

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Thomas DeRiemer,

FINAL DECISION

Complainant

Docket #FIC85-28

against

July 10, 1985

Director of Personnel and Labor Relations;
Department of Administrative Services
of the State of Connecticut,

Respondents

The above-captioned complaint was heard as a contested case on April 25, 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. On or about December 9, 1983 the Bureau of Personnel of the Department of Administrative Services entered into a contract with a Chicago law firm for the preparation of a report on Connecticut collective bargaining law and processes, such report to be submitted no later than February 15, 1984.
3. By letter dated January 22, 1985 the complainant made a request of the respondent for a copy of the above-mentioned report.
4. On January 29, 1985 the complainant's request was denied.
5. By letter of complaint filed with the Commission on February 11, 1985 the complainant appealed the denial of his request for records.
6. It is found that the report in question, a critique of the State of Connecticut's collective bargaining history, analyzes past bargaining strategies and practices and offers suggestions for changes and improvements.
7. An expert witness called by the respondent testified that the entire report related to strategy and negotiations with respect to collective bargaining and that release of the report would be a "disaster" for the respondent as an employer engaging in collective bargaining.

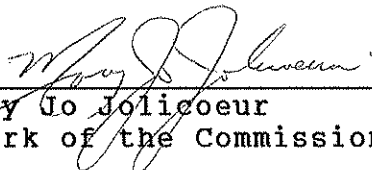
8. It is concluded that the report in question is exempted from disclosure by §1-19(b)(9), G.S. and that the respondent's failure to provide the complainant with a copy of the report did not violate §1-15 or §1-19(a), G.S.

9. Under the circumstances it is unnecessary to address the respondent's claim the the report is exempted from disclosure by §1-19(b)(10), G.S.

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.

Approved by order of the Freedom of Information Commission at its regular meeting of July 10, 1985.



Mary Jo Jolicoeur
Clerk of the Commission