



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 24, 2010

Ms. Kim Kendall
Public Information Officer
Lawrence County Memorial Hospital
2200 West State St.
Lawrenceville, IL 62439

RE: FOIA Request for Review – No. 5873

Dear Ms. Kendall:

We have received and reviewed the written denial from the Lawrence County Memorial Hospital of its denial of [REDACTED] January 21, 2010 request for the names of all current employees and a breakdown of the total number of employees by departments, job titles and classifications. The Hospital has withheld the names of current employees as information which is exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*

Please note that, under the Freedom of Information Act, *prior to* denying a request as exempt under either Section 7(1)(c)(personal privacy) or 7(1)(f)(preliminary materials), a public body is required to submit to the Public Access Counselor and requester a Notice of Intent to Deny seeking the Public Access Counselor's approval of use of the relevant exemption.

As a result of our review, we have determined that it is **not appropriate** for the Lawrence County Memorial Hospital to decline to disclose the names of employees under subsection 7(1)(c). We do not view an individual's status as a public employee as information that is highly personal or objectionable to a reasonable person and we believe that the public interest in knowing the identities of public employees outweighs any privacy concerns of those employees. Further, Section 7(1)(c) states that "disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy." 5 ILCS 140/7(1)(c). This language, limiting the scope of the exemption with regard to public employees, further emphasizes that privacy rights in relation to public employment are to be viewed differently than the privacy rights of non-employees and that the public interest in basic employment information related to public employees is a matter of significant public interest. As such,

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an individual's status as a public employee does not constitute a "clearly unwarranted invasion of personal privacy" as contemplated by the Freedom of Information Act and the names of public employees should be disclosed.

If you have any questions, please feel free to contact me at (217) 785-7438. This letter shall serve to close this file.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Amanda M. Lundeen
Assistant Public Access Counselor

cc: 