

Shelby County Clerk - Jessica Fox

From: David Beck <dbeck@afscme31.org>
Sent: Friday, June 9, 2023 9:36 AM
To: Shelby County Clerk - Jessica Fox
Cc: Shelby County Recorder - Lisa Swenny; Natalie Nagel
Subject: union response to FOIA

Caution! This message was sent from outside your organization.

Hello Ms. Fox,

It is my understanding that a Freedom of Information request has come to your office for “Copy of any speeches prepared by any employee of the County Clerk in which a computer owned or leased by the County was used for the production of the speech”. I am writing to you to express our Union’s position on such a request. It appears to us that this FOIA could be directed at files that were generated by AFSCME officers in their role as union representatives. As such, it is the position of AFSCME that such documents are not only exempt from FOIA but would be considered privileged Union materials which the Illinois Labor Relations Act (5 ILCS 315) would prohibit a public employer from turning over to other entities. AFSCME would, therefore, consider it an Unfair Labor Practice for a public employer to release such documents.

In addition, I wanted to let you know, that under the ILRA, public employers are required to notify exclusive bargaining representatives any time a FOIA request is made that involves our members by sending a copy of the request as well as then sending a copy of the employer’s response to the request. I realize you may not have known that. In the future, please direct such information to Natalie Nagel, who I have cc’d here.

If you have any questions, feel free to contact me.

My best,

Dave Beck
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