

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the matter of a Complaint by
Patrick Reilly,
Complainant

Report of Hearing Officer
Docket #FIC81-63

against

July 22, 1981

City and Town of Waterbury and
the Personnel Director of the
City and Town of Waterbury,
Respondents

The above captioned matter was heard as a contested case on July 17, 1981, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.


After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as defined by §1-18a(a), G.S.
2. By letter dated March 23, 1981, the complainant requested of the respondent personnel director a copy of the present civil service rules and regulations for Waterbury.
3. Having received no response to his request, the complainant brought this appeal to the Commission by letter filed on April 27, 1981.
4. The complainant seeks an order from the Commission directing the respondents to comply with his request of March 23, 1981. He also seeks an order declaring null and void all personnel actions taken by any Waterbury board or commission since four business days after the respondent personnel director received his request.
5. The complainant was provided with a copy of the requested records on May 26, 1981, for which he was charged a fee of one dollar for the first page and fifty cents for each subsequent page.
6. It is found that the records in question are public records as defined in §1-18a(d), G.S.
7. It is also found that the respondent personnel director failed to provide the complainant with a copy of the requested records promptly upon request, as required by §1-15, G.S.
8. It is further found that the complainant did not request a certified copy of the requested records.

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

1. The respondents shall forthwith reimburse to the complainant the difference between the amount of money paid for the copy of the requested civil service rules and regulations provided on May 26, 1981 and the amount for that document computed at the rate of twenty-five cents per page, the maximum fee permitted by §1-15, G.S.

2. Henceforth, the respondents shall comply with all requests for copies of public records in conformity with the provisions of §1-15, G.S.



Commissioner Robert J. Leeney
as Hearing Officer

Approved by order of the Freedom of Information Commission at its regular meeting of September 9, 1981.



Mary Jo Jolicoeur
Clerk of the Commission