



September 28, 2016

VIA E-MAIL

Mr. Brendan Bakala

Illinois Policy Institute

Email: research@illnoispolicy.org

RE: 16-FOIA-227 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 8, 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 2010 to 2012 by year; and
- Documents showing the total annual labor costs of Metra employees from 2012 to 2014

(“Request”).

I contacted you by phone on September 15, to explain that due to our accounting department migrating payroll to a new accounting system, we would need additional time to respond to your Request. We requested an extension to September 29; however, you explained that you would be more comfortable with only granting an extension to September 22, and should additional time be necessary, to call you to discuss. I contacted you again on September 22, to request another extension to September 29 in order to finalize your Request, and you granted the additional extension.

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 Y2010 - Y2014. The information for Y2014 was previously provided to you for your FOIA request #16-220

(“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.

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

Attachments