



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

February 25, 2010

Ms. Claudia Manley
Acting FOIA Officer
Illinois Department of Labor
160 N. LaSalle Street
Suite C-1300
Chicago, IL 60601

RE: Request for Pre-Authorization, 7(1)(c) and 7(1)(f) – No. 2010 PAC 5876

Dear Ms. Manley:

We have received and reviewed the written notice from the Department of Labor of its intent to deny delineated information, as exempt from disclosure under subsections 7(1)(c) and 7(1)(f) of the Freedom of Information Act ("FOIA"), 5 ILCS 140/9.5(b).

Your detailed explanation indicates that portions of the information which you seek to exempt fall within the definition of "private information" as set forth in subsection 2(c-5) of the Act and exempted under subsection 7(1)(b) of the Act. Included among these are social security numbers, home addresses, home phone numbers and bank account numbers and routing numbers. Private information under 7(1)(b) noted above, can be asserted, the private information redacted, and sent directly to the requester without the need for formal pre-authorization from this office.

The only two exemptions that require pre-approval from this office are for preliminary drafts under subsection 7(1)(f) of FOIA or unwarranted invasion of personal privacy under subsection 7(1)(c). You have cited to both exemptions in your Request for Pre-Authorization.

As a result of this review, we have determined that it is appropriate for the Department of Labor to decline to disclose the marital status of the wage claim applicants under subsection 7(1)(c) because the information is personal information, the disclosure of which would constitute a clearly unwarranted invasion of privacy.

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We have also determined that it is appropriate for the Department of Labor to withhold the preliminary notes of the administrative law judge(s), as they contain the opinion(s) of the ALJ(s) utilized in formulating a final decision and are thus exempt under subsection 7(1)(f) of the Act.

In summary, the Department's request to assert the exemption under 5 ILCS 140/7(1)(c) and 5 ILCS 140/7(1)(f) are hereby approved and no further inquiry into this matter is warranted. This correspondence shall serve to close this file.

If you have any questions, please feel free to contact me at (217) 557-0548.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Heather V. Kimmons
Deputy Public Access Counselor

cc: 

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