and Contingent Expenses

The Department did not receive appropriations for the fund until the passage of Public Act 99-0524 on June 30, 2016. Fiscal Year 2017 was the first time the Department received appropriations for this fund.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

**ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES (Not Examined)
(Continued)**

FISCAL YEAR 2016

General Revenue Fund - 0001

<u>Expenditure Item</u>	<u>Fiscal Year Ended June 30,</u>		<u>Increase (Decrease)</u>	
	<u>2016</u>	<u>2015</u>	<u>Amount</u>	<u>%</u>
Expenses of Investigation and Processing of Human Rights Cases	\$ -	\$ 978,161	\$ (978,161)	-100%
Expenses of Commission on Discrimination and Hate Crimes	\$ -	\$ 73,500	\$ (73,500)	-100%

Expenses of Investigation and Processing of Human Rights Cases

Expenses of Investigation and Processing of Human Rights Cases decreased \$978,161 (100%) due to lack of an appropriation in Fiscal Year 2016.

Expenses of Commission on Discrimination and Hate Crimes

Expenses of Commission on Discrimination and Hate Crimes decreased \$73,500 (100%) due to lack of an appropriation in Fiscal Year 2016.

Special Projects Division Fund – 0607

<u>Expenditure Item</u>	<u>Fiscal Year Ended June 30,</u>		<u>Increase (Decrease)</u>	
	<u>2016</u>	<u>2015</u>	<u>Amount</u>	<u>%</u>
Contractual Services	\$ 129,280	\$ 222,054	\$ (92,774)	-42%
Travel	\$ 42,578	\$ 28,867	\$ 13,711	47%

Contractual Services

Contractual Services expenditures decreased \$92,774 (42%) due to two Partnership Opportunities Projects that started in March 2014 and were concluded by June 30, 2015. In one project, the Department and its partners conducted training on Affirmatively Furthering Fair Housing, to help municipalities understand the fair housing requirements that accompany receipt of housing funds such as Community Development Block Grants; for the other project, the Department and its partners conducted fair housing training focused on protections for the lesbian, gay, bisexual, transgender and questioning (LGBTQ) community.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

**ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES (Not Examined)
(Continued)**

Travel

Travel increased \$13,711 (47%) primarily due to the travel of the Department’s Legislative Liaison being paid out of Fund 607 in Fiscal Year 2016.

DHR Special Fund – 0797

<u>Expenditure Item</u>	<u>Fiscal Year Ended June 30,</u>		<u>Increase (Decrease)</u>	
	<u>2016</u>	<u>2015</u>	<u>Amount</u>	<u>%</u>
Funding Expenses for DHR	\$ 101,748	\$ 199,700	\$ (97,952)	-49%

Funding Expenses for DHR

Funding expenses for DHR decreased \$97,952 (49%) primarily due to payments to the Department of Central Management Services (DCMS) in Fiscal Year 2015 that did not get paid from this fund in Fiscal Year 2016. Most of the Department’s DCMS expenses of Fiscal Year 2016 were paid from the Budget Stabilization Fund 0686 in Fiscal Year 2017.

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
ANALYSIS OF OPERATIONS
FOR THE TWO YEARS ENDED JUNE 30, 2017**

ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS (Not Examined)

Management of the Department of Human Rights (Department) provided the following explanations for the significant variations (\$10,000 and 15%) in receipts.

Special Projects Division Fund – 0607

Equal Employment Opportunity Commission (EEOC)

EEOC receipts decreased \$1,759,650 (75%) in Fiscal Year 2017 compared to Fiscal Year 2016.

EEOC receipts increased \$722,850 (45%) in Fiscal Year 2016 compared to Fiscal Year 2015.

Federal Grant receipts fluctuate from year to year depending upon the cases closed by the Department and the timing of federal drawdowns. The Fiscal Year 2017 receipts relate to cases closed May 2016 through September 2016. The Fiscal Year 2016 receipts relate to cases closed October 2014 through April 2016. The Fiscal Year 2015 receipts relate to cases closed October 2013 through September 2014.

DHR Training and Development Fund – 0778

Training Fees

Training fees decreased \$10,739 (48%) in Fiscal Year 2016 compared to Fiscal Year 2015. The Department's Institute for Training charges private sector entities with 50 or more employees \$1,050 a class for up to 35 participants. Additional participants are \$5.00/person for a maximum class size of 50 participants. Also, the entities are required to cover all travel related expenses. Governmental entities are required to cover all travel related expenses. Fiscal Year 2016 saw a marked decrease in private sector classes.

DHR Special Fund – 0797

Registration Fees

Registration fees decreased \$35,850 (20%) in Fiscal Year 2016 compared to Fiscal Year 2015. The Department collects registration fees from vendors applying for or renewing a public contractor number in order to bid on State contracts. Public contract registrations are required to be renewed every five years. Revenues vary depending on the number of contracts the State is offering and renewal dates.

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ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING (Not Examined)

FISCAL YEAR 2017

Our testing of lapse period expenditures for Fiscal Year 2017 disclosed the following significant (\$10,000 and 20%) lapse period expenditures:

Special Projects Division Fund – 0607

<u>Expenditure Item</u>	<u>Total Expenditures</u>	<u>Lapse Period Expenditures</u>	<u>%</u>
Personal Services	\$ 1,103,562	\$ 360,540	33%
State Contributions to State Employees Retirement System	\$ 492,946	\$ 161,042	33%
State Contributions to Social Security	\$ 80,614	\$ 26,453	33%
Group Insurance	\$ 311,490	\$ 102,165	33%

Personal Services, State Contributions to State Employees Retirement System, and State Contributions to Social Security

Expenditure payouts in the lapse period were due to the fourth quarter payments for payroll.

Employer Contribution Group Insurance

Expenditure payouts in the lapse period were due to the group insurance payments.

DHR Special Fund – 0797

<u>Expenditure Item</u>	<u>Total Expenditures</u>	<u>Lapse Period Expenditures</u>	<u>%</u>
Funding Expenses for DHR	\$ 83,365	\$ 30,876	37%

Funding Expenses for DHR

Expenditure payouts in the lapse period were primarily due to payments to the Communication Revolving Fund and lease payments on the Xerox copiers.

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ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING (Not Examined) (Continued)

FISCAL YEAR 2016

Our testing of lapse period expenditures for Fiscal Year 2016 disclosed the following significant (\$10,000 and 20%) lapse period expenditures:

Special Projects Division Fund – 0607

<u>Expenditure Item</u>	<u>Total Expenditures</u>	<u>Lapse Period Expenditures</u>	<u>%</u>
Contractual Services	\$ 129,280	\$ 92,268	71%

Contractual Services

Expenditure payouts in the lapse period included an \$89,782 payment to the Statistical Services Revolving Fund.

DHR Special Fund – 0797

<u>Expenditure Item</u>	<u>Total Expenditures</u>	<u>Lapse Period Expenditures</u>	<u>%</u>
Funding Expenses for DHR	\$ 101,748	\$ 101,748	100%

Funding Expenses for DHR

The significant spending during the Lapse Period was due to the budget impasse, which caused the Department of Human Rights to process invoices received during Fiscal Year 2016 after the passage of Public Act 99-0524 on June 30, 2016. As a result, all expenditures from this fund were paid during the Lapse Period.

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BUDGET IMPASSE DISCLOSURES (Not Examined)

Payment of Prior Year Costs in Future Fiscal Years

Article 74 of Public Act 99-0524 authorized the Department of Human Rights (Department) to pay Fiscal Year 2016 costs using the Department’s Fiscal Year 2017 appropriations for non-payroll expenditures. In addition, Article 998 of Public Act 100-0021 authorized the Department to pay its unpaid Fiscal Year 2016 and Fiscal Year 2017 costs using the Department’s Fiscal Year 2018 appropriations for non-payroll expenditures. The following chart shows how the Department paid its prior year costs using future appropriations:

		FISCAL YEAR 2016 INVOICES			
		<u>Paid from Fiscal Year 2017 Appropriations</u>		<u>Expected payment from Fiscal Year 2018 Appropriations</u>	
<u>Fund #</u>	<u>Fund Name</u>	<u>Number</u>	<u>Dollar Value</u>	<u>Number</u>	<u>Dollar Value</u>
686	Budget Stabilization Fund	81	\$ 383,395	-	\$ -
		81	\$ 383,395	-	\$ -

The Department did not have any outstanding unpaid invoices from Fiscal Year 2017 after the closure of the Fiscal Year 2017 Lapse Period on September 30, 2017.

ALTERNATIVE FINANCING IN LIEU OF APPROPRIATIONS AND PROGRAMS TO ADDRESS UNTIMELY PAYMENTS TO VENDORS (Not Examined)

Transactions Involving the Illinois Finance Authority

The Department of Human Rights (Department) and its vendors did not participate in alternative financing in lieu of enacted appropriations involving the Illinois Finance Authority during Fiscal Year 2016 and Fiscal Year 2017.

Transactions Involving the Vendor Payment Program and Vendor Support Initiative Program

None of the Department’s vendors participated in the Vendor Payment Program or the Vendor Support Initiative Program during Fiscal Year 2016 and Fiscal Year 2017.

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INTEREST COSTS ON INVOICES (Not Examined)

The Department of Human Rights (Department) has calculated prompt payment interest due to vendors under the State Prompt Payment Act (Act) (30 ILCS 540) using the vendor’s proper bill date through the date the State Comptroller issues a warrant to the vendor, regardless of when and if an enacted appropriation existed during Fiscal Year 2016 and Fiscal Year 2017. The Act (30 ILCS 540/3-2) and the Illinois Administrative Code (74 Ill. Admin. Code 900.100) require interest to be paid under a daily simple interest rate of .033% (1% over a 30-day period) for every day elapsed following the 90th day after a vendor submits an eligible proper bill to the Department. The following chart shows the Department’s prompt payment interest incurred related to Fiscal Year 2016 invoices, by fund:

PROMPT PAYMENT INTEREST INCURRED

Year Ended June 30, 2016

<u>Fund #</u>	<u>Fund Name</u>	<u>Invoices</u>	<u>Vendors</u>	<u>Dollar Value</u>
607	Special Projects Division Fund	1	1	\$ 6
797	DHR Special Fund	23	15	1,436
		<u>24</u>	<u>16</u>	<u>\$ 1,442</u>

The Department did not incur any prompt payment interest due to vendors under the Act during Fiscal Year 2017. The Department’s vendors were paid within 90 days during Fiscal Year 2017.

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AVERAGE NUMBER OF EMPLOYEES (Not Examined)

The following table, prepared from Department records, presents the average number of employees by division, for the fiscal years ended June 30,

	Fiscal Year		
	2017	2016	2015
Administration	26	24	24
Charge Processing	74	68	85
Fair Housing	12	12	12
Legal	15	17	19
Total	<u>127</u>	<u>121</u>	<u>140</u>

MEMORANDUMS OF UNDERSTANDING (Not Examined)

During the examination period, the Department did not have any “Memorandums of Understanding”, however, other agreements of similar nature existed including:

<u>Other Party</u>	<u>Purpose</u>	<u>Term</u>
FISCAL YEAR 2017		
Department of Central Management Services (DCMS)	Interagency agreement to share the responsibilities and employment costs of the Media Administrator between the Department and DCMS.	February 1, 2017 to June 30, 2017
Office of the Governor	Interagency agreement to share the employment costs of employees working in the Office of the Governor who perform policy, legal, operational, legislative or similar work which also benefit the Department.	August 1, 2016 to June 30, 2017.
Department of Innovation and Technology (DoIT)	Interagency agreement concerning the function and employment costs of DoIT employees performing information technology functions for the Department.	July 1, 2016 to June 30, 2017
FISCAL YEAR 2016		
Human Rights Commission (HRC)	Interagency agreement transferring the HRC’s obligation for payment of past due invoices to a vendor totaling \$2,145 from HRC to the Department so that services could continue for HRC absent an appropriation. HRC subsequently reimbursed the Department upon enactment of an appropriation.	April 7, 2016 to June 30, 2016

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SERVICE EFFORTS AND ACCOMPLISHMENTS (Not Examined)

The Department’s service efforts and accomplishments summarize the number of employment and housing cases that were completed and the programs that were implemented to achieve the objectives of the strategic plan. The following caseload information and Department statistics were prepared from Department records and have not been examined

Charge Processing Division – Annual Caseload Statistics

Caseload Information – Charge Processing Division

	<u>2017</u>	<u>2016</u>	<u>2015</u>
Docketed	2,919	3,132	3,367
Completed	3,069	3,050	3,325
Complainant filings at Human Rights Commission	29	20	22
Average monthly charges completed per month per investigator	7.1	6.8	5.3
Investigators employed at end of year	36	37	46

Employment Charges by Basis

Basis of Discrimination

	<u>2017</u>	<u>% of Total</u>	<u>2016</u>	<u>% of Total</u>	<u>2015</u>	<u>% of Total</u>
Sex	539	20%	645	22%	1,078	34%
Race	768	28%	867	30%	902	29%
Retaliation	948	34%	1,022	35%	1,032	33%
Age	628	23%	635	22%	731	23%
Physical Disability	558	20%	568	20%	660	21%
National Origin	382	14%	375	13%	385	12%
Sexual Harassment	410	15%	421	14%	405	13%
Other	51	19%	16	1%	156	5%
Mental Disability	156	6%	146	5%	187	6%
Sexual Orientation/Gender Id	77	3%	82	3%	93	3%
Religion	77	3%	78	3%	48	2%
Arrest Record	31	1%	35	1%	56	2%
Color	28	1%	24	1%	16	1%
Marital Status	14	1%	18	1%	13	0%
Military Discharge	10	0%	26	1%	11	0%
Coercion	1	0%	4	0%	8	0%
Total Employment Charges Filed	2,748		2,909		3,163	

Note: Number of charges by basis is greater than total employment charges filed because some charges were filed under more than one basis. Percent of total charges filed is also greater than 100% because charges can be filed on more than one basis.

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SERVICE EFFORTS AND ACCOMPLISHMENTS (Not Examined) (Continued)

Housing Discrimination Charges By Basis:

Basis of Discrimination

	<u>2017</u>	<u>% of Total</u>	<u>2016</u>	<u>% of Total</u>	<u>2015</u>	<u>% of Total</u>
Physical Disability	87	31%	86	30%	120	34%
Race	75	27%	99	34%	95	27%
Mental Disability	61	22%	58	20%	68	19%
National Origin	42	15%	48	17%	44	12%
Familial Status	34	12%	30	10%	37	10%
Sex	8	3%	22	7%	24	7%
Retaliation	14	5%	22	8%	22	6%
Sexual Orientation/Gender Id	10	4%	6	2%	17	5%
Age	5	2%	4	1%	13	4%
Religion	3	1%	5	2%	8	2%
Marital Status	7	2%	6	2%	6	2%
Color	1	0%	3	1%	4	1%
Other	3	1%	3	1%	3	1%
Total Housing Charges Filed	282		289		353	

Note: Number of charges by basis is greater than total charges filed because some charges were filed under more than one basis.

Disposition of Completed Investigations for both Charge Processing and Fair Housing Divisions:

	<u>2017</u>	<u>2016</u>	<u>2015</u>
Inquiries received	12,550	11,352	11,641
Charges filed	3,201	3,421	3,720
Completed Investigations	3,378	3,332	3,697

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SERVICE EFFORTS AND ACCOMPLISHMENTS (Not Examined) (Continued)

Disposition of Completed Cases

	<u>2017</u>	<u>% of Total</u>	<u>2016</u>	<u>% of Total</u>	<u>2015</u>	<u>% of Total</u>
Substantial evidence	201	6%	200	6%	257	7%
Settlements	869	26%	848	25%	1,045	28%
Withdrawn by complainant	352	10%	360	11%	395	11%
Dismissals:						
Lack of substantial evidence	1,562	46%	1,463	44%	1,594	43%
Lack of jurisdiction	155	5%	157	5%	159	4%
Failure to proceed	188	6%	260	8%	216	6%
Administrative closures	51	1%	44	1%	31	1%

Compliance Division – Annual Bidder Registration Activity Summary:

	<u>2017</u>	<u>2016</u>	<u>2015</u>
Forms received during year	2,026	2,236	2,888
Forms processed during the year	1,852	1,955	2,632
Forms responded to during the year	1,087	1,435	1,511