



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

April 18, 2011

Rita Eisner  
Assistant Village Attorney  
Village of Schaumburg  
102 Schaumburg Ct.  
Schaumburg, IL 60193

Re: Request for Review – 2011 PAC 13537

Dear Ms. Eisner:

We have received from the Village of Schaumburg a notice of intention to deny disclosure of certain information requested under the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested "an electronic copy of all employee sick time balances" for 2011. The Village requested pre-authorization to withhold those records pursuant to Section 7(1)(c) (5 ILCS 140/7(1)(c)) of FOIA.

Information in public records is exempt personal information if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is the "disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." *Id.* However, the "disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy." *Id.* (emphasis added.)

**Determination**

The Village's request to withhold employee sick time balances under Section 7(1)(c) is **denied**. We determined in 2011 PAC 12470 that disclosure of employee sick time balances would not constitute an unwarranted invasion of personal privacy. We noted that such records bear on the public duties of public employees, specifically with respect to absences from work and eligibility for compensation for those absences. In addition, disclosure of employee sick time balances would not reveal any specific medical conditions. Accordingly, we conclude that the Village has

not sustained its burden of demonstrating that the records are exempt from disclosure under Section 7(1)(c).

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or [ssilverman@atg.state.il.us](mailto:ssilverman@atg.state.il.us).

Sincerely,

[REDACTED]

Steve Silverman  
Assistant Public Access Counselor

cc:

[REDACTED]