

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Esther B. Clarke, Complainant) Report of Hearing Officer
against) Docket #FIC76-150
Town of East Hartford and) October 20, 1976
Mayor of the Town of East
Hartford, Respondents)

The above captioned matter was heard as a contested case on October 6, 1976, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as defined by §1(a) of P.A. 75-342.
2. By memoranda to the respondent mayor dated August 24, 1976 and August 25, 1976 respectively, the complainant requested the resident addresses of all the youth employed by the respondent town. The complainant further requested the identity of those youths employed who are related, either by blood or marriage, to other full-time employees or elected or appointed officials of the respondent town.
3. By letter dated August 26, 1976, respondent mayor denied this request, and the complainant appealed to this Commission by letter filed August 31, 1976.
4. At the hearing on this complaint, the respondent town admitted that it has in its possession documents which contain the information requested. The respondents contend that such documents form a part of the personnel file of each employee.
5. The respondents also contend that disclosure of the requested documents is not required under §2(b)(1) of P.A. 75-342 in that they form personnel or similar files, the disclosure of which would constitute an invasion of privacy.
6. It is found that the aforesaid documents are public records within the meaning of §1(d) of P.A. 75-342 and disclosure of the names and addresses of the aforementioned town employees would not constitute an invasion of privacy within the meaning of §2(b)(1) of P.A. 75-342.

7. It is further found that the disclosure of those employees by name who have relatives also employed by the respondent town would constitute an invasion of privacy within the meaning of §2(b)(1) of P.A. 75-342.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondents shall forthwith provide the complainant with the addresses of the respondents employees as stated hereabove.

2. If this information is not available in a document amenable to public disclosure because those documents in which it is contained have other exempt material which cannot be easily covered and copied, this must be accomplished by some process of abstraction.

3. Nothing herein shall be construed as requiring disclosure of information exempt under P.A. 75-342, except as provided in paragraph 1 of this Order.


4. This decision is limited by the application of P.A. 75-342. Therefore, a greater degree of disclosure may be prescribed by local law.



Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on October 27, 1976.



Louis J. Tapoga,
Clerk of the Commission