

July 28, 2015

VIA E-MAIL

Mr. Akeeb Dami Animashaun
[REDACTED]

RE: 15-FOIA-139 Employee Statistics

Dear Mr. Animashaun:

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 July 13, 2015, we received your request for the following documents that were provided to The DMP Group, LLC for the Equal Employment Opportunity Compliance Review of Metra, the final report which was published in October 2011:

1. Summary Listing of EEO Complaints and Lawsuits against Metra between January 1, 2008 – March 31, 2011 alleging discrimination towards an employee or job applicant. The summary shall indicate the date of the complaint, if the complaint was filed internally or externally, the basis for discrimination, the date the complaint was resolved or if the complaint is still open;
2. Data on new hires for the past three years for each job title or job group. Provide the total number of applicants and the total number of hires, by job title, as well as the number of minority group and female applicants and hires, for the past three years;
3. Data on competitive promotions for the past three years for each job title or job group. Provide the total number of promotions, as well as the number of minority group and female employee promotions. Indicate the departments from which and to which the employees were promoted;
4. Data on average salaries or wages paid, during the past three years, by job title or job group, to all employees, as well as the average salaries or wages paid to minority and female employees;
5. Data on terminations for the past three years for each job title or job group. Provide the total number of employee terminations, as well as the number of minority group and female employee terminations, and indicate if the terminations were voluntary or involuntary.

Additionally, you were seeking the most current statistics or documents containing the information requested in numbers 1 – 5 above, as well as Metra’s workforce statistics, including ethnic and racial composition of employees, ethnic and racial composition of management and supervisory personal, ethnic and racial composition of employees by job titles, position and / or seniority (“**Request**”). Your Request is granted in part and denied in part.

II. Responsive Documents

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

1. A Summary Listing of EEO Complaints and Lawsuits against Metra between the time period of January 1, 2008 – March 31, 2011;
2. Data on new hires for past 3 years (2012 – 2014);
3. Data on competitive promotions for past 3 years (2012 – 2014) & a List of Metra’s Competitive Promotions;
4. Data on average salaries or wages paid past 3 years (2012 – 2014);
5. Data on involuntary terminations for past 3 years (2012 – 2014) and voluntary terminations for 2013 to most the current data for 2015;
6. Data is also being provided for Metra’s work force statistics, including ethnic and racial composition of employees, ethnic and racial composition of management and supervisory personnel, ethnic and racial composition of employees by job titles, position and / or seniority as of March 31, 2015 (“**Responsive Documents**”).

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." The names of the parties mentioned in the Responsive Documents are being redacted because they are 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, “ ‘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.” Accordingly, per Attorney Tom Stuebner, the above-mentioned names fall squarely within that definition and their redaction is appropriate under 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.

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.

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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,

A handwritten signature in blue ink that reads "Kathleen E. Haton".

Kathleen E. Haton
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642

Attachments