

June 8, 2022

Benita C Ransom, Director of Human Resources  
Human Resources & Merit System  
1300 Commerce Drive, Decatur  
Georgia, 30030

**RE: Safety-Sensitive Employee Compliance Audit- Audit Report No. 2017-009-HRMS.**

Dear Director Ransom:

As required by DeKalb County, Georgia – Code of Ordinances / Organizational Act Section 10A- Independent Internal Audit (I), the following table and attached report provides the status of actions taken by your office to address the findings contained in the referenced audit report. The conclusions in this follow-up report are limited to the status of the implementation and not the *effectiveness* of the completed action plans, which may be assessed in a future audit. The action plans for finding number 5 are anticipated to be completed by July 31, 2022. We are planning to follow up after that date to verify the completion.

#	Report Finding	Status of Management Action Plan
1	Positions Were Not Classified Consistently with Criteria Provided	Completed
2	Annual Drug and Alcohol Testing Documentation Was Not Maintained	Completed
3	Drug and Alcohol Testing Was Not Completed for Some Safety-Sensitive Employees	Completed
4	Key Requirements Were Not Completed for Safety-Sensitive Employees Who Tested Positive for Drugs or Alcohol	Completed
5	Medical Certifications Were Not Renewed Timely	Partially Complete
6	Applicants Who Did Not Pass the Pre-employment Drug and Alcohol Testing were Hired for Safety-Sensitive Positions	Completed

Please contact me if you require additional information.

Sincerely,

*Lavois M. Campbell*

**Lavois Campbell, CIA, CFE, CISA, CGA**

Interim Chief Audit Executive

Dekalb County Government			
Office of Independent Internal Audit			
Date: June 08, 2022		Prepared by: Clenty Hinton	
Audit Findings Status Update Form			
Status Date	Report #	Report Title	
6/8/22	2017-009-HRMS	Safety-Sensitive Employee Compliance Audit	
Contact Person	Title	Phone No.	Email Address
Benita C. Ransom	Director	404-687-3588	<a href="mailto:bcransom@dekalbcountyga.gov">bcransom@dekalbcountyga.gov</a>
Activity	Accountability	Schedule	
Safety-Sensitive employee process	Responsible Area	Repeat Finding	Anticipated Completion Date/Date Adjustments will be made
	HR & Merit System	No 1	N/A
Finding		Finding Detail	
No.	1		
Date	10/8/20		
Finding		Positions Were Not Classified Consistently with Criteria Provided	
Recommendations		<p>We recommend that HR management work with the UDs to review the classifications for all positions with the duties performed by the positions to ensure that they have appropriately applied the criteria for safety-sensitive classification. In addition, HR management should update its procedures for classifying safety-sensitive positions to include the following:</p> <p>1) <u>Benchmarking of County positions with other government organizations</u></p>	
Management's Response		<p>There were only two classifications that warranted further examination. HR reassessed positions with user departments and the consultant, concluding 39 of 41 (95%) classifications reviewed by OIIA were correctly classified as safety-sensitive. Attachments were previously provided to OIIA and are available upon request.</p> <p><b>HR Current Improvements</b></p> <p>The safety-sensitive list of classifications is a living document and is updated and maintained as requirements dictate. These classifications are benchmarked against other governments and private-sector agencies by an external consultant during a pay and class study process.</p> <p>Additionally, HR will follow its modified SOP for assessing the appropriate safety-sensitive designation of new and existing classifications. This updated document will semi-annually request departments to confirm the safety sensitive status of existing classifications and whether adjustments are required.</p> <p><b>HR Improvements in Process</b></p> <p>*Conduct semi-annual review of safety-sensitive classifications with user departments and nearby municipalities. Ongoing</p>	
Status Update-12 months		Standard operating procedures (SOP)'s modified to include review of safety-sensitive classifications.	
<input type="checkbox"/>	Open		
<input type="checkbox"/>	Management/Agency Assumes Risk		
<input type="checkbox"/>	Partially Complete		
<input type="checkbox"/>	Complete Pending Verification by OIIA		
<input checked="" type="checkbox"/>	Complete	Departmental and HR Safety-sensitive review January 2021. HR review in December 2021. Next review summer 2022.	
Status Update-Final			
<input type="checkbox"/>	Open		
<input type="checkbox"/>	Management/Agency Assumes Risk		
<input type="checkbox"/>	Partially Complete		
<input type="checkbox"/>	Complete Pending Verification by OIIA		
<input type="checkbox"/>	Closed		

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Activity	Accountability	Schedule	
Safety-Sensitive employee process	Responsible Area	Repeat Finding	Anticipated Completion Date/Date Adjustments will be made
	HR & Merit System	No 2	N/A
Finding		Finding Detail	
No.	2		
Date	10/8/20		
Finding		Annual Drug and Alcohol Testing Documentation Was Not Maintained	
Recommendations		We recommend that HR management implement procedures for maintaining, for at least two years, documentation to demonstrate that their random testing and selection process is compliant with DOT regulations.	
Management's Response		<p>For the period identified (2016-17), documentation was provided indicating the total eligibility pool, and the methodology used for the random selection process. HR met DOT's annual testing requirements of 25% drug and 10% alcohol which can be substantiated by vendor reports. However, documentation of the random selections generated weekly were not all available due to transitions in staff, discontinued use of the Occupational Health Management (OHM) system, and outsourcing of some of the functions. Attachments were previously provided to OIIA and are available upon request.</p> <p><b>HR Current Improvements</b> When HR acquired talent proficient in compliance, technology, and program management, improved controls and accountability measures were implemented. Since 2017, weekly selections, notifications sent to departments, and monthly summaries of those who completed testing are readily available. These files are maintained in Occupational Compliance Division (OCD).</p> <p>for at least two years as required by the State of Georgia and DOT.</p> <p>Random test pools will continue to be generated in accordance with accepted DOT practice of setting the overall target number each January and refreshing the actual employees each week.</p> <p>For positive drug and alcohol tests, those records are maintained in the Occupational Compliance office for five years.</p> <p><b>HR Improvements in Process</b> * Perform annual close-out summarizing random selections, notifications, and positive drug/alcohol test results to be included in historical binders/ electronic files. To be performed monthly and reported to OIIA.</p>	
Status Update-12 months		The OCD has files on hand for 2020 and 2021.	
<input type="checkbox"/>	Open	The new CV360 reporting function will be utilized to determine the number and employees to be tested weekly based on the workforce level on the date the report is generated.	
<input type="checkbox"/>	Management/Agency Assumes Risk		
<input type="checkbox"/>	Partially Complete		
<input type="checkbox"/>	Complete Pending Verification by OIIA		
<input checked="" type="checkbox"/>	Complete	DOT current regulations: 50% drug, 10% alcohol.	
		2020 & 2021 year-end reports available for review.	

**Dekalb County Government**

**Office of Independent Internal Audit**

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Activity		Accountability	Schedule	
Safety-Sensitive employee process		Responsible Area	Repeat Finding	Anticipated Completion Date/Date Adjustments will be made
		HR & Merit System	No 3	N/A
Finding		Finding Detail		
No.	3			
Date	10/8/20			
Finding		<b>Drug and Alcohol Testing Was Not Completed for Some Safety-Sensitive Employees</b>		
Recommendations		We recommend that HR management work with the UD's to develop and implement procedures to help ensure notified employees' complete drug and alcohol testing timely.		
Management's Response		<p>Only eight (8) in the sample of 66 identified by OIIA had issues. There was one safety-sensitive employee that was a "no show" after HR notified UD. The remaining seven were tested, although not immediately as delays were due to scheduling issues i.e., not at work, going to wrong facility, and other nuances which OIIA did not document in the finding. A chart regarding the 8 employees was previously provided to OIIA and is available upon request.</p> <p><b>HR Current Improvements</b></p> <p>Since 2017, HR has provided departments with same day written notification of employees selected for random tests. At the end of the business day, HR provides a second list of employees who were "no shows". Departments must provide written explanation for employee failure to complete test. HR documents department explanations and if it does not meet exemption criteria it is considered a positive result.</p> <p>The DOT exemption criteria states an employee who is on an extended leave of absence or will be off duty for the duration of the selection period may be excused and rescheduled. An employee without a legitimate excuse is required to serve a 40-hour suspension and must enroll in an approved drug/alcohol program, or be terminated.</p> <p><b>HR Improvements in Process</b></p> <p>* Facilitate training for UD's to support HR compliance with random testing procedure and required written explanation for no-shows. To be conducted semi-annually</p> <p>*Update Drug and Alcohol Policy to incorporate list of acceptable work-related reasons for no-shows. To be completed November 2020</p>		
Status Update-12 months		<p>Same day notice to departments of "no shows" was changed due to business needs that require follow up on the next business day rather than end of day. For example: some testing was conducted after normal business hours, due to scheduling or shift needs. This process is ongoing.</p> <p>Drug &amp; Alcohol Policy updates covered in HR Policy Council meetings Sept 26, 2019, Dec 12, 2019, and targeted training for Fire &amp; Rescue, Police, Sheriff and Sanitation. Also, included in HR ROADSHOW Jan 23, 2020 and bi-weekly new employee orientations.</p> <p>List of acceptable "no show" reasons added to HR OCD SOP and shared with department coordinators/point of contact. List of reasons are available on HR intranet.</p> <p>Training is ongoing.</p>		
<input type="checkbox"/>	Open			
<input type="checkbox"/>	Management/Agency Assumes Risk			
<input type="checkbox"/>	Partially Complete			
<input type="checkbox"/>	Complete Pending Verification by OIIA			
<input checked="" type="checkbox"/>	Complete			

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Activity	Accountability	Schedule	
Safety-Sensitive employee process	Responsible Area	Repeat Finding	Anticipated Completion Date/Date Adjustments will be made
	HR & Merit System	No 4	N/A
Finding		Finding Detail	
No.	4		
Date	10/8/20		
Finding		Key Requirements Were Not Completed for Safety-Sensitive Employees Who Tested Positive for Drugs or Alcohol	
Recommendations		<p>We recommend that HR management:</p> <ul style="list-style-type: none"> <li>• Implement procedures to help ensure compliance with the key requirements for employees who test positive on random drug and alcohol testing.</li> <li>• Implement procedures to help ensure documentation for employees with positive drug and alcohol testing results is maintained for at least five years to facilitate compliance with DOT regulations part 40.333 and 382.401.</li> </ul>	
Management's Response		<p>Some UD's did not ensure that all safety-sensitive employees completed requirements outlined in the Drug and Alcohol Policy. There were instances where user departments failed to impose the 40-hour suspension for positive drug test, allowed employees to utilize leave in lieu of actual suspension, neglected to submit PA2 form to HR noting a suspension, or entered leave without pay in Kronos without supporting documentation. Consequently, there appeared to be no record on file documenting the required action for the drug and alcohol infraction committed by the sample of 83 safety-sensitive employees. It is the responsibility of the user department head to effectuate adverse actions (suspensions) for drug-related offenses.</p> <p>The issues identified with the sample of 83 can also be expressed as follows:</p> <ul style="list-style-type: none"> <li>* 98% attended a rehabilitation program</li> <li>* 95% completed a medical retest before resuming safety-sensitive duties</li> <li>* 94% completed follow-up testing where required</li> <li>* Of 21 employees identified by OIIA not having proof of aftercare, HR has documentation for four, therefore, actual was 17: <ul style="list-style-type: none"> <li>o 9 Subsequently passed random/follow-up testing</li> <li>o 5 Terminated as result of positive follow-up/random</li> <li>o 2 Resigned (unrelated)</li> <li>o 1 Refused testing (positive result), retained at discretion of Constitutional Officer</li> </ul> </li> <li>* Of 28 OIIA identified with no record of suspension, HR found instead: <ul style="list-style-type: none"> <li>o 1 duplicate, o 2 documented suspensions, o 11 coded by department as leave without pay (suspension) for at least 40 hours in Kronos, o 11 placed on leave of absence by department but allowed to use accrued paid leave, o 1 resigned, o 1 retired</li> <li>o 1 not terminated, at discretion of Constitutional Officer</li> </ul> </li> </ul> <p>Attachments were previously provided to OIIA and are available upon request.</p> <p><b>HR Current Improvements</b></p> <p>HR has developed two checklists, one internal and one departmental, to help ensure compliance with the key requirements for employees who test positive on random drug and alcohol testing. Both checklists chronicle and document the refrain-from-duty process.</p> <p>HR will continue to maintain files on employees with positive drug and alcohol test results for five years. These files document employee participation and aftercare compliance requirements of the drug and alcohol program.</p> <p><b>HR Improvements in Process</b></p> <ul style="list-style-type: none"> <li>*Review of drug-related suspensions (at least quarterly). Ongoing</li> <li>*Review of active aftercare documents (at least quarterly). Ongoing</li> <li>* Implement department checklist. To be completed November 2020</li> </ul>	
Status Update-12 months		The HR internal checklist is currently in use. The departmental checklist is available on HR intranet and emailed to department points of contact.	
<input type="checkbox"/>	Open		
<input type="checkbox"/>	Management/Agency Assumes Risk		
<input type="checkbox"/>	Partially Complete		
<input type="checkbox"/>	Complete Pending Verification by OIIA		
<input checked="" type="checkbox"/>	Complete	HR conducted quarterly manual reviews of suspensions to ensure they are consistent with PeopleSoft(HRIS) and Kronos (time keeping).	

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Activity	Accountability	Schedule	
Safety-Sensitive employee process	Responsible Area	Repeat Finding	Anticipated Completion Date/Date Adjustments will be made
	HR & Merit System	No 5	7/31/22
Finding		Finding Detail	
No.	5		
Date	10/8/20		
Finding		Medical Certifications Were Not Renewed Timely	
Recommendations		We recommend that HR management work with the UDs to review the current procedures to help ensure DOT safety-sensitive employees complete their Medical Card (MC) renewal before it expires.	
Management's Response		<p>The renewal of medical certifications is a collaboration between the department, affected employees, and HR. OIIA did not acknowledge nuances that delay completion of certifications i.e., employees on workers' compensation, FMLA, extended leave (sick, annual, donated) or cannot pass physical exam. Of 126 employees sampled, OIIA noted that 34 employees took between 1 to 664 days to recertify. However, OIIA did not account for underlying reasons impacting employee recertification. Only 25 employees took up to 30 days to recertify, and four (4) up to 60 days. HR records show the following regarding the longest time periods:</p> <ul style="list-style-type: none"> <li>* The longest employee (664 days) was performing duties that did not require a CDL during the identified time period. <ul style="list-style-type: none"> <li>o Recertified as Equipment Operator 1/25/2016 for 6 months (expired 7/19/2016)</li> <li>o Assigned to Beautification as Crew Leader 5/7/2016 – 10/06/2018 (classification requires CDL; however, assigned to work detail that did not require CDL)</li> <li>o Recertified 5/14/2018 prior to reclassification as Crew Supervisor (CDL job) 10/6/2018</li> </ul> </li> <li>* 2 employees with 91-121 days to certify were on Workers Comp or assigned duties that did not require a CDL. * 2 employees with 61-91 days to certify were on Workers Comp or assigned duties that did not require a CDL.</li> </ul> <p><b>HR Current Improvements</b></p> <p>HR has established an SOP and implemented a system to assist departments with the recertification process. When an employee no longer meets DOT certification requirements, HR informs the employee's department. The department is responsible for ensuring an employee does not perform CDL duties until recertified. HR also does the following:</p> <ul style="list-style-type: none"> <li>* Notifies departments 30 days in advance of medical card expiration, * Schedules recertification physical exams</li> <li>* Checks status of previous month's expired medical cards; if not renewed, HR issues notice to refrain employee from CDL duties</li> <li>o Refrained employee must recertify within 45 days after receiving notice; employee must provide requested medical documentation to County's occupational health provider</li> <li>o Employee utilizes accrued leave or leave without pay</li> <li>o HR notifies department if/when medically cleared to resume safety sensitive functions</li> <li>o HR performs follow-up with department prior to conclusion of 45-day period</li> <li>o After 45 days, department should demote or separate employee or request a medical extension from HR</li> </ul> <p>*Recommends departments physically check driver's licenses and blue cards on at least a monthly basis.</p> <p><b>HR Improvements in Process</b></p> <ul style="list-style-type: none"> <li>*Conduct refresher training for UDs with CDL responsibilities. To be conducted semi-annually</li> </ul>	
Status Update-12 months		Recertification process added to SOP and is in use.	
<input type="checkbox"/>	Open		
<input type="checkbox"/>	Management/Agency Assumes Risk		
<input checked="" type="checkbox"/>	Partially Complete		
<input type="checkbox"/>	Complete Pending Verification by OIIA		
<input type="checkbox"/>	Closed	Drug & Alcohol Policy covered in HR Policy Council meetings Sept 26, 2019, Dec 12, 2019, and targeted training for Fire & Rescue, Police, Sheriff and Sanitation. Included in HR ROADSHOW Jan 23, 2020 and bi-weekly new employee orientations. Formal training to be implemented under the CV360 learning platform.	

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Activity		Accountability	Schedule	
Safety-Sensitive employee process		Responsible Area	Repeat Finding	Anticipated Completion Date/Date Adjustments will be made
		HR & Merit System	No 6	N/A
Finding		Finding Detail		
No.	6			
Date	10/8/20			
Finding		<b>Applicants Who Did Not Pass the Pre-employment Drug and Alcohol Testing were Hired for Safety-Sensitive Positions</b>		
Recommendations		We recommend that HR management work with the UD's to help ensure compliance with DOT regulations and County policies and procedures to help ensure applicants are not employed in safety-sensitive positions until the County verifies that they pass pre-employment drug and alcohol testing.		
Management's Response		<p>HR tested approximately 3,000 applicants during the 3-year audit period. Of the sample of 65 reviewed by OIIA, 3 were inadvertently hired. That represents .001% of the hired individuals. Since 2017, HR has acquired meaningful technology and eliminated a paper intensive pre-employment process. A chart was previously provided to OIIA and is available upon request.</p> <p><b>HR Current Improvements</b></p> <p>HR has implemented new automated processes consisting of the following:</p> <ul style="list-style-type: none"> <li>*Electronic notification from the County's external medical provider to OCD and appropriate HR Generalist with qualified/disqualified work status</li> <li>*If disqualified, OCD verifies <ul style="list-style-type: none"> <li>o Medical issue – applicant must provide medical documentation for clearance</li> <li>o Alcohol/drug-related – Generalist rescinds offer</li> </ul> </li> </ul> <p>In HR's role as a strategic business partner, contingent offers are extended based on the applicant's successful completion of pre-employment physical and background check. If a new hire is disqualified, the offer is withdrawn and employee is separated. In the case of safety-sensitive jobs, HR requires passing of pre-employment physical prior to start date.</p> <p><b>HR Improvements in Process</b></p> <p>HR is working with the external occupational health vendor to implement their new Electronic Medical Record (EMR) system. HR will use the new technology to improve internal workflows and minimize the likelihood of error.</p>		
Status Update-12 months		Electronic Medical Record (EMR) system implemented and in use. EMR used for candidates to self-schedule and OCD to schedule services and notification to OCD of results, and management of information pertaining to pre-employment, recertification, and drug & alcohol processes.		
<input type="checkbox"/>	Open			
<input type="checkbox"/>	Management/Agency Assumes Risk			
<input type="checkbox"/>	Partially Complete			
<input type="checkbox"/>	Complete Pending Verification by OIIA			
<input checked="" type="checkbox"/>	Complete			

- cc. Michael L. Thurmond, Chief Executive Officer  
Robert Patrick, Board of Commissioners District 1  
Jeff Rader, Board of Commissioners District 2  
Larry Johnson, Board of Commissioners District 3  
Steve Bradshaw, Board of Commissioners District 4  
Mereda Davis Johnson, Board of Commissioners District 5  
Ted Terry, Board of Commissioners District 6  
Lorraine Cochran-Johnson, Board of Commissioners District 7  
Adrienne T. McMillion, Chairperson, Audit Oversight Committee  
Harold Smith, Jr., Vice-Chairperson, Audit Oversight Committee  
Claire Cousins, Chairperson pro tem, Audit Oversight Committee  
Lisa Earls, Audit Oversight Committee  
Tanja Christine Boyd-Witherspoon, Audit Oversight Committee

**Information Distribution:**

Zachary L. Williams, Chief Operating Officer/ Executive Assistant  
Vivian Ernstes, County Attorney  
La'Keitha D. Carlos, CEO's Chief of Staff  
Kwasi K. Obeng, Chief of Staff, Board of Commissioners  
LaTonya N Wiley, Interim Ethics Officer, DeKalb Board of Ethics