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CITIZENS SUMMARY

Findings in the audit of the Senate

Personnel Policies and Procedures

Although the Senate revised its intern and sexual harassment policies and procedures after the resignation of a former senator following allegations of harassment involving a former intern, auditors identified needed improvements in personnel policies and procedures. The Senate's revised sexual harassment policy does not require sexual harassment training be provided periodically to members and employees. Additionally, the Senate has not required members' and part-time session employees to utilize the new electronic timesheet system, and the manual timesheets prepared for members' employees are not adequate. The Senate also granted employees administrative leave, costing up to \$89,000 per year, for days in addition to state holidays although most other state employees do not receive additional days off. The Senate's workplace handbook does not provide for employee leave to care for a returning service member as provided by the Family Medical Leave Act and does not include a whistleblower policy to protect employees from potential retaliation.

Records Policies

While it is the Senate's position that the Sunshine Law does not apply to records of individual members, the Senate has not defined in a policy what records it asserts are specifically closed or open. The Senate also has not established a written policy regarding email retention. Currently, the Senate archives email correspondence in its system for 30 days; however, these retention procedures have not been documented in a policy.

Incomplete Documentation

The Senate did not completely document salary adjustments provided to some administration employees. Auditors reviewed supporting documentation and interviewed the Senate administrator regarding raises provided to 17 administration employees and found the Senate did not adequately document the reasons for raises for 4 of those employees.

Senate Administrator's Fund

Despite recommendations in our two prior audits, the Senate continues to maintain the Senate Administrator's Fund in a bank account outside the state treasury for the purpose of soliciting contributions from lobbyists to pay for meals provided to members and employees who work late during legislative sessions. Contributions from lobbyists totaled \$6,500 during the 2 years ended June 30, 2015. The Senate does not have authority to maintain the bank account and administrative duties related to the account are not properly segregated.

Senate Committee Meeting Minutes

The Senate did not adequately prepare or retain meeting minutes for two Senate committees in accordance with the Sunshine Law. Meeting minutes for open and closed sessions of the Administration Committee did not always include the time, place, and members present or absent, and did not always properly document votes taken. The Senate could not locate any meeting minutes for the 2013 Interim Committee on Capital Improvement Assessment and Planning.

Joint Committees

Some Senate/House joint committees did not adequately prepare or retain agendas and/or meeting minutes in accordance with the Sunshine Law. In addition, some committees did not meet or report their activities as required by enabling statutes. Auditors selected 17 joint committees to review the meeting agendas, minutes, and reports produced by the committees in calendar years 2013, 2014, and/or 2015. Eight of the 12 joint committees that held meetings during the period reviewed did not prepare properly detailed minutes and/or agendas. Seven of the 13 joint statutory committees reviewed did not meet and/or report their activities to the General Assembly during the period reviewed as required by enabling statutes.

In the areas audited, the overall performance of this entity was **Good**.*

*The rating(s) cover only audited areas and do not reflect an opinion on the overall operation of the entity. Within that context, the rating scale indicates the following:

- Excellent:** The audit results indicate this entity is very well managed. The report contains no findings. In addition, if applicable, prior recommendations have been implemented.
- Good:** The audit results indicate this entity is well managed. The report contains few findings, and the entity has indicated most or all recommendations have already been, or will be, implemented. In addition, if applicable, many of the prior recommendations have been implemented.
- Fair:** The audit results indicate this entity needs to improve operations in several areas. The report contains several findings, or one or more findings that require management's immediate attention, and/or the entity has indicated several recommendations will not be implemented. In addition, if applicable, several prior recommendations have not been implemented.
- Poor:** The audit results indicate this entity needs to significantly improve operations. The report contains numerous findings that require management's immediate attention, and/or the entity has indicated most recommendations will not be implemented. In addition, if applicable, most prior recommendations have not been implemented.

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