



September 20, 2019

**VIA E-MAIL**

Mr. James J. Balonek  
Brotherhood of Locomotive  
Engineers and Trainmen  
Email: [jjblet815@comcast.net](mailto:jjblet815@comcast.net)

RE: 19-FOIA-246 Metra and Rail Labor Relations Resources, LLC Contracts

Dear Mr. Balonek:

Metra's FOIA Department ("FOIA Department") is responding to your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* ("FOIA").

**I. Background**

On August 26, 2019, the FOIA Department received your request for "an opportunity to inspect or obtain copies of public records that relate to any and all contracts Metra or Northeast Illinois Regional Commuter Railroad Corporation (NIRC) has entered into with Mr. Milton Siegele (consultant) and Mr. John Hennecke of Rail Labor Relations Resources, LLC; and an opportunity to inspect or obtain copies of public records that show financial payments, including but not limited to, salary, benefits, expenses and other forms of financial compensation and disbursements related to contracts Metra or Northeast Illinois Regional Commuter Railroad Corporation (NIRC) has entered with Mr. Milton Siegele (consultant) and Mr. John Hennecke of Rail Labor Relations Resources, LLC" ("**Request**"). Your Request is granted in part and denied in part.

On September 3, 2019, the FOIA Department contacted you via telephone to ask you to clarify parts of your Request. Specifically, the FOIA Department asked if the financial records you requested would be directly related to the contracts Metra has with Rail Labor Relations Resources, LLC, Mr. M. Siegele, and / or Mr. J. Hennecke. You replied yes. You also informed the FOIA Department that you attempted to locate the contracts online but were unsuccessful. The FOIA Department sent you an email summarizing that conversation which you acknowledged.

On September 10, 2019, the FOIA Department contacted you via email to inform you that the FOIA Department was still in the process of gathering and reviewing records which may be responsive to your Request. The FOIA Department asked if you would allow an extension until Friday, September 20, 2019. On that same date, via email, you agreed to allow the FOIA Department to issue its Response on Friday, September 20, 2019.

**II. Responsive Documents**

In response to your Request, the FOIA Department is providing you with Professional Services Agreements and Purchase Order Nos. PA0000660, PO00046199, PO0049244, PO0055249, PO0053887,

PO0051118 and PO0059002 with M. Siegele Consulting, LLC; PA0000637, PO0000311, PO0008480, and PO0035998 with Rail Labor Relations Resources, LLC; and invoices and an excel sheet detailing payment information with regard to the aforementioned professional services agreements and purchase orders (“**Responsive Documents**”). According to Metra’s Labor Relations department, there has not been any work performed relative to Contract No. PA0000637. As such, there are no invoices or other payment information available in that regard.

## **II. Partial 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 portions of the Responsive Documents are exempt from disclosure under certain provisions of FOIA:

1. The unique identifiers, personal financial information, personal telephone numbers, personal email addresses, and home addresses of the parties mentioned in the Responsive Documents are redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Private information” means 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 email addresses. 5 ILCS 140/2(c-5).
2. Insurance information referenced in the Responsive Documents is redacted under Section 7(1)(s) of FOIA which authorizes units of government to withhold “[a]ny and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications.” 5 ILCS 140/7(1)(s). Accordingly, per Attorney Thomas Stuebner, all information regarding insurance within the Responsive Documents has been redacted.
3. Notes made in the Responsive Documents are redacted in its entirety under Section 7(1)(f) of FOIA. Section 7(1)(f) states records that are, “[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated . . . [.]” are exempt from disclosure. 5 ILCS 140/7(1)(f). The above-referenced email correspondence contains preliminary information and as such, Attorney Aruj Chaudhry has determined their redaction is appropriate under FOIA.

## **III. 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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela K. Ollie".

Angela K. Ollie  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)  
FOIA Hotline #312-663-3642

Attachments