



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 27, 2015

VIA ELECTRONIC MAIL

Mr. Adam Andrzejewski
American Transparency 501(c)3
200 West Frontage Road, Suite 304
Burr Ridge, Illinois 60527
adam@openthebooks.com

RE: Freedom of Information Act Request
2015 FOIA 033084

Dear Mr. Andrzejewski:

Thank you for writing to the Office of the Illinois Attorney General with your request for information pursuant to the Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2012)).

In an e-mail received on January 12, 2015, you requested nine categories of records related to Cecilia Abundis.

On January 20, 2015, we advised you that this office had conducted a search, and we located no records responsive to parts 2, 5, and 6 of your request. In the same response, with respect to parts 1, 3, 4, 7, 8, and 9 of your request, we extended the time to respond by five business days as allowed by section 3(e)(v) of FOIA (5 ILCS 140/3(e)(v) (West 2012), as amended by Public Act 98-1129, effective December 3, 2014), because the records required further examination to determine if they were exempt from disclosure or should be released with appropriate redactions. This office has now completed its review.

As an initial matter, please note that for ease of response, we have addressed some parts of your request for records out of sequential order. You requested an electronic copy of the following items:

- (1) PLEASE- Provide the official HRIS (Human Resource Information System) electronic time card daily sign-in**

record from January 1, 2013 to current date for the employees listed below:

Celilia [sic] Abundis

- (3) **PLEASE- Provide the official HRIS (Human Resource Information System) electronic time card daily sign-out record from January 1, 2013 to current date for the employees listed below:**

Cecilia Abundis (Bold and capitalization in original.)

RESPONSE: The records responsive to parts 1 and 3 of your request are enclosed in their entireties. Please note, as stated in this office's previous responses to similar FOIA requests that you have submitted, because many employees do not report to work on weekends or State holidays, the attached HRIS records generally do not include entries for those dates. The records also do not track the use of benefit time (i.e., vacation time, sick time, compensatory time, or personal time). Whether the records contain an entry for days when Ms. Abundis used benefit time will depend on the amount of benefit time used for the specific date. Thus, for example, if Ms. Abundis was on vacation for a week, generally there will be no "sign-ins" or "sign-outs" for that week. But if she used 3 hours of sick time for a doctor's appointment, the record will include a "sign-out" for that day reflecting when she completed work; it will not reflect the hours of benefit time used that day.

Your e-mail received on January 12, 2015, also requests:

- (2) **Please - Provide the Payroll Warrant sheets from Jan 1, 2013 through current time period for the employees listed below:**

Celilia [sic] Abundis (Bold in original.)

RESPONSE: As noted above, on January 20, 2015, this office advised you that we had conducted a search, and we located no records responsive to this portion of your request.

Your e-mail received on January 12, 2015, also requests:

- (4) **Please - Provide any and all official submissions from the Office of Attorney General to the Comptroller required for payroll processing from Jan 1, 2013 through current time period (including but not limited to time sheets, daily attendance records, part-time/full-time employment status, etc.) for the employees listed below:**

Cecilia Abundis

- (8) **In regard to Cecelia [sic] Abundis, please provide all official payroll records submitted to Office of Comptroller from Jan 1, 2013 through current date. (Bold in original.)**

RESPONSE: Parts 4 and 8 of your request are granted in part and denied in part. We have withheld no records. However, we have redacted unique identifiers as "private information" as that term is defined in section 2(c-5) of FOIA (5 ILCS 140/2(c-5) (West 2012), as amended by Public Acts 98-1129, effective December 3, 2014; 98-806, effective January 1, 2015). "Private information" is exempt from disclosure under section 7(1)(b) of FOIA. 5 ILCS 140/7(1)(b) (West 2013 Supp.). Specifically, we have redacted signatures and a social security number. See Ill. Att'y Gen. PAC Req. Rev. Ltr. 12046, issued June 23, 2011.

We have also redacted information pursuant to section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c) (West 2013 Supp.)), as an unwarranted invasion of personal privacy. An "unwarranted invasion of personal privacy" is "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." 5 ILCS 140/7(1)(c) (West 2013 Supp.).

Specifically, we have redacted Federal and state income tax information. "The information in these [records] depends upon circumstances in each employee's life that are highly personal, and the disclosure of this information would be objectionable to a reasonable person. The employees' right to privacy outweighs any legitimate public interest in obtaining this information." Ill. Att'y Gen. PAC Pre-Auth. al12652, issued March 8, 2011; Ill. Att'y Gen. PAC Pre-Auth. ald13029, issued March 28, 2011. Accordingly, this information is exempt from disclosure.

Finally, we have redacted information that is not responsive to your request. Specifically, we have redacted payroll records related to employees not identified in your request. Section 1 of FOIA (5 ILCS 140/1 (West 2012)) provides that "[t]his Act shall be construed to require disclosure of *requested* information[.]" (Emphasis added.) Information in responsive records that is outside the scope of the FOIA request may be redacted. Ill. Att'y Gen. PAC Req. Rev. Ltr. 13992, issued July 1, 2011; Ill. Att'y Gen. PAC Req. Rev. Ltr. 13793, issued June 29, 2011. Accordingly, the nonresponsive information has been redacted.

Additionally, your January 12, 2015, e-mail requests:

- (5) **Please provide documentation of any and all technology or internet connections from Jan 1, 2013 until the current date between Office of Attorney General and Cecilia Abundis residence or any off-site location used by Cecilia Abundis including but not limited to any and all internet connections, wireless connections, technology lines, phone lines, t1 lines, login portals, or technology vehicles that give Cecilia Abundis off-site access to any and all Office of Attorney General computers, hard drives, including but not limited to work stations, work product, and HRIS electronic systems for employee Cecilia Abundis.**
- (6) **Please, provide documentation of any and all off-site usage activity in regard to Cecilia Abundis and Office of Attorney General computer systems including time/date usage of any and all connections from Jan 1, 2013 until the current date. (Bold in original.)**

RESPONSE: As noted above, on January 20, 2015, this office advised you that we had conducted a search, and we located no records responsive to parts 5 and 6 of your request.

Additionally, your January 12, 2015, e-mail requests:

- (7) **From Jan 1, 2013 through current date, please provide the complete records for Cecila [*sic*] Abundis regarding employment status (part-time or full-time); all expense**

**reimbursement, travel reimbursement/vouchers, state car,
and state credit card statements from Jan 1, 2013 through
current date. (Bold in original.)**

RESPONSE: This portion of your request is granted in part and denied in part. We have withheld no records. However, we have redacted unique identifiers as "private information" as that term is defined in section 2(c-5) of FOIA (5 ILCS 140/2(c-5) (West 2012), as amended by Public Acts 98-1129, effective December 3, 2014; 98-806, effective January 1, 2015). "Private information" is exempt from disclosure under section 7(1)(b) of FOIA. 5 ILCS 140/7(1)(b) (West 2013 Supp.). Specifically, we have redacted signatures, a social security number, and a personal mailing address. *See* Ill. Att'y Gen. PAC Req. Rev. Ltr. 12046, issued June 23, 2011.

We have also redacted information pursuant to section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c) (West 2013 Supp.)), as an unwarranted invasion of personal privacy. An "unwarranted invasion of personal privacy" is "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." 5 ILCS 140/7(1)(c) (West 2013 Supp.).

Specifically, we have redacted a date of birth. "[A date of birth] is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information." Ill. Att'y Gen. PAC Pre-Auth al11991, issued January 27, 2011. Accordingly, this information is exempt from disclosure.

Finally, your January 12, 2015, e-mail requests:

- (9) **Please provide all "Field Reports" of employees Cecilia [sic] Abundis from Jan 1, 2013 through current date.**
(Bold in original.)

RESPONSE: The records responsive to this portion of your request are enclosed in their entirety.

You have a right to have the partial denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a) (West 2012), as amended by Public Act 98-1129, effective December 3, 2014. You may file your request for review with the PAC by writing to:


Adam Andrzejewski
January 27, 2015
Page 6

Sarah Pratt
Public Access Counselor
Office of the Illinois Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: (217) 782-1396
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) (West 2012), as amended by Public Act 98-1129, effective December 3, 2014. Please note that you must include a copy of your original FOIA request and of this partial denial letter when filing a request for review with the PAC.

You also have the right to judicial review of your partial denial by filing suit in the appropriate Illinois court. 5 ILCS 140/11 (West 2012).

Very truly yours,



CAITLIN Q. KNUTTE
Assistant Attorney General
FOIA Officer

CQK:lk

Attachments

cc: Natalie Bauer, Communications Director
Office of the Illinois Attorney General