

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

James B. Savoy,

Complainant

against

Docket #FIC 2023-0172

Chair, State of Connecticut, Electrical
Work Examining Board, Department of
Consumer Protection; Commissioner,
State of Connecticut, Department of
Consumer Protection; and State of
Connecticut, Department of Consumer
Protection,

Respondents

February 28, 2024

The above-captioned matter was heard as a contested case on August 1, 2023, at which time the complainant and the respondents appeared and presented testimony, exhibits, and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that, by letter dated March 14, 2023, the complainant sent the following request for access to records to the respondents:

Pursuant to the State of Connecticut General Statutes relating to the Freedom of Information (“FOI”) Act, I ask to see, read, and copy, if necessary, the following records:

- a. All minutes of all meetings or conversations relating to the video recording of one of my Virtual Classes;
- b. An official, unedited copy of the recorded Virtual Class at issue;
- c. All minutes of the Electrical Work Licensing Board as they pertain to me, directly or indirectly;

- d. All video recordings of said Electrical Board meetings as they directly or indirectly relate to me and said “complaint”;
- e. All personal and private notes from Laurence A. Vallieres, Chairman of said Board, as they apply to me directly or indirectly;
- f. All communications between Mr. Vallieres and Commissioner Michelle Seagull or her designee, in any manner or form, as it relates to me, directly or indirectly; and
- g. All communications between Mr. Vallieres and Mr. Peter Childree, written, recorded, or verbal pertaining to discussions relating to me.

3. It is found that, by email dated March 14, 2023, the respondents acknowledged the complainant’s request.

4. It is found that, by letter dated March 23, 2023, the respondents provided responsive records to the complainant.

5. By email dated April 12, 2023 and filed April 17, 2023, the complainant appealed to this Commission, alleging that the respondents violated the FOI Act by failing to provide him with all of the requested records.

6. Section 1-200(5), G.S., provides:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

7. Section 1-210(a), G.S., provides in relevant part that:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours . . . or (3) receive a copy of such records in accordance with

section 1-212.

8. Section 1-212(a), G.S., provides in relevant part that “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

9. It is concluded that the requested records, to the extent that they exist, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. It is found that, for the past 19 years, the complainant, who is a Master Electrician, has worked as a continuing education instructor for the Connecticut Electrical Training Center (the “Center”). It is found that, on January 17, 2023, the complainant taught a virtual continuing education class to a group of electricians. It is found that, following the class, someone complained about the complainant’s instruction in said class. It is found that, on February 27, 2023, the Center terminated the complainant’s employment.

11. It is found that the request set forth in paragraph 2, above, concerns the January 17, 2023 virtual continuing education class, the complaint that was filed against the complainant, and the complainant’s termination from the Center.

12. At the hearing, the complainant conceded that he had received some responsive records. The complainant contended, however, that he should have received additional responsive records, including a copy of the underlying complaint about his instruction. The complainant further contended that one of the emails he received was improperly truncated.

13. It is found that, upon receipt of the request set forth in paragraph 2, above, the respondents contacted all the individuals in the respondent agency who were likely to maintain responsive records and gathered all their responsive records. It is found that this included the Chair of the Electrical Work Examining Board, the Commissioner of the Department of Consumer Protection, the State Program Manager for Occupation Trades, and Attorney Ryan Burns. It is found that all responsive records that were located were disclosed to the complainant. It is further found that such records included multiple emails, certain meeting minutes, as well as an email containing three separate video links to three distinct continuing education classes, including the January 17 class.¹

14. With regard to the complainant’s contention that the respondents failed to disclose the underlying complaint to him, based upon the testimony of the respondents, it is found that the

¹ The Commission notes that the complainant contended that he could only open one of the video links contained in the email disclosed to him by the respondents. It is found that the email containing the video links was created by the Center and was then forwarded to the respondent agency. It is found that the respondents only maintain the videos because they were provided to them by the Center. Nonetheless, the respondents agreed to resend the email containing the video links to the complainant again after the hearing and to copy the hearing officer on such email. The Commission notes that the hearing officer received the email before close of business on August 1, 2023, and was able to open each of the video links.

complaint concerning the January 17 class was received by the respondent agency by way of a telephone call; no complaint was provided to the respondents in writing.

15. With regard to the complainant's contention that an email he received had been improperly truncated, the respondents' witness testified that such email and other records, which were double-sided and inadvertently copied on only one side, were provided to the complainant on or about June 1, 2023. Because the complainant contended at the hearing that he had not received this supplemental disclosure, the respondents agreed to provide such records again to the complainant following the contested case hearing. It is found that the respondents provided such records to the complainant on August 1, 2023, before the close of business.

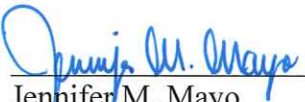
16. It is found that all responsive records have been provided to the complainant.

17. It is concluded therefore that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., as alleged in the complaint.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 28, 2024.



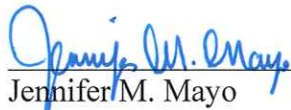
Jennifer M. Mayo
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

JAMES B. SAVOY, 159 Pinney Street Apt 48 A, Ellington, CT 06029

CHAIR, STATE OF CONNECTICUT, ELECTRICAL WORK EXAMINING BOARD, DEPARTMENT OF CONSUMER PROTECTION; STATE OF CONNECTICUT, ELECTRICAL WORK EXAMINING BOARD, DEPARTMENT OF CONSUMER PROTECTION; COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF CONSUMER PROTECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF CONSUMER PROTECTION, c/o Attorney James Rocco, Department of Consumer Protection, 450 Columbus Blvd, Suite N09100, Hartford, CT 06103



Jennifer M. Mayo
Acting Clerk of the Commission