



September 28, 2016

**VIA E-MAIL**

Mr. Brendan Bakala

Illinois Policy Institute

Email: [research@illnoispolicy.org](mailto:research@illnoispolicy.org)

RE: 16-FOIA-231 Various Documents

Dear Mr. Bakala:

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

**I. Background**

On September 15, 2016, we received your request for:

- Documents showing the employee number, first names, middle initials and last names as well as departments, title and gross pay of Metra employees from 2007 to 2010 by year; and
- Documents showing the total annual labor costs of Metra employees from 2007 to 2012

(“Request”).

**II. Responsive Documents**

In response to your Request, Metra is providing you with:

- Spreadsheets showing non-contract and contract employee: first names, middle initials, and last names, as well as their department, title, gross pay and overtime, where applicable, as well as the labor costs covering the time period of Y2007 - Y2012. The information for Y2010, 2011 and 2012 were previously provided to you for your FOIA request #16-227

(“Responsive Documents”).

Please note that the contributions made by Metra to the Regional Transportation Authority (“RTA”) pension for the non-contract employees listed in the spreadsheets are not included because such calculations are based on an actuarial calculation of the total pension liability for all eligible Metra non-contract employees. Thus, the calculation is not made on an individual employee basis.

Additionally, contract employees may receive a pension from their collective bargaining unit or a deposit to their 401(k) account, with contributions made by Metra in accordance with an applicable collective bargaining agreement. In these cases, Metra typically pays a flat-fee per hour worked into the appropriate pension fund or 401(k) account. The collective bargaining unit itself is responsible for administration of the pension fund. Thus, when an employee retires, Metra is responsible for no additional payments on their behalf.

### **III. Partial Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain "private information." 5 ILCS 140/7(1)(b). "Private information" is defined as "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal e-mail addresses," as well as home address, and personal license plates. 5 ILCS 140/2(c-5). Accordingly, per Attorney Thomas Stuebner, any such private information within the above-mentioned Responsive Documents has been redacted.

### **IV. Right of Review**

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor ("PAC") of the Illinois Attorney General's Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us).

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

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

Sincerely,



Kathleen E. Haton  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)

Attachments