

January 29, 2016

VIA E-MAIL

Mr. Justin Schwartz, Attorney
Law Office of Justin Schwartz
Email: justinschwartzesq@gmail.com

RE: 16-FOIA-006 [REDACTED] Disciplinary Record

Dear Mr. Schwartz:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

On January 14, 2016, we received your request for the employee disciplinary records for Conductor [REDACTED], for the entire duration of his employment with Metra. Specifically, you requested information including:

- 1) Any and all records of complaints made against him by passengers, Metra employees, supervisors, or anyone else addressing his conduct in an official capacity as a Metra employee;
- 2) The dates and outcome of any hearings conducted by Metra or its administrative or adjudicate bodies, as well as records of any court proceedings Metra has on file, concerning possible disciplinary conduct against him and the nature of the charges raised at such hearings, and reports of any and all disciplinary, administrative, or legal action (including any judgments against him for misconduct) to which he was subjected; and
- 3) Official statements of Metra policies regarding reports of claims of injury to an employee, however incurred, incurred any policy statements in an employee handbook or other document

(“Request”).

After performing a diligent search of Metra’s records, we have been unable to locate any records responsive to your Request for the employee disciplinary records of Conductor [REDACTED] for the entire duration of his employment with Metra. A review of [REDACTED]’ employee file did not produce any such disciplinary records. Further, under Section 8 of the Personnel Record Review Act it states, “An employer shall review a personnel record before releasing information to a third-party and, except when the release is ordered to a party in a legal action or arbitration, delete disciplinary reports, letters of reprimand, or other records of disciplinary action which are more than 4 years old.” (820 ILCS 40/8).

As for official statements of Metra policies regarding reports of claims of injury to an employee, however incurred, any policy statements in an employee handbook or other document; Metra’s Risk Department has advised that no such official statements of Metra policies or any policy statements in an employee handbook or other document exists regarding reports of claims of injury to an employee.

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If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. E. Haton".

Kathleen E. Haton
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642