



# **George Mason University**

**Labor Practices and Compliance Audit**

May 2021





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## Executive summary

### Background

George Mason University (GMU) contracts with LT Services Inc. (LT Services) to provide janitorial services; this contract is executed by LT Services personnel as well as personnel from a group of 12 subcontractors. Since July of 2019, certain LT Services personnel, subcontractor personnel, and the Service Employees International Union 32 (SEIU32) have publicly alleged improper conduct regarding the labor practices of LT Services and its subcontractors.

### Objectives

GMU engaged Baker Tilly to perform an independent Labor Practices and Compliance Audit over LT Services and its subcontractors during the time period of 7/1/2019 to 2/28/2021. The objectives of this audit were to:

- Audit LT Services and its subcontractors for compliance with certain provisions of the contract established with GMU
- Audit LT Services and its subcontractors for compliance with certain state and federal laws
- Incorporate known allegations against LT Services and its subcontractors into audit procedures to attempt to determine if claims are substantiated through testing

### Scope

Based upon the public allegations made by personnel of LT Services and its subcontractors, Baker Tilly, in agreement with GMU, defined the scope of the audit to determine if these allegations could be substantiated through testing. Additionally, Baker Tilly and GMU identified specific provisions within the contract for compliance testing. The following areas were considered in scope and were reviewed as part of the audit:

- LT Services and Subcontractor Compliance with the Fair Labor Standards Act
- LT Services and Subcontractor Compliance with GMU's Health and Safety Requirements
- LT Services and Subcontractor Compliance with certain State and Federal Laws
- LT Services Compliance with Wage Theft Laws
- LT Services Compliance with the National Labor Relations Act

### Conclusion

#### LT Services

Audit procedures completed over LT Services indicated no significant or pervasive non-compliance with contract provisions or state and federal laws. Audit procedures performed over LT Services revealed two observations:

- Two of 15 payments made by LT Services to subcontractors were made late (both 59 days after the invoice date or service date; compared to our estimated reasonable expectation set at 45 days)
- Two of 11 personnel interviewed (one personnel interviewed quit prior to 2020) indicated that they had not received formal training on health and safety requirements within the prior year

Baker Tilly was able to complete all planned audit procedures for LT Services with one exception. Four of the 15 personnel selected for interviews separated from LT Services during the audit period or shortly after. Baker Tilly was not able to get in contact with three of the four individuals despite making at least three attempts to call each individual directly.

Baker Tilly was unable to conclude on the existence of any significant or pervasive non-compliance with contract provisions or state and federal laws due to the lack of documentation received and the lack of responses received for attempted interviews.

#### Subcontractors

Baker Tilly was not able to complete all audit procedures for nine of ten subcontractors sampled as nine sampled subcontractors were not able to provide the necessary documentation (e.g., payroll records and/or personnel timesheet records) to execute our planned audit procedures. As such, Baker Tilly was unable to complete the objectives of the audit for these subcontractors.

Baker Tilly selected 37 total personnel (current and terminated) for interviews across the ten subcontractors and was able to contact and perform interviews with six of the 37 sampled personnel. Baker Tilly was unable to contact the remaining 31 personnel. For personnel in which contact information was received, Baker Tilly attempted to contact each of the personnel at least three times. Baker Tilly was unable to obtain a listing of personnel from two of the ten subcontractors and thus was not able to select a sample of personnel for interviews from those subcontractors. All responses received by Baker Tilly as part of the interview process did not substantiate any of the known allegations.

Audit procedures completed over one of the ten subcontractors indicated the following:

- Four of 17 personnel tested as part of compliance with the Fair Labor Standards Act had differences between time card hours recorded and hours recorded in the payroll records. Three of the four personnel had more hours noted per the payroll records than what was noted per the time card detail. One of the four personnel had less hours noted per the payroll records than what was noted per the time card detail.
- Two of three personnel interviewed indicated that they had not received formal training on health and safety requirements within the prior year.
- Based upon the review of documentation received and interviews performed with three personnel, Baker Tilly noted personnel may be classified as independent contractors but appear to be working as employees.

# Detailed report

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## Background and objectives

George Mason University (GMU) contracts with LT Services Inc. (LT Services) to provide janitorial services to its 73 buildings in Northern Virginia. LT Services provides janitorial services for various government and commercial facilities. A portion of this contract is performed by LT Services personnel directly, and a portion is performed by a group of 12 subcontractors.

Since July of 2019, certain LT Services personnel, subcontractor personnel, and the Service Employees International Union 32 (SEIU32) have publicly alleged improper conduct regarding the labor practices of LT Services and its subcontractors. The specific allegations made are as follows:

1. SEIU32 claimed that LT Services' payments to subcontractors were not made in a timely manner.
2. SEIU32 claimed that LT Services' subcontractors were incorrectly classifying personnel as contractors to avoid paying benefits that would be received as employees.
3. Subcontractor personnel claimed they were being paid once a month and repeatedly receiving bad checks or less than what they were owed.
4. Subcontractor personnel and an LT Service personnel claimed that cleaners were not provided with the proper equipment and training to be free from recognized hazards in their working environment.
5. SEIU32 filed a formal charge alleging that an LT Services subcontractor retaliated against personnel by interrogating about protected union activity, threatening to retaliate against for participation in union activity, and surveilling and or giving the impression of surveillance.
6. SEIU32 filed a formal charge alleging that an LT Services subcontractor sabotaged work areas and intimidated personnel including false accusations of theft (Two additional charges were initially filed but subsequently withdrawn).
7. SEIU32 claimed that LT Services wrongly fired two personnel performing cleaning services at GMU.

GMU engaged Baker Tilly to perform an independent Labor Practices and Compliance Audit over LT Services and its subcontractors for compliance with the contract established with GMU, as well as compliance with certain federal and state laws during the time period of 7/1/2019 to 2/28/2021. The objective of this review is to provide GMU insight into the practices of LT Services and its subcontractors and to determine if LT Services and its subcontractors were in compliance with certain specific policies established by GMU as well as certain state and federal laws. Additionally, the audit was designed to review known allegations against LT Services and its subcontractors and to determine if these allegations could be substantiated.

## Scope and approach

Baker Tilly developed audit procedures to verify the following:

- Compliance with FLSA wage payment provisions and overtime provisions
  - 29 CFR part 531 and part 778
- Compliance with GMU policies
  - COVID-19 public health and safety requirements
- Compliance with state and federal laws

- Frequency of payments to personnel
  - Personnel classification
  - Employer retaliations
- Compliance with wage theft laws
  - Timeliness of wage payments
  - Timeliness of subcontractor payments
  - Completeness and accuracy of payments
- Compliance with National Labor Relations Act (NLRA) communication requirements

Baker Tilly requested the following documentation from LT Services and a sample of ten subcontractors for detailed audit procedures:

- Policies and procedures outlining all time and attendance requirements
- Policies and procedures outlining all health, safety, and training requirements
- Listing of all personnel (contractors, full time, part time) who worked at GMU during the audit period
  - 12 current personnel sampled from LT Services
  - 22 current personnel sampled from subcontractors
- Listing of all personnel (contractors, full time, part time) who have separated (voluntarily and involuntarily) during the audit period
  - Three separated personnel sampled from LT Services
  - 15 separated personnel sampled from subcontractors
- Listing of all personnel (contractors, full time, part time) suspended during the audit period
  - No suspensions noted for LT Services
  - No suspensions noted for subcontractors
- Listing of all complaints filed by personnel (contractors, full time, part time) during the audit period
  - No complaints noted for LT Services
  - No complaints noted for subcontractors
- Payroll registers for a sample of pay periods
  - Five pay periods sampled for LT Services
  - One pay period per subcontractor sampled totaling ten across all subcontractors
- Personnel timecards or other records for the payroll periods sampled
- Banking records including payments made for the payroll periods sampled
- Personnel contact information
  - 15 personnel sampled for LT Services including existing and terminated personnel
  - 37 total personnel sampled from subcontractors including existing and terminated personnel
- Documentation supporting the classification of personnel as employees or contractors
- Documentation supporting personnel terminations (voluntary and involuntary)
  - Three personnel sampled from LT Services
  - 15 personnel sampled from subcontractors

The following additional documentation was requested from LT Services for detailed audit procedures:

- Evidence of all required personnel rights communications
- Listing of all subcontractors of LT Services who have worked at GMU during the audit period
  - Ten subcontractors sampled for testing
- Transaction listing showing payments to sampled subcontractors during the audit period

- 15 transactions sampled
- Subcontractor invoices for services performed at GMU
  - 15 total invoices sampled
- Banking records indicating the date payment was made

Baker Tilly also attempted to perform interviews with a sample of 15 personnel from LT Services and a sample of 37 personnel from the ten subcontractors. Baker Tilly completed interviews with 12 personnel from LT Services and 6 personnel from subcontractors. As part of the interview process Baker Tilly discussed the following topics to gain additional insights into the practices of LT Services and its subcontractors:

- Health and Safety requirements including formal training and communications around PPE and other safety requirements
- Understanding of COVID-19 policies and procedures of both their employer and GMU
- Understanding of reason for termination (voluntary and involuntary) including if retaliation was possible (terminated personnel only)
- Complaints filed including understanding of the process for submitting a complaint and resolution of complaints if applicable
- Policies and procedures for recording time
- Working arrangement with employer and working environment

Baker Tilly summarized observations and recommendations by entity and by testing area. Refer to Work Performed, Observations and Recommendations section starting on page nine of the report for the detailed summary.

## Conclusion

Baker Tilly was able to complete all audit procedures over LT Services with one exception:

- Four of the 15 LT Services personnel selected for interviews separated from LT Services during the audit period or shortly after. Baker Tilly was not able to get in contact with three of the personnel despite making at least three attempts to call each individual directly. Baker Tilly was able to perform an interview with one of the personnel who had quit during the audit period.

Audit procedures performed over LT Services revealed two observations:

- Two of 15 payments made by LT Services to subcontractors were made late (both 59 days after the invoice date or service date; compared to our estimated reasonable expectation set at 45 days)
- Two of 11 personnel interviewed (1 personnel interviewed quit prior to 2020) indicated that they had not received formal training on health and safety requirements within the prior year

Baker Tilly was not able to complete all audit procedures over nine of ten subcontractors sampled. Nine of ten sampled subcontractors were not able to provide the necessary documentation (e.g., payroll records and/or personnel timesheet records) to execute our planned audit procedures. As such, Baker Tilly was unable to complete the objectives of the audit for these subcontractors.

Baker Tilly spoke directly with eight of the ten subcontractors selected for testing. Baker Tilly was unable to directly contact two of the ten subcontractors<sup>1</sup>. During discussions with the eight subcontractors Baker Tilly confirmed the following:

- Six of the eight subcontractors do not have payroll records for the sampled payroll period
- One of the eight subcontractors indicated that they have payroll records; however, despite following up with subcontractor at least three times, Baker Tilly was unable to obtain these records
- One of the eight subcontractors indicated that they did not have banking records
- Six of the eight subcontractors indicated that they do not have personnel timekeeping records

Baker Tilly selected a sample of 37 subcontractor personnel (current and terminated) to perform interviews. Baker Tilly was unable to perform interviews for 31 of the 37 personnel selected for interviews. Below is a summary of why no interview was performed for the personnel:

- Contact information was not provided to Baker Tilly for 21 of the personnel despite Baker Tilly attempting to follow up and obtain the information at least three times
- Baker Tilly either received incorrect contact information or their contact information changed subsequent to termination (voluntary and involuntary) for two of the personnel
- Baker Tilly provided voicemails to four personnel; however never received a response despite following up with personnel at least three times; All voicemails were provided in the personnel's primary language as indicated by the subcontractor
- Baker Tilly contacted one personnel who requested to call back another time however a call back was not received; Baker Tilly attempted to follow up with the personnel
- Baker Tilly was unable to leave a voicemail for three of the personnel as their mailbox was noted as full or not set up, thus a message could not be provided

Audit procedures completed over one of the ten subcontractors indicated the following:

- Four of 17 personnel tested had differences between time card hours recorded and hours recorded in the payroll records. Three of the four personnel had more hours noted per the payroll records than what was noted per the time card detail. One of the four personnel had less hours noted per the payroll records than what was noted per the time card detail.
- Two of three personnel interviewed indicated that they had not received formal training on health and safety requirements within the prior year.
- Based upon the review of documentation received and interviews performed with three personnel, Baker Tilly noted personnel may be classified as independent contractors but appear to be working as employees.

As a result of the items noted above, Baker Tilly has summarized all procedures performed as well as those that have not been performed within the following pages of the report.

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<sup>1</sup> One of the subcontractors selected during the audit period was dissolved as of 12/31/2020. A new subcontractor company was created effective 1/1/2021 and all personnel from the dissolved company were hired to continue working for the new company. Baker Tilly considered both companies as one sample for testing. Baker Tilly was unable to speak directly with this subcontractor due to medical circumstances. Additionally, Baker Tilly was unable to contact one other subcontractor despite multiple attempts.

## Work Performed, Observations and Recommendations

The matrices below outline the relevant compliance requirements that LT Services and its subcontractors must adhere to; along with the testing procedures performed by Baker Tilly, and any related observations and recommendations identified.

### LT Services

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Contractor Compliance with Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)	1.1: Verify that the hourly rate paid by LT Services is at or above the minimum wage requirement per 29 CFR Part 531 at the time of payment.	<ul style="list-style-type: none"> <li>- Selected a sample of five pay periods during the audit period (7/1/2019 - 2/28/2021).</li> <li>- For each sample selection, obtained a copy of the payroll register from LT Services.</li> <li>- For each payroll register received, recalculated the hourly rate of each personnel to verify that all personnel were paid at least the federal minimum wage (\$7.25).</li> </ul>	None	None
	1.2: Verify that any overtime hours noted per personnel timekeeping records was appropriately paid as such and reflected in the payroll register from LT Services.	<ul style="list-style-type: none"> <li>- Obtained all completed personnel timecards for each pay period (using same data from Objective 1.1).</li> <li>- Reviewed the timecards to determine which personnel worked overtime hours.</li> <li>- Compared the timecards for personnel with overtime pay against the payroll registers and verified if the overtime pay was correctly calculated and paid in line with timecards.</li> </ul>	None	None
	1.3: Verify earnings codes are appropriately recorded in the payroll records for applicable FLSA overtime provisions.	<ul style="list-style-type: none"> <li>- Reviewed earnings codes in the payroll register (using same data from Objective 1.1) to ensure that earnings codes are assigned appropriately and are compliant with FLSA.</li> </ul>	None	None
	1.4: Verify time and attendance policies surrounding breaks, meals, on call, time off, etc. are in compliance with FLSA overtime provisions.	<ul style="list-style-type: none"> <li>- Obtained LT Services policies and procedures surrounding time and attendance.</li> <li>- Reviewed the policies to verify compliance with FLSA requirements of where OT and calculations are required.</li> </ul>	None	None
	1.5: Verify that personnel hours worked as recorded in timecards/time sheets were accurately reflected in the payroll records.	<ul style="list-style-type: none"> <li>- Reviewed all records from each pay period and verified if the personnel time was completely and accurately recorded in the payroll register (using same data from Objective 1.1).</li> </ul>	None	None

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Contractor Compliance with Specific George Mason Policies	2.1: Verify that LT Services is complying with George Mason's COVID-19 Public Health and Safety Requirements.	<ul style="list-style-type: none"> <li>- Obtained a copy of LT Services written respiratory protection program.</li> <li>- Obtained a copy of all other LT Services health and safety related policy and procedure documents</li> <li>- Reviewed the written program requirements to verify if they require all contractors and subcontractors who serve on any university campus to adhere to the following:               <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> </li> <li>- Interviewed a sample of LT Services personnel who have worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed.</li> </ul>	None	None
	2.2: Verify that personnel have been trained on health and safety requirements including the proper use of protective equipment.	<ul style="list-style-type: none"> <li>- Obtained a copy of LT Services' training material used to educate personnel on the use of protective equipment.</li> <li>- Verified if the training materials address key points of the respiratory protection program.</li> <li>- Determined which LT Services personnel require training and the required cadence of training through inquiry with LT Services.</li> <li>- Interviewed 11 LT Services personnel who have worked on any GMU campus during the audit period (adjusted for COVID-19 implementation timeframe) to inquire if personnel were being properly trained on policies and use of equipment.</li> </ul>	Baker Tilly noted per discussion with LT Services that personnel completion of annual training is tracked and monitored for new hires only and is not formally documented for completion beyond the new hire process. As such, Baker Tilly relied upon the responses of personnel during interviews to determine if training had been completed during 2020. Additionally, per interviews performed with LT Services personnel, Baker Tilly noted that two out of 11 personnel indicated that they had not received training during 2020 on health and safety requirements.	LT Services should ensure that all personnel receive training on health and safety requirements at least annually. Additionally, LT Services should consider implementing a tracking system to monitor which personnel have or have not completed necessary trainings during the year.

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Contractor Compliance with Specific State and Federal Laws	3.1: Verify that hourly personnel were paid at least once every two weeks or twice in each month.	<ul style="list-style-type: none"> <li>- Obtained a listing of all LT Services hourly personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of 15 hourly personnel from the population received.</li> <li>- Obtained two subsequent payroll registers for the personnel selected (different pay periods for each sample).</li> <li>- Reviewed the payroll registers for each sample to ensure that the personnel were paid at least once every two weeks or twice in each month (Once per each payroll register).</li> </ul>	None	None
	3.2: Verify that salaried personnel were paid at least once per month.	<ul style="list-style-type: none"> <li>- Obtained a listing of all LT Services salaried employees who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected the entire population for testing as only one salaried employee was noted on the population received.</li> <li>- Obtained payroll records for the employee selected.</li> <li>- Reviewed the payroll records to determine if the employee was paid at least once a month.</li> </ul>	None	None
	3.3: Verify that a sample of LT Services personnel have been appropriately classified as either an employee or an independent contractor.	<ul style="list-style-type: none"> <li>- Selected a sample of 15 personnel.</li> <li>- Determined if the sampled personnel are classified as an employee or independent contractor.</li> <li>- For the samples selected obtained documentation supporting the classification of employee.</li> <li>- Determined if the employees are appropriately classified.</li> </ul>	None	None
	3.4: Verify that terminated or suspended personnel have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- Obtained a listing of all LT Services personnel who were suspended or terminated (voluntarily and involuntarily) during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected the entire population for testing as three personnel were included on the listing.</li> <li>- Obtained supporting documentation to verify that all terminations or suspensions were supported by appropriate documentation.</li> </ul>	None	None

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Contractor Compliance with Specific State and Federal Laws	3.5: Determine if documented personnel complaints or reports resulted in terminations or suspensions from LT Services.	<ul style="list-style-type: none"> <li>- Obtained a listing of all complaints or reports filed by LT Services personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Reviewed the listing received noting no formal complaints were reported during the audit period.</li> <li>- Attempted to perform interviews with all suspended or terminated personnel to determine if they had filed a complaint. Baker Tilly completed an interview with one personnel noting the employee quit and did not file a formal complaint. Baker Tilly was unable to perform interviews with two of the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
Contractor Compliance with Wage Theft Laws	4.1: Verify that LT Services paid personnel wages in a timely manner (e.g., within 30 days).	<ul style="list-style-type: none"> <li>- For the five pay periods selected as part of objective 1, obtained the bank statements for the payroll account showing the date of payments from the bank.</li> <li>- Compared the bank statements received to the payroll registers to verify that personnel were paid in a timely manner.</li> </ul>	None	None
	4.2: Verify that any LT Services personnel who filed wage claims and were later terminated have supporting documentation supporting the reason for termination.	<ul style="list-style-type: none"> <li>- Reviewed the listing received from objective 3.5 to determine if any formal complaints related to wage claims</li> <li>- Determined that no formal wage claims were filed during the audit period.</li> <li>- Reviewed supporting documentation received at objective 3.4 to verify that no terminations appeared to be related to wage claims.</li> <li>- Attempted to perform interviews with all terminated personnel to determine if they had filed a wage claim. Baker Tilly was unable to perform interviews with the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Contractor Compliance with Wage Theft Laws	4.3: Verify that the payments made to subcontractors by LT Services were made in a timely manner (e.g., within 45 days or per subcontract agreement terms).	<ul style="list-style-type: none"> <li>- Obtained a listing of all payments made to subcontractors during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of 15 payments to the five subcontractors selected for testing.</li> <li>- For the samples selected, obtained the subcontractor invoice detailing the service period and total cost.</li> <li>- For the samples selected, obtained documentation supporting the date of payment including bank statement support and check copies.</li> <li>- Reviewed the support received to verify that payments made to subcontractors were made in a timely manner.</li> </ul>	Baker Tilly noted per review of all documentation received that two of the payments provided to one subcontractor did not appear to be made in a timely manner. Baker Tilly noted that payment was made 59 days after the date of the invoice for both samples.	LT Services should ensure that all subcontractors are paid in a timely manner given all circumstances within the contract agreement are met. LT Services should ensure that all invoices received by subcontractors are time stamped to indicate the date of receipt. This will help verify any invoices that are received well after the invoice date are not considered untimely if paid within a reasonable time frame after receipt.
	4.4: Verify that the payments made to subcontractors by LT Services were complete and accurate.	<ul style="list-style-type: none"> <li>- Reviewed the banking support against the vendor invoice to verify that all payments made were complete and accurate.</li> <li>- Reviewed additional documentation reconciling vendor invoices against payments made for completeness and accuracy.</li> </ul>	None	None
Contractor Compliance with National Labor Relations Act	5.1: Verify that the National Labor Relations Act is appropriately communicated to all personnel.	<ul style="list-style-type: none"> <li>- Obtained evidence to determine if appropriate communications are made to all personnel or that communications are posted in a conspicuous location for all LT Services personnel to see.</li> </ul>	None	None

## Subcontractors

### Subcontractor 1

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)	6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</li> <li>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:               <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> </li> <li>- Attempted to interview a sample of three subcontractor personnel who had worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed. Baker Tilly was unable to contact any of the sampled personnel.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were employees.</li> <li>- Attempted to obtain additional documentation supporting the classification of personnel. Baker Tilly was unable to obtain documentation to support the determination.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected the entire population for testing as there was only one personnel included on the listing.</li> <li>- For the sample selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Obtained a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Reviewed the listing received noting no formal complaints were reported during the audit period.</li> <li>- Attempted to perform interviews with all sampled suspended or terminated personnel to determine if they had filed a complaint. Baker Tilly was unable to perform interviews with the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 2**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</li> <li>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:               <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> </li> <li>- Attempted to interview a sample of three subcontractor personnel who had worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed. Baker Tilly was unable to contact any of the sampled personnel.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were employees.</li> <li>- Attempted to obtain additional documentation supporting the classification of personnel. Baker Tilly was unable to obtain documentation to support the determination.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected the entire population for testing as there was only one personnel included on the listing.</li> <li>- For the sample selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Obtained a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Reviewed the listing received noting no formal complaints were reported during the audit period.</li> <li>- Attempted to perform interviews with all sampled suspended or terminated personnel to determine if they had filed a complaint. Baker Tilly was unable to perform interviews with the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 3**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Baker Tilly was unable to get in contact with the subcontractor and was not able to obtain the required documentation.</li> <li>- Baker Tilly was not able to review any program requirements to determine if personnel were required to adhere to the following:               <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> </li> <li>- Baker Tilly was not able to obtain required documentation to attempt to interview personnel.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly was unable to discuss with the subcontractor whether their personnel are classified as employees or independent contractors.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected a sample of 3 personnel for testing as there was only one personnel included on the listing.</li> <li>- For the sample selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Obtained a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Reviewed the listing received noting no formal complaints were reported during the audit period.</li> <li>- Attempted to perform interviews with all sampled suspended or terminated personnel to determine if they had filed a complaint. Baker Tilly was unable to perform interviews with the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 4**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<p>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</p> <p>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:</p> <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> <p>- Attempted to interview a sample of four subcontractor personnel who had worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed. Baker Tilly was unable to contact three of the sampled personnel. Baker Tilly was able to interview one personnel who indicated that they were aware of and that LT Services policies were enforced.</p>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that some personnel were employees and others are independent contractors.</li> <li>- Attempted to obtain additional documentation supporting the classification of personnel. Baker Tilly was unable to obtain documentation to support the determination.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected the entire population for testing as there was only one personnel included on the listing.</li> <li>- For the sample selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Obtained a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Reviewed the listing received noting no formal complaints were reported during the audit period.</li> <li>- Attempted to perform interviews with all sampled suspended or terminated personnel to determine if they had filed a complaint. Baker Tilly was unable to perform interviews with the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 5**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<p>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</p> <p>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:</p> <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> <p>- Attempted to interview a sample of six subcontractor personnel who had worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed. Baker Tilly was unable to contact four of the sampled personnel. Baker Tilly was able to interview two personnel who indicated that they were aware of and that LT Services policies were enforced.</p>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were employees.</li> <li>- Attempted to obtain additional documentation supporting the classification of personnel. Baker Tilly was unable to obtain documentation to support the determination.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected a sample of 3 personnel for testing as there was only one personnel included on the terminations listing.</li> <li>- For the sample selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Obtained a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Reviewed the listing received noting no formal complaints were reported during the audit period.</li> <li>- Attempted to perform interviews with all sampled suspended or terminated personnel to determine if they had filed a complaint. Baker Tilly was unable to perform interviews with the personnel despite at least three attempts to reach out to them.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 6**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)	6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<p>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</p> <p>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:</p> <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> <p>- Baker Tilly was unable to obtain a listing of the subcontractor's employees despite multiple requests. As such, Baker Tilly was unable to complete the testing objective.</p>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, requested a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021) noting that no listing was provided despite multiple attempts.</li> <li>- Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were employees.</li> <li>- Baker Tilly was unable to obtain any documentation supporting employee or independent contractor classifications. As such, Baker Tilly was unable to evaluate and perform testing procedures for this subcontractor's personnel.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, requested a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Baker Tilly was unable to obtain a listing of terminated and suspended personnel from the subcontractor.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Requested a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Baker Tilly noted per discussion with the subcontractor that no employee complaints were filed during the audit period. No formal listing could be obtained from the subcontractor.</li> <li>- Baker Tilly was unable to perform interviews with terminated or suspended personnel as no listing could be obtained from the subcontractor.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 7**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<p>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Baker Tilly was unable to get in contact with the subcontractor and was not able to obtain the required documentation.</p> <p>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:</p> <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> <p>- Baker Tilly was unable to obtain a listing of the subcontractor's employees despite multiple requests. As such, Baker Tilly was unable to complete the testing objective.</p>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, requested a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Baker Tilly was unable to obtain a listing of the subcontractor's personnel who have worked on any GMU campus during the audit period. As such, Baker Tilly was unable to complete the testing objective.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, requested a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Baker Tilly was unable to obtain a listing of the subcontractor's personnel who have worked on any GMU campus during the audit period. As such, Baker Tilly was unable to complete the testing objective.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Requested a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Baker Tilly was unable to obtain of complaints or reports filed by the subcontractor personnel during the audit period. As such, Baker Tilly was unable to complete the testing objective.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 8**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)	6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was not obtained from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was not able to obtain any timecard records from the subcontractor.</li> <li>- Baker Tilly could not review timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as neither the payroll records nor personnel timecards could be obtained. As neither the payroll records nor personnel timecards could be obtained.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.	<ul style="list-style-type: none"> <li>- Baker Tilly could not complete the testing objective as all records requested as part of objectives 6.1 and 6.2 above could not be obtained.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</li> <li>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:               <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> </li> <li>- Baker Tilly was unable to obtain a listing of the subcontractor's employees despite multiple requests. As such, Baker Tilly was unable to complete the testing objective.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were subcontractors.</li> <li>- Baker Tilly was unable to obtain any documentation supporting employee or independent contractor classifications. As such, Baker Tilly was unable to evaluate and perform testing procedures for this subcontractor's personnel.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected a sample of one personnel for testing as there was only one personnel included on the terminations listing.</li> <li>- For the sample selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

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Compliance Requirement	Objective	Work Performed	Observations	Recommendations
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Requested a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Baker Tilly noted per discussion with the subcontractor that no employee complaints were filed during the audit period. No formal listing could be obtained from the subcontractor.</li> <li>- Baker Tilly attempted to perform interviews with terminated/suspended personnel however Baker Tilly was unable to obtain contact information from the subcontractor despite attempting to obtain multiple times.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 9**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly was unable to obtain a payroll register from the subcontractor.</li> <li>- Baker Tilly was unable to review a payroll register to recalculate hourly wages and verify if all personnel were paid at least the federal minimum wage (\$7.25 an hour).</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was able to obtain three of seven timecard records from the subcontractor. One sampled personnel was paid a flat rate and thus did not have a timecard available.</li> <li>- Baker Tilly reviewed the timecards to determine which personnel worked overtime hours.</li> <li>- Baker Tilly could not compare the timecards for personnel with overtime pay against the payroll registers to verify if the overtime pay was correctly calculated and paid as payroll records could not be obtained.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<ul style="list-style-type: none"> <li>- Baker Tilly obtained timecard and a copy of the related check payment for three of seven personnel. Baker Tilly was unable to obtain all records for personnel and thus could not complete the audit objectives.</li> <li>- Baker Tilly compared the wages owed per the personnel time record to the wages paid per the check for all three sampled personnel and noted all three were paid accurately based on their time record.</li> </ul>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>	<p>N/A – Baker Tilly was unable to complete the testing objective</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<p>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</p> <p>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:</p> <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> <p>- Attempted to interview a sample of three subcontractor personnel who had worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed. Baker Tilly was unable to contact two of the sampled personnel. Baker Tilly was able to interview one personnel who indicated that they were aware of and that LT Services policies were enforced.</p>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were employees.</li> <li>- Attempted to perform an interview with the selected samples. Baker Tilly was unable to interview two of the personnel selected despite attempting to reach out to them at least three times.</li> <li>- Baker Tilly performed an interview with one of the sampled personnel. Baker Tilly noted per interview results and review of payroll records that the personnel may not be classified appropriately.</li> </ul>	Baker Tilly noted per interviews with subcontractor personnel that, while these individuals were classified as independent contractors, certain elements of their work situation (e.g., supplier of tools, basis of payment, extent of control over work performed, etc.) indicated that they would be more properly classified as employees. As independent contractors, the personnel were not paid overtime. Based upon review of the personnel time cards and payroll records, some personnel would have qualified for overtime pay if classified as an employee.	Baker Tilly would recommend a further investigation into the classification of the subcontractor's personnel to determine if non-compliance with state and federal laws exists.
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected a sample of 3 personnel for testing</li> <li>- For the samples selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

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Compliance Requirement	Objective	Work Performed	Observations	Recommendations
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Requested a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Baker Tilly noted per discussion with the subcontractor that no employee complaints were filed during the audit period. No formal listing could be obtained from the subcontractor.</li> <li>- Baker Tilly attempted to perform interviews with terminated/suspended personnel however Baker Tilly was unable to obtain contact information from the subcontractor despite attempting to obtain multiple times.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

**Subcontractor 10**

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
<p>Subcontractor Compliance with the Fair Labor Standards Act Wage Payments Provisions (29 CFR Part 531) and Overtime Provisions (29 CFR Part 778)</p>	<p>6.1: Verify that subcontractors are paying personnel an hourly rate that is at or above the minimum wage requirement.</p>	<ul style="list-style-type: none"> <li>- For each subcontractor, selected one pay period.</li> <li>- For the pay period selected, attempted to obtain the subcontractors' payroll register for the period. Baker Tilly noted a complete payroll register was obtained from the subcontractor for the pay period.</li> <li>- Baker Tilly reviewed a payroll register to recalculate hourly wages and verified that all personnel were paid at least the federal minimum wage (\$7.25 an hour) with the exception of one personnel who was paid a flat rate.</li> </ul>	<p>None</p>	<p>None</p>
	<p>6.2: Verify that any overtime hours noted per subcontractors' personnel records was appropriately paid as such and reflected in the payroll register.</p>	<ul style="list-style-type: none"> <li>- Attempted to obtain all completed personnel timecards for the pay period selected. Baker Tilly was able to obtain 15 timecard records from the subcontractor out of 17 personnel on the payroll register. Baker Tilly noted one of the personnel was paid a flat rate and thus did not have a time card available and one personnel was on vacation and thus did not have the documentation required.</li> <li>- Baker Tilly reviewed timecards to determine which personnel worked overtime hours.</li> </ul> <p>Baker Tilly noted that all 17 employees were considered contractors by the subcontractor; thus, they are not paid overtime. All hours noted per the time card were considered regular time, thus time was considered recorded accurately despite the personnel working more than 40 hours in a 7 day stretch per the time records. One of the 17 employees was paid a flat rate.</p>	<p>None</p>	<p>None</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
	<p>6.3: Verify that subcontractor personnel hours worked as recorded were accurately reflected in their corresponding payroll records.</p>	<p>- Baker Tilly obtained timecard and a copy of the related check payment for 15 of 17 personnel. Baker Tilly noted one personnel was on vacation during the time period and did not have recorded time, while one other personnel (also the owner) was paid a flat rate and thus did not have time records. - Baker Tilly compared the wages owed per the personnel time record to the wages paid per the check for all 15 personnel.</p>	<p>Four of 15 personnel tested had differences between time card hours recorded and hours recorded in the payroll records. Three of the four personnel had more hours noted per the payroll records than what was noted per the time card detail. One of the four personnel had less hours noted per the payroll records than what was noted per the time card detail. All personnel were paid in agreement with payroll records.</p>	<p>Baker Tilly recommends that that the subcontractor utilizes an electronic time record system to ensure time recorded is accurate. Additionally, Baker Tilly also recommends reviewing pay records to ensure all personnel are being paid appropriately.</p>

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific George Mason Policies	7.1: Verify that subcontractors are complying with George Mason's COVID-19 Public Health and Safety Requirements.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, attempted to obtain a copy of their written respiratory protection program as well as other health and safety policy and procedure documents. Per discussion with the subcontractor, Baker Tilly determined that the subcontractor relied on LT Services policies and procedures and that all personnel are required to adhere to them.</li> <li>- Baker Tilly noted the program requirements reviewed as part of objective 2.1 above required personnel to adhere to the following:               <ul style="list-style-type: none"> <li>o Adherence to University Guidelines</li> <li>o Daily Self Screening</li> <li>o Isolation and Quarantine</li> <li>o Reporting to the University</li> <li>o Personnel Education and Training</li> <li>o Modifications to Work Locations</li> </ul> </li> <li>- Attempted to interview a sample of three subcontractor personnel who had worked on any GMU campus during the audit period (adjusted for COVID-19 policy implementation timeframe) to inquire if the above requirements were being enforced and followed. Baker Tilly was unable to contact one of the sampled personnel. Baker Tilly was able to interview two personnel who indicated that they were aware of and that LT Services policies were enforced.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
Subcontractor Compliance with Specific Federal and State Laws	8.1: Verify that a sample of subcontractor personnel have been appropriately classified as either an employee or an independent contractor according to federal and state law.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of the subcontractors' personnel who have worked on any GMU campus during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Selected a sample of three personnel from the subcontractor.</li> <li>- For the samples selected Baker Tilly discussed with the subcontractor whether their personnel are classified as employees or independent contractors. Baker Tilly noted the subcontractor indicated that all personnel were contractors.</li> <li>- Attempted to perform an interview with the selected samples. Baker Tilly was unable to interview one of the personnel selected despite attempting to reach out to them at least three times.</li> <li>- Baker Tilly performed an interview with two of the samples' personnel. Baker Tilly noted per interview results and review of payroll records that the personnel may not be classified appropriately.</li> </ul>	Baker Tilly noted per interviews with subcontractor personnel that, while these individuals were classified as independent contractors, certain elements of their work situation (e.g., supplier of tools, basis of payment, extent of control over work performed, etc.) indicated that they would be more properly classified as employees. As independent contractors, the personnel were not paid overtime. Based upon review of the personnel time cards and payroll records, some personnel would have qualified for overtime pay if classified as an employee.	Baker Tilly would recommend a further investigation into the classification of the subcontractor's personnel to determine if non-compliance with state and federal laws exists.
	8.2: Verify that subcontractor personnel separated (both voluntarily and involuntarily) have documentation supporting the basis for the termination or suspension.	<ul style="list-style-type: none"> <li>- For the subcontractor selected, obtained a listing of all terminated and suspended personnel who have worked on any GMU campus during the audit period (7/1/2019 – 2/28/2021).</li> <li>- Selected a sample of two personnel for testing as there were only two personnel included on the terminations listing.</li> <li>- For the samples selected, attempted to obtain supporting documentation to verify the reasoning for the termination or suspension.</li> <li>- Baker Tilly was unable to obtain documentation to verify if termination/suspension was supported.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

Compliance Requirement	Objective	Work Performed	Observations	Recommendations
	8.3: Determine if any subcontractor personnel complaints or reports resulted in terminations or suspensions.	<ul style="list-style-type: none"> <li>- Requested a listing of all complaints or reports filed by the subcontractor personnel during the audit period (7/1/2019 - 2/28/2021).</li> <li>- Baker Tilly noted per discussion with the subcontractor that no employee complaints were filed during the audit period. No formal listing could be obtained from the subcontractor.</li> <li>- Baker Tilly attempted to perform interviews with terminated/suspended personnel however Baker Tilly was unable to obtain contact information from the subcontractor despite attempting to obtain multiple times.</li> </ul>	N/A – Baker Tilly was unable to complete the testing objective	N/A – Baker Tilly was unable to complete the testing objective

## Contact Information

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