

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Municipal Employees' Group, Inc.;
Patricia Mozzer; and Wesley Gryk,
Complainants

Report of Hearing Officer

against

Docket #FIC79-179

Town of Manchester; Controller
of the Town of Manchester; Per-
sonnel Supervisor, Town of
Manchester; and General Manager,
Town of Manchester,

February 13, 1980

Respondents

The above captioned matter was heard as a contested case on November 14, 1979, at which time the complainants and respondents appeared and presented testimony, exhibits, and testimony on the complaint.

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

1. The respondents are public agencies within the meaning of §1-18a(a), G.S.
2. By letters dated August 3, 1979 the complainants, through their attorney, requested copies of personal activity forms (hereinafter "PAF") as they pertain only to their classification and pay schedule for ten specific employees of the town of Manchester as well as "any and all other employees of the Town of Manchester."
3. By letter dated August 8, 1979, said request was denied by the director of finance on the ground that the documents requested were exempt under §1-19(b)(2) and §1-19(b)(4), G.S.
4. By letter filed with this Commission August 21, 1979, the complainants appealed to the Commission.
5. The records requested by the complainants are forms used by the town of Manchester to summarize some of the employment history of their employees.
6. The complainants desire information which shows classification and pay schedules in relation to wage and step.
7. The information which is sought by the complainants appears on the upper half of the PAF.
8. §1-19(b)(2), G.S. provides that a public agency may choose not to disclose personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy.

9. The upper half of the PAF contains the names and addresses of employees; certain coded information; title and classification number; department and/or division; hours per week; salary expressed in hourly, bi-weekly, and annual rates; duration of employment, date of employment; names of employees performing similar work; the preferred methods of filling the position; and information to be filled in by the employee regarding reasons for resignation and whether the refund of pension benefits is desired.

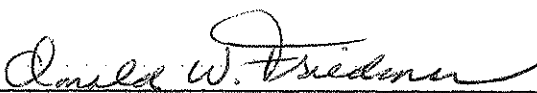
10. It is found that the respondents failed to prove that disclosure of the upper half of the PAF would constitute an invasion of personal privacy.

11. §1-19(b)(4), G.S. provides that a public agency may choose not to disclose records pertaining to strategy and negotiations with respect to pending claims and litigation to which the public agency is a party until such claim has been finally settled or adjudicated.

12. It is found that the contents of the upper half of the PAF do not constitute records pertaining to strategy and negotiations with respect to pending claims or litigation within the meaning of §1-19(b)(4), G.S.

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

1. The respondents shall provide the complainants with copies of the upper half of each PAF requested in the letter of August 3, 1979, within two weeks of the receipt of this final decision.



Commissioner Donald Friedman
as Hearing Officer

Approved by order of the Freedom of Information Commission on February 27, 1980.



Leslie Ann McGuire
Clerk of the Commission