

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)	
Board of Aldermen of the City of)	Report of Hearing Officer
New Haven, Complainant)	
)	Docket #FIC78-59
against)	
)	June/6, 1978
City Employees' Retirement Fund)	
of the City of New Haven,)	
Respondents)	

The above captioned matter was consolidated for hearing with In the Matter of a Complaint by Board of Aldermen of the City of New Haven v. Board of Trustees of the City of New Haven Policemen and Firemen Retirement Fund, Docket #FIC78-58, both matters having raised substantially the same basic facts and question of law.

Both matters were heard on May 16, 1978, at which time the complainant and the respondent board appeared, stipulated to certain facts, and presented argument on the complaint.

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

1. The respondent fund is a public agency as defined by §1-18a(a), G.S.

2. On March 15, 1978 the complainant requested from the respondent fund "the right to inspect and copy that portion of the records of the City Employees' Retirement Fund relating to the identities of all individuals receiving disability pensions, the amount of each pension, the date each pension was approved, and the date when each recipient was last examined to determine eligibility."

3. Such records are kept and maintained by the respondent fund.

4. On March 24, 1978, the respondent fund denied the complainant's request.

5. From such denial, the complainant filed the present complaint with the Commission by letter dated March 29, 1978 and filed herewith on April 3, 1978.

6. The respondent fund is willing to disclose all of the requested information except the names of those individuals who are the recipients of disability pensions. The identities of such persons is therefore the only matter in controversy at this time.

7. The respondent fund contends that disclosure of the identities of disability retirees would constitute an invasion of the personal privacy of such persons under §1-19(b)(2), G.S.

8. Ninety-five percent of the pension benefits administered by the respondent fund are derived from monies contributed by the City of New Haven.

9. Five percent of the benefits so administered were contributed by the recipients thereof out of their public salaries.

10. Such records are therefore found not to constitute personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy within the meaning of §1-19(b)(2), G.S.

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

1. The respondent fund shall forthwith provide the complainant with access to inspect and copy all of the information enumerated in par. 2 of the Findings hereinabove including the identities of all individuals presently receiving disability pensions.



Commissioner Helen M. Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on June 28, 1978.



Charlene G. Arnold
Clerk of the Commission