

May 2, 2016

**VIA E-MAIL**

Mr. Vernon L. Coleman, Investigator  
Chicago Fire Department  
Email: [Vernon.Coleman@cityofchicago.org](mailto:Vernon.Coleman@cityofchicago.org)

RE: 16-FOIA-102 Disciplinary Records - [REDACTED]

Dear Mr. Coleman:

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 April 18, 2016, we received your request for copies of public records, specifically, all disciplinary records for [REDACTED], who was employed by Metra (“Request”).

After performing a diligent search of the Metra employee file of [REDACTED], we have been unable to locate any records responsive to your Request for disciplinary records concerning this individual. [REDACTED] was employed with Metra as a member of the brush cutting crew from June to October 2015. His employment was terminated due to the abolishment of the crew at the end of the summer season; Metra does not have any disciplinary records for [REDACTED].

Additionally, please note that information regarding disciplinary action which is more than 4 years old is exempt from disclosure under Section 7(1)(a) of the FOIA. Section 7(1)(a) allows public bodies to withhold, “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.” 5 ILCS 140/7(1)(a). 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.

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

Sincerely,



Kathleen E. Haton  
Freedom of Information Officer  
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