

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Esther B. Clarke,

FINAL DECISION

Complainant

Docket #FIC84-246

against

May 22, 1985

Mayor's Office of the Town of
East Hartford

Respondent

The above captioned matter was heard as a contested case on March 11, 1985 at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

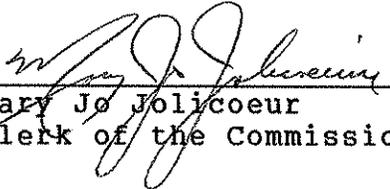
1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. By letter dated November 8, 1984 the complainant made a request of the respondent for a copy of the mayor's W-2 form.
3. By letter of complaint filed with the Commission on November 23, 1984 the complainant appealed the respondent's failure to provide her with the record requested.
4. It is found that a W-2 form contains data such as the name, address and gross salary of an employee, which data is not exempted from disclosure under the Freedom of Information Act.
5. W-2 forms also contain an employee's social security number, lists taxes withheld, and may indicate amounts allocated to a deferred compensation plan and other data the disclosure of which would constitute an invasion of personal privacy within the meaning of §1-19(b)(2), G.S.
6. At hearing the complainant indicated that the information she was seeking related to supplemental income the mayor may receive in the form of expense money, a car or other perquisites.
7. The information sought by the complainant is not recorded in the mayor's W-2 form.

8. It is found that because the only information on the W-2 form which is not exempted from disclosure is freely available to the complainant in other documents, the disclosure of the W-2 form with appropriate masking or deletions would serve the purposes of neither the complainant nor the respondent.

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

1. The complaint is hereby dismissed.
2. The Commission notes that the above order is strictly limited to the facts of the instant case.

Approved by order of the Freedom of Information Commission at its regular meeting of May 22, 1985.



Mary Jo Jolicoeur
Clerk of the Commission