

INTER-OFFICE MEMORANDUM



FULTON COUNTY

TO: Zachary Williams, County Manger

FROM: Anthony Ricks, Director of Internal Audit

DATE: May 4, 2012

SUBJECT: Georgia Immigration and Security Compliance
Site Visit Report

The Office of Internal Audit has completed a site visit of Fulton County's Facilities and Transportation Services (formerly the Department of Public Works) contractor, Tristar of America, Inc. This site visit relates to the Georgia Security and Immigration Compliance Act of 2006. Attached is a copy of our findings and recommendations.

If you have any questions, please contact me.

cc: David Ricks, Director of Facilities and Transportation Services



FULTON COUNTY

**FULTON COUNTY, GEORGIA
OFFICE OF INTERNAL AUDIT
GEORGIA SECURITY & IMMIGRATION SITE
VISIT REPORT**

TRISTAR OF AMERICA, INC.

May 4, 2012

TABLE OF CONTENTS

INTRODUCTION 1

BACKGROUND 1

OBJECTIVE 1

SCOPE 1

METHODOLOGY 1

FINDINGS AND RECOMMENDATIONS 2

CONCLUSION 2

Introduction

The Office of Internal Audit performed a site visit of Tristar of America, Inc. relating to the Georgia Security and Immigration Compliance Act (GSICA) implementation. Fulton County's Facilities and Transportation Services (formerly the Department of Public Works) entered into a contract with Tristar of America, Inc. for the demolition and removal of the Johns Creek Waste Water Facility. The demolition project began in December of 2011 and it is estimated that work should be completed by late October or early November of 2012.

Background

The Georgia Security and Immigration Compliance Act (GSICA) of 2006, pursuant to Senate Bill 529, established new work eligibility verification requirements that apply to Georgia public employers and its contractors and subcontractors, effective July 1, 2007. In 2009, House Bill 2 amended several sections of the Georgia Code that includes the GSICA. The Official Code of Georgia lists the GSICA and its Amendments under the reference numbers 13-10-90, 13-10-91, and 50-36-1.

Fulton County established and implemented Policies and Procedures Number 100-28 to comply with amended GSICA, effective January 1, 2010. The policies and procedures require all Fulton County agencies, departments, contractors and staff of elected officials to comply with GSICA and Amendments.

Objective

Our objective of the audit was to ensure that the contractor, Tristar of America, Inc., was in compliance with GSICA and related Fulton County policies and procedures.

Scope

The scope of our compliance testing covered the period from January 1, 2012 through March 31, 2012.

Methodology

The Facilities and Transportation Services' Construction Manager assisted us with arranging a visit to the Johns Creek Waste Water Facility Demolition site. The Tristar Project Superintendent provided E-Verify documentation and files for each employee used on the site. The Fulton County Project Site Manager verified that the employees were the actual employees used on the project.

Our findings and recommendations are listed below:

Findings and Recommendations

Finding 1 – Expired Driver’s License and E-Verification Card

According to the Georgia Security and Immigration Compliance Act, the employment eligibility of all workers under public contracts should be verified on a Federal Government database to determine if they are legally able to work in the United States. There were six employee E-Verify printouts reviewed. We found that one employee’s driver’s license and Employment Verification Card expired on January 5, 2012. Fulton County’s Project Site Manager confirmed with Tristar of America, Inc. that this employee’s last day of work at the site was March 2, 2012. Thus, the employee continued to work on the Fulton County demolition project without verification of his change in employment eligibility status. This oversight occurred because Fulton County did not monitor the changes in the eligibility status of the workers. By not monitoring the employment eligibility status of its employees throughout the duration of the project, Tristar of America, Inc. did not achieve 100% compliance with the GSICA guidelines.

Recommendation

Facilities and Transportation Services should update its policies and procedures to require its Project Managers to mandate that all contractors maintain and update employee E-Verification documentation throughout the duration of the project.

Conclusion

To provide assurances that Fulton County is in compliance with the Georgia Security Immigration Compliance Act, we encourage all agencies and departments to properly monitor all contractors. We will continue to conduct these reviews on the County’s departments, agencies, and contractors on regular basis.

We would like to thank Fulton County’s Facilities and Transportation Services and Tristar of America, Inc. for their timely cooperation and assistance during the audit.