

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
William H. Goodspeed,

Report of Hearing Officer

Complainant

against

Docket #FIC80-8

Labor Department of the State of
Connecticut; and Director of Division
of Occupational Safety and Health of
the Labor Department of the State of
Connecticut;

July 22, 1980

Respondents

The above captioned matter was heard as a contested case on June 12, 1980, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits, and argument on the complaint.

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

1. The respondents are public agencies as defined by § 1-18a(a), G.S.

2. Prior to December 24, 1979, the complainant filed a labor complaint with the respondent department in which he alleged that the City of New Britain Water Works Commission retaliated against him for having previously filed an OSHA complaint by disciplining him for sick leave abuse.

3. The respondent director wrote a letter to the complainant on December 24, 1979, in which he stated:

We conducted an intensive investigation into the matter and did find ample documents in the New Britain Personnel Department to establish the Water Department [sic] had grounds for disciplinary action based on your attendance record.

4. In a letter dated December 29, 1979, the complainant requested that the respondent director provide him with copies of the "ample documents" mentioned in his letter of December 24.

5. By letter filed with the Commission on January 14, 1980, the complainant alleged that the respondents failed to respond to his December 29 request and that such failure constituted a violation of the Freedom of Information Act.

6. On June 12, 1980, at the hearing of the above captioned matter, the respondents tendered to the complainant copies of all documents in their custody regarding the complainant's attendance record at the New Britain Water Works Commission.

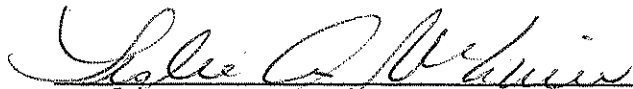
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.
2. The respondents are cautioned to respond to requests for copies of public records promptly, in accordance with the provisions of §§ 1-15 and 1-21i, G.S.



Commissioner Donald Friedman
as Hearing Officer

Approved by order of the Freedom of Information Commission on August 11, 1980.



Leslie Ann McGuire
Clerk of the Commission