

STATE OF NORTH CAROLINA

OFFICE OF THE STATE AUDITOR

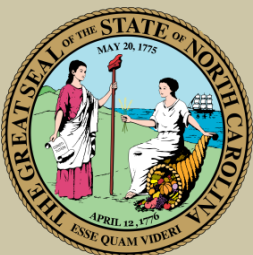
BETH A. WOOD, CPA



WILDLIFE RESOURCES COMMISSION

RALEIGH, NORTH CAROLINA

INVESTIGATIVE REPORT
APRIL 2022



NC  **OSA**
The Taxpayers' Watchdog

NC  **OSA**
The Taxpayers' Watchdog

EXECUTIVE SUMMARY

PURPOSE

The Office of the State Auditor initiated an investigation in response to allegations received through its Hotline regarding the Wildlife Resources Commission (Commission).

BACKGROUND

The Commission is a state government agency created in 1947 to conserve and sustain North Carolina's fish and wildlife resources through research, scientific management, wise use, and public input. The Commission is the regulatory agency responsible for the enforcement of North Carolina's fishing, hunting, trapping, and boating laws.

The former Executive Director mentioned in this report served as the Executive Director from August 2008 until his retirement in January 2021. The current Executive Director started in the position in August 2020.¹

The Legislative Liaison mentioned in this report has held this position since February 9, 2015. This position reports to the Executive Director.

KEY FINDING

The Legislative Liaison failed to record leave time in the state payroll system.

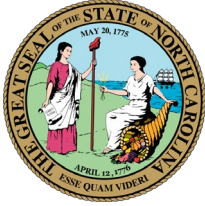
KEY RECOMMENDATIONS

- The Legislative Liaison should record his remaining leave taken from February 2015 through December 2020 in the state payroll system.²
- The Executive Director should ensure all employees record leave taken in the state payroll system.
- The Executive Director should approve leave records for all employees under his supervision.
- The Commission should consider disciplinary action against the Legislative Liaison.

¹ According to the former Executive Director, he served as a transition advisor to the new Executive Director from August 2020 until January 2021.

² In January 2021 (after the start of our investigation), the Legislative Liaison reported 38 days of leave taken, totaling 304 hours. This leave was recorded in the state payroll system. However, 53 days of leave taken by this employee, totaling 424 hours, has still not been recorded in the state payroll system.

STATE OF NORTH CAROLINA
Office of the State Auditor



Beth A. Wood, CPA
State Auditor

2 S. Salisbury Street
20601 Mail Service Center
Raleigh, NC 27699
Telephone: (919) 807-7500
Fax: (919) 807-7647
www.auditor.nc.gov

AUDITOR'S TRANSMITTAL

The Honorable Roy Cooper, Governor
Members of the North Carolina General Assembly
Cameron Ingram, Executive Director

Ladies and Gentlemen:

Pursuant to North Carolina General Statutes §147-64.6(c)(16) and §147-64.6B, we have completed an investigation of allegations concerning the Wildlife Resources Commission. The results of our investigation, along with recommendations for corrective action, are contained in this report.

Copies of this report have been provided to the Governor, the Attorney General, and other appropriate officials in accordance with N.C.G.S. §147-64.6(c)(12). We appreciate the cooperation received from the management and employees of the Wildlife Resources Commission during our investigation.

Respectfully submitted,

A handwritten signature in cursive script that reads "Beth A. Wood".

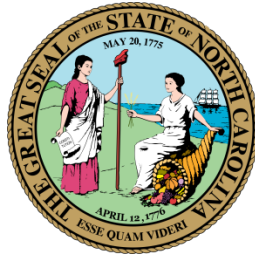
Beth A. Wood, CPA
State Auditor



Beth A. Wood, CPA
State Auditor

TABLE OF CONTENTS

	PAGE
BACKGROUND	1
FINDING AND RECOMMENDATIONS	
THE LEGISLATIVE LIAISON FAILED TO RECORD LEAVE TIME IN THE STATE PAYROLL SYSTEM... ..	2
STATE AUDITOR'S RESPONSE.....	5
RESPONSE FROM THE WILDLIFE RESOURCES COMMISSION.....	6
ORDERING INFORMATION.....	8



BACKGROUND

The Office of the State Auditor initiated an investigation in response to allegations received through its Hotline regarding the Wildlife Resources Commission (Commission).

Our investigation of this allegation included the following procedures:

- Review of applicable policies and procedures.
- Examination and analysis of available documentation related to the allegation.
- Interviews with the Commission's current and former personnel.

This report presents the results of the investigation. The investigation was conducted pursuant to North Carolina General Statutes §147-64.6(c)(16) and §147-64.6B.

Wildlife Resources Commission

The Commission is a state government agency created in 1947 to conserve and sustain North Carolina's fish and wildlife resources through research, scientific management, wise use, and public input. The Commission is the regulatory agency responsible for the enforcement of North Carolina's fishing, hunting, trapping, and boating laws.

The Commission has an operational budget of approximately \$85 million and employs 650 full-time staff.

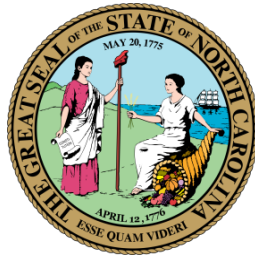
The former Executive Director mentioned in this report served as the Executive Director from August 2008 until his retirement in January 2021. The current Executive Director started in the position in August 2020.³

The Legislative Liaison mentioned in this report has held this position since February 9, 2015. This position reports to the Executive Director.

North Carolina Employee Leave

The State of North Carolina offers a leave package to support employees with work-life balance. The State offers leave in the following categories: holiday, vacation, sick, community service, family medical, family illness, military, voluntary shared, and civil. North Carolina General Statutes §126-4 state that the State Human Resources Commission shall establish policies and rules governing employee leave.

³ According to the former Executive Director, he served as a transition advisor to the new Executive Director from August 2020 until January 2021.



FINDING AND RECOMMENDATIONS

THE LEGISLATIVE LIAISON FAILED TO RECORD LEAVE TIME IN THE STATE PAYROLL SYSTEM

From February 2015 through December 2020, the Legislative Liaison (Liaison)⁴ for the Wildlife Resources Commission (Commission) did not record any leave taken in the state payroll system.⁵ As a result, had he separated from state employment, the Liaison could have been paid for unused leave that had actually been used. Also, the Liaison's months of service counting towards retirement were incorrect.

The Liaison claimed he was unaware of the requirement to record his leave time. Also, the Commission's former Executive Director did not enforce guidelines for recording leave taken.

The Commission's Employee Handbook and state guidelines require employees to record leave taken in the state payroll system.

Failure to Record Leave Time

From February 2015 through December 2020, the Liaison for the Commission did not record any leave taken (vacation or sick leave) in the state payroll system. Specifically, he **did not record** at least 91 days of leave taken, at eight hours per day, totaling 728 hours.

According to the *State Human Resources Manual*,⁶ paid vacation leave is credited to state employees⁷ for the primary purpose of allowing employees to renew their physical and mental capabilities and to remain fully productive. Vacation leave accumulates on a monthly basis. On December 31 of each year, any employee with more than 240 hours of accumulated vacation leave shall have the excess accumulation converted to sick leave.

When employees separate from state employment,⁸ they are entitled to receive a lump sum payment for their unused vacation leave, not to exceed 240 hours.⁹

In addition, sick leave is granted to state employees at the rate of eight hours per month and accumulates indefinitely. Unused sick leave may be applied towards retirement when an employee is eligible to retire within five years.

Since vacation leave can be paid out if an employee separates, and sick leave can be applied to years of service for retirement, **not recording leave hours used has an effect on both of these calculations.**

Resulted in Potential Payment of Unused Leave

Because the Liaison did not record any leave taken from February 2015 through December 2020, his accumulated leave balances were incorrect for this time period. As a result, although he did not separate from state employment, he could have been entitled to a

⁴ The Legislative Liaison began employment with the Commission on February 9, 2015.

⁵ NC Office of the State Controller's Integrated HR-Payroll System.

⁶ *State Human Resources Manual*, Section 5.

⁷ State employees who are in pay status (working, on paid leave, or on workers' compensation leave) for at least half of the regularly scheduled workdays and holidays in the pay period are granted vacation and sick leave.

⁸ Separation due to resignation, dismissal, or death.

⁹ *State Human Resources Manual*, Section 5.

lump sum payment of **up to 240 hours** of unused leave, or \$9,768, had he separated from state employment during this period.

Also, because the accumulated leave balances were incorrect, the Liaison could have had more months of service count towards retirement than he had actually earned.

In January 2021, after the start of our investigation, the Liaison reported 38 days of leave taken, totaling 304 hours, to the Commission's Human Resources office. This leave was recorded in the state payroll system. However, he has still not reported the remaining 53 days of leave taken, totaling 424 hours.¹⁰

Liaison Claimed to be Unaware of the Requirement to Report Leave Time

According to the Liaison, he did not record any leave taken in the state payroll system from February 2015 through December 2020 because he was unaware of the requirement to record leave time. According to state guidelines,¹¹ as a negative time reporting employee,¹² the Liaison was only required to record variations from his normal schedule, such as leave taken.

According to the Commission's former Human Resources Director, the Commission conducts an orientation for new employees. This orientation is "where [an employee] would first be introduced to time tracking" and where "their supervisor typically shows them additional steps for entering their time."

However, the Liaison stated that he did not attend the new employee orientation on his first day of employment. He stated, "I had to work...at the General Assembly...I was never there [at the new employee orientation] to get familiar with that process."

According to the Liaison, he was not made aware of the requirement to record leave time until December 2020 when his supervisor, the current Executive Director, informed him that he needed to report leave time. He stated that he was under the impression that, "you get a certain amount of time for a year, you use it or lose it and not until I had this conversation with my new supervisor did he explain to me that it accumulates over the course of your time with the state... that was never explained to me prior to my new boss saying that."

When asked why the Liaison thought that time would be lost if he didn't use it, he explained "that was an assumption" based on "nothing tangible."

Also Caused by Lack of Enforcement by the Former Executive Director

The Liaison did not record any leave taken in the state payroll system because the former Executive Director did not enforce the guidelines that required the Liaison to record his leave time in the system.

¹⁰ The 304 hours the Liaison recorded since our investigation began and the 424 hours he has not recorded equal the total of 728 hours investigators found he had not recorded prior to our investigation.

¹¹ NC Office of the State Controller's *Time Entry Overview Job Aid TM-33*.

¹² According to the *Commission's Employee Handbook*, negative time reporting employees are required to record only variations in their normal schedule (i.e. vacation and sick leave). However, positive time reporting employees are required to record all hours, including hours worked and leave.

According to the Liaison, there were no conversations between the former Executive Director and the Liaison about recording leave time. The Liaison stated, “I never had a specific conversation [related to time recording] with the previous director...ever.”

The former Executive Director confirmed that he was responsible for approving the Liaison’s leave time. When asked if the Liaison had recorded leave time, the former Executive Director stated, “I think so, I feel like I remember approving his leave...I’m pretty sure...I think.” However, the Liaison did not record any leave time (vacation or sick leave) in the state payroll system for the former Executive Director to approve.

State policy¹³ requires supervisors to validate time entered into the state payroll system by their employees.

Commission Requires Recording of Leave Time and Provides Consequences for Failure to Record Leave Time

The Commission’s Employee Handbook states, “negative time recording employees must only record variations from their normal schedule, such as leave taken.” Also, “failure to report absences from work could result in disciplinary measures, up to and including dismissal.”

State Guidelines Require Recording of Leave Time

Additionally, guidelines for the state payroll system¹⁴ state that for negative time reporting employees, “the employee must record only variations from their normal schedule, such as leave taken.”

RECOMMENDATIONS

The Legislative Liaison should record his remaining leave taken from February 2015 through December 2020 in the state payroll system.

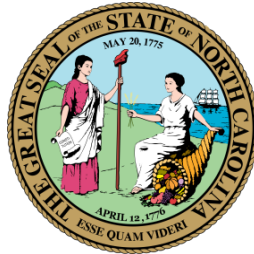
The Executive Director should ensure all employees record leave taken in the state payroll system.

The Executive Director should approve leave records for all employees under his supervision.

The Commission should consider disciplinary action against the Legislative Liaison.

¹³ NC Office of the State Controller’s Policy 700.02 *HR Payroll Policy – Human Resources and Payroll Agency and Employee Responsibility*.

¹⁴ NC Office of the State Controller’s *Time Entry Overview Job Aid TM-33*.



STATE AUDITOR'S RESPONSE

Professional standards require the Office of the State Auditor (OSA) to provide reports with complete and accurate information to the Governor, the General Assembly, the citizens of North Carolina, and other stakeholders. When the response received from the entity subject to investigation is **not complete**, potentially **clouds** an issue, **misleads** the reader, or **minimizes** the importance of findings and recommendations, OSA provides clarifications regarding the response.

In its response to this investigative report, the Wildlife Resources Commission (Commission) made several statements that are incorrect, **misleads** the reader, and overall attempted to **minimize** the importance of OSA's finding and recommendations. To ensure complete and accurate information, OSA offers the following clarifications.

In its response, the Commission states that the Legislative Liaison needs to record only 31 additional days of leave time based on a detailed analysis performed by the Commission's auditor and staff.

This statement is not correct.

As the report **clearly** states, the OSA investigation determined that the Legislative Liaison had not recorded **91 days** of leave in the state payroll system. During the investigation, the Legislative Liaison recorded **38 days** of leave. **This left 53 days unrecorded.**

The Legislative Liaison **confirmed** with the investigators that he did not work **35** of these 53 days, but did not record this leave in the state payroll system.

In addition, the Legislative Liaison stated to investigators that he was **unable to determine** if he worked on **seven** of the 53 days.

For the remaining **11** days, the Legislative Liaison did not provide supporting **documentation** to prove that he actually worked, even after several requests made by the investigators for this documentation.

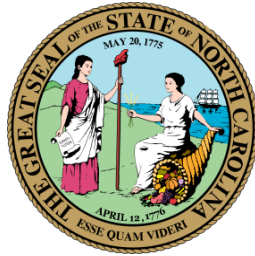
Also, in its response, the Commission details the scope and nature of work performed by the Legislative Liaison. The Commission states:

Due to the scope and nature of the work performed by the Legislative Liaison, it is not required for the individual holding the position to maintain an outlook calendar, send daily emails, or make daily phone calls.

This statement is misleading.

The scope and nature of his work or the lack of accountability for his whereabouts **does not** negate the requirements by the Commission and the state for the Legislative Liaison to record his leave time in the state payroll system.

Again, OSA provides this clarifying information to ensure that this report provides complete and accurate information to the Governor, the General Assembly, and the citizens of North Carolina because the Commission's response included **incorrect statements** that could **cloud** the issue, **mislead** the reader, and **minimize** the importance of OSA's finding and recommendations.



RESPONSE FROM THE WILDLIFE RESOURCES COMMISSION



☰ North Carolina Wildlife Resources Commission ☰

Cameron Ingram, Executive Director

April 1, 2022

Beth A Wood, CPA
State Auditor
2 S. Salisbury St. #200
Raleigh, NC 27601

Dear Auditor Wood,

The North Carolina Wildlife Resources Commission (WRC) is in receipt of your draft investigative Report dated March 2022. We appreciate the opportunity to respond to the draft report.

As you are aware, WRC is a state agency with the purpose of developing and administering programs directed to the conservation of fish and wildlife resources and their habitats. WRC employs nearly 650 full-time employees with offices and infrastructure spread across NC, which includes over 2 million acres of public lands, 249 public boating access areas, and 200 public fishing areas. WRC operational budget is approximately \$100 million.

The former Executive Director, Gordon Myers, retired effective January 1, 2021 after holding that position since August 2008. The current Executive Director, Cameron Ingram, began transitioning into the role effective August 2020.

WRC's Legislative Liaison, Ashton Godwin, has been employed with WRC since February 2015. The Legislative Liaison role is responsible for assisting the Director's Office with all legislative activities and policies. This position conducts research and develops reports for the Agency. The Legislative Liaison is the WRC spokesperson for legislative meetings as well as one-on-one contact with individual legislators and constituents. This position attends legislative committee meetings and monitors the legislative activity of the General Assembly on a weekly basis. The Legislative Liaison also assists with coordination of WRC facilities and members of the legislative groups that collaborate with WRC. When the Legislature is not in session, this position has the responsibility to travel across the State to become more aware of the various programs provided by WRC and gain an understanding of WRC's legislative needs from the field. This position also travels to meet with Legislators in their home districts, as well as other State, Federal, local government, and nongovernmental partners to develop relationships to support the mission and goals of the Agency.

Due to the scope and nature of the work performed by the Legislative Liaison, it is not required for the individual holding the position to maintain an outlook calendar, send daily emails, or make daily phone calls. It is not uncommon for the Legislative Liaison to experience workdays that do not require calendar entries, emails, or phone calls. Examples of duties of this position that may not have an Outlook calendar entry, email, or telephone call are reviewing existing legislation and proposing legislation revisions, traveling to various WRC facilities, or meeting with Legislators in their district.

Mailing Address: Director's Office • 1701 Mail Service Center, Raleigh, NC 27699-1700
Phone: (919) 707-0010 • Fax: (919) 707-0020

Historically, the Legislative Liaison position has been designated as negative time reporting. This timekeeping designation only requires the employee to report leave, sick and overtime hours into the Integrated HR/Payroll system on a weekly basis for supervisor approval. The current Executive Director made the decision on January 1, 2021 to move this position timekeeping designation to positive time reporting, which requires the holder to report all time worked, leave, sick, holiday and overtime hours into the Integrated HR/Payroll system on a weekly basis for supervisor approval.

Office of the State Auditor staff initially provided Mr. Godwin with a list of 351 days identified in this audit process based solely on his email activity and Microsoft Outlook calendar entries. As stated, due to the nature and scope of work this position performs, it is not required as part of the position's responsibilities to maintain entries on the Outlook calendar, send daily emails, or make daily phone calls. Mr. Godwin responded to the report, which identified 91 days in which he did not report leave. Mr. Godwin reconciled 38 of those days in the Integrated HR/Payroll system in February 2021. That left 53 remaining days in question. The WRC auditor and staff performed a detailed analysis of these findings and determined that Mr. Godwin would need to record 31 days of leave based off the data that was provided. Mr. Godwin has since entered his time in the Integrated HR/Payroll system and Director Ingram has approved this time.

WRC Executive Director Cameron Ingram has considered disciplinary action against Mr. Godwin for not reporting 31 days of leave into the state payroll system, consistent with the Office of State Human Resources Disciplinary Action Policy.

Since taking on the role of WRC Executive Director, Cameron Ingram ensures all employees under his direct supervision record leave taken in the payroll system by reviewing and approving time and leave records for all employees under his direct supervision in the Integrated HR/Payroll system.

Respectfully,



Cameron Ingram, Executive Director

ORDERING INFORMATION

COPIES OF THIS REPORT MAY BE OBTAINED BY CONTACTING:

Office of the State Auditor
State of North Carolina
2 South Salisbury Street
20601 Mail Service Center
Raleigh, North Carolina 27699-0600

Telephone: 919-807-7500
Facsimile: 919-807-7647
Internet: <http://www.auditor.nc.gov>



To report alleged incidents of fraud, waste or abuse in state government contact the
Office of the State Auditor Fraud Hotline:

Telephone: 1-800-730-8477

Internet: <https://www.auditor.nc.gov/about-us/state-auditors-hotline>

For additional information contact the
North Carolina Office of the State Auditor at:
919-807-7666



This investigation required 645 hours at an approximate cost of \$67,497.