



November 9, 2016

**VIA E-MAIL**

Ms. Marni Pyke

Daily Herald

Email: [mpyke@dailyherald.com](mailto:mpyke@dailyherald.com)

RE: 16-FOIA-273 Employee information

Dear Ms. Pyke:

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 October 25, 2016, we received your request for copies of the following records:

- Headcount for both union and non-union employees in 2016 and projected for 2017;
- Cost of salaries for union and non-union 2016/2017;
- Total amount paid to AECOM for 2015 and 2016;
- Copies of AECOM status reports or strategic plan reports;
- Total amount paid to the Bronner Group;
- Copies of audits or reports produced by the Bronner Group;
- Total amount paid to Pulsar in 2016;
- Reports prepared by Pulsar;
- Total amount of new revenue from fare increases in 2015; and
- Estimated cumulative total of new revenue for 2016 of the 2015/2016 fare increases.

(“Request”).

**II. Responsive Documents**

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

- The Regional Transportation Authority (“RTA”) link below which contains a downloadable spreadsheet of Metra employees last name, first, name, department, title, annual salary/hourly rate, year-to-date gross pay, county, position status, current employment status, full-time/part-time status and veteran status for the current year, 2016 and can be accessed here: <http://data.rtachicago.org/dataviews/226044/metra-employees-2016>. Metra intends to add 9 positions in 2017. Please see the below chart for 2016 payroll through 10/31/2016, estimated 2016 and 2017 as well as our projected annual wages for 2017:

<b>Payroll<sup>1</sup></b>	2016 through 10/31	2016 Estimate	2017 Estimate	Estimated Annual Increase
Union	\$153,905,088	\$184,686,105.30	\$ 191,150,118.99	\$6,464,013.69
Non-Union	\$41,043,074	\$49,251,689.11	\$ 50,729,239.79	\$1,477,550.67
Total	\$194,948,162	\$233,937,794.41	\$241,879,358.78	\$7,941,564.36

- Spreadsheet listing the payments to AECOM for 2015 and 2016;
- Spreadsheet listing the payments to Bronner Group, LLC, 2014 to date;
- Spreadsheet listing 2016 payments to Pulsar;
- Pulsar Topline Summary Report;
- December 2015 YTD Financials;
- 2015 Fare Increase Schedule; and
- 2016 Fare Increase Schedule.

(“**Responsive Documents**”)

### **III. Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following Documents, or portions of Documents, are exempt from disclosure under certain provisions of FOIA:

1. 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, the user identification and password information contained in the Pulsar Topline Summary Report has been redacted.
2. Additionally, certain personal information, including identify and specific details of focus group members, contained within the Pulsar Topline Summary Report is exempt from disclosure under Section 7(1)(c) of FOIA, which exempts "personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy...." Section 7(1)(c) goes on to say that,

---

<sup>1</sup> Based on 2016 payroll data with previously negotiated wage increases for union workers included. Unionized workers will receive a 3 to 3.5 percent increase in 2017, based on our collective bargaining agreements. These are negotiated by Metra but generally must follow established national labor agreements for the railroad industry. We have made no decisions about the non-union workforce.

"Unwarranted invasion of personal privacy' means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." Therefore, it has been determined that the aforementioned data falls squarely within that definition and its exemption is appropriate under FOIA.

3. Additionally, certain draft reports from AECOM which express recommendations and opinions have been redacted under Section 7(1)(f) of FOIA. Section 7(1)(f) exempts from disclosure any "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated ...[.]" 5 ILCS 140/7(1)(f). As such, Attorney Thomas Stuebner has determined that the aforementioned reports are properly redacted under Section 7(1)(f) of FOIA.
4. Additionally, the Bronner Group, LLC audits or reports are exempt under 5 ILCS 140/7(1)(m), which authorizes exemption from disclosure of "materials prepared or compiled with respect to internal audits of public bodies." As such, Attorney Thomas Stuebner has determined that the aforementioned documents are properly exempted from disclosure under Section 7(1)(m) of FOIA.

#### **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.

Ms. Marni Pyke/Daily Herald  
16-FOIA-273 Employee Information  
Page 4 of 4

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 "S. Hatch".

Sonserese Hatch  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)

Attachments