
COUNCIL COMMITTEE FOIA

TO: PETER FUGIEL
145044-92716984@REQUESTS.MUCKROCK.COM

FROM: COUNCILCOMMITTEEFOIA@CITYOFCHICAGO.ORG

SUBJECT: FOIA REQUEST – COMMITTEE ON WORKFORCE DEVELOPMENT

DATE: JUNE 12, 2023

Dear Peter Fugiel;

Below is a response to your Freedom of Information Act ("FOIA") request received by Ward10@cityofchicago.org on April 27, 2023, amended on May 15, 2023, and timely extended, requesting:

"May 13, 2023

This is a follow up to a previous request:

Dear Margaret Dever,

Thank you for your initial response to this request. I recognize the need to balance the burden of fulfilling the request and the public interest in the information. While the latter side of the ledger is difficult to estimate as precisely as you have the former, I would note that the Chicago Fair Workweek Ordinance represents the most expansive labor standard of its kind. Along with a handful of other cities and one state, Chicago has established the most significant new rights and protections on working time since the Fair Labor Standards Act of 1938. My research seeks to understand the origins and development of fair workweek laws, a project in which the National Science Foundation found sufficient merit to award me a competitive research fellowship (#2203815).

Notwithstanding the considerable public interest in this information, I am willing to narrow my request to the period 1/1/2018–12/31/2019 and only the following email accounts: Susan.Sadlowski-Garza@cityofchicago.org, Patrick.OConnor@cityofchicago.org, Carlos.Ramirez-Rosa@cityofchicago.org, Tom.Tunney@cityofchicago.org, Ward45@cityofchicago.org. I would still like a copy, preferably in electronic format, of all emails and attachments sent or received by the Committee Chairpersons or select Members during the specified period that contain either of the phrases "fair workweek" or "fair scheduling."

Please note that I submitted a separate FOIA request on May 9, 2023 for related records, namely: "All written or recorded comments or testimony received by the City Council

Committee on Workforce Development (formerly known as the Workforce Development and Audit Committee) regarding the Chicago Fair Workweek Ordinance (record numbers O2017-4947, O2018-5089, O2019-3928, O2020-2370)." In the event that there are records responsive to both requests (e.g. written testimony sent as an email attachment to the Committee Chair), you may omit these records from the first collection or include them in both, whichever would reduce the burden on your office.

I appreciate your continued assistance and look forward to your response to this narrowed request.

Sincerely,

Peter Fugiel
Postdoctoral Research Fellow
Rutgers School of Management & Labor Relations

View request history, upload responsive documents, and report problems here:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fchicago-city-council-committee-on-workforce-development-18770%252Fchicago-city-council-workforce-development-committee-fair-workweek-emails-145044%252F%253Femail%253DCouncilCommitteeFOIA%252540cityofchicago.org&url_auth_token=AABllbCz3wz-vi33MuPDcC8TJ2Q%3A1pxqvG%3AI4c2w3WnxAyQNccnmjoqdq7oGJkSlaGExvRG_Ey9aXg

If prompted for a passcode, please enter:
EGJVMEMBR

Filed via MuckRock.com
E-mail (Preferred): 145044-92716984@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):
MuckRock News
DEPT MR 145044
263 Huntington Ave
Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests m."

A search was conducted for the emails accounts of Susan.Sadlowski-Garza@cityofchicago.org, Patrick.OConnor@cityofchicago.org, Carlos.Ramirez-Rosa@cityofchicago.org, Tom.Tunney@cityofchicago.org, and Ward45@cityofchicago.org, for the time frame of January 1, 2018 to December 31, 2019, for the terms "fair workweek" and "fair scheduling." Attached please find fifty-four (54) responsive records in four (4) attachments with the following redactions as indexed below. Please note in addition the name of the staff member, who printed the email, located at the top left of the emails, was redacted as not being part of the record.

Please further note that the Freedom of Information Act (“FOIA”) places certain requirements on “public bodies” to respond to requests for documents. See 5 ILCS 140/3. To the extent that your request is directed toward aldermen seeking email messages, it is not a request under FOIA because it is not a request to a public body. The Illinois Appellate Court has ruled that requests to Aldermen for their records are not requests to a public body, as Aldermen are not considered public bodies. See *Quinn v. Stone*, 570 N.E. 676, 678 (1st Dist. 1991). Therefore, emails sent or received by Alderman Tunney, Alderman Carlos Ramirez-Rosa, and Ward45@cityofchicago, were not attached unless they were sent by or to the named chairs of the Committee on Workforce Development as listed in the request or the staff of the Committee on Workforce Development.

However, the Illinois Appellate Court, in citing *Champaign v. Madigan*, has stated that “city council was capable of conducting public business only when a quorum of council members was involved.” *Better Gov’t Ass’n v. City of Chicago*, 2020 IL App (1st) 190083. To the extent that your request seeks to invoke *Better Gov’t Ass’n v. City of Chicago* and email messages of when Aldermen Tunney, Ramirez-Rosa, and Arena were part of a quorum of council members, as written it is unduly burdensome because it does not contain sufficient search parameters to run an effective search for messages sought by the request. However, if you would like to narrow the request, please provide (1) dates of committee or City Council meeting, (2) name of committee or City Council meeting, (3) timeframes, and (4) email addresses which to search. If you need assistance narrowing the request, please contact me and I would be happy to assist you. If you agree to narrow the request, you must submit a revised written request to my attention. City Council Committee FOIA will take no further action or send you any further correspondence unless and until your current request is narrowed in writing.

Attachment I Redactions

Email Page Number	Redaction
Pages 92-95	Content redacted as a preliminary draft pursuant to 5 ILCS 140/7(1)(f)
Page 96	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)

Attachment II Redactions

Email Page Number	Redaction
Pages 1-2	Content redacted as a preliminary draft pursuant to 5 ILCS 140/7(1)(f)
Pages 22-31	Content redacted as a preliminary draft pursuant to 5 ILCS 140/7(1)(f)
Page 33	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 35	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 50	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 56	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 58	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 64	Personal private cell phone number and personal private email address were redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 66	Personal private cell phone number and personal private email address were redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 98	Personal private cell phone number and personal private email address were redacted pursuant to 5 ILCS 140/7(1)(b)(c)

Attachment III Redactions

Email Page Number	Redaction
Page 4	Personal private cell phone number and personal private email address were redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 6	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c).
Page 8	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
	Email communications with a City attorney was withheld pursuant to 140/7(1)(m)
Page 34	Personal private email address was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 35	Content redacted as a preliminary draft pursuant to 5 ILCS 140/7(1)(f)
Page 61	Personal private cell phone number and personal private email address were redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 64	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)
Page 114	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 115	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 116	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 117	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 118	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 119	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 120	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)

Attachment IV Redactions

Email Page Number	Redaction
Page 1	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 3	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 4	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 5	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 6	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 7	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 8	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 15	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 16	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 17	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 18	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 21	Personal private cell phone number and personal private email address were redacted pursuant to 5 ILCS 140/7(1)(b)(c) and witness identifiers of names and emails were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 22	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c) and witness identifiers of names and emails were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 23	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 24	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 25	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 26	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 27	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 28	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 29	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)

Page 30	Witness names were redacted pursuant to 5 ILCS 140/7(1)(c)
Page 34	Personal private cell phone number was redacted pursuant to 5 ILCS 140/7(1)(b)(c)

To the extent that this is a denial under FOIA, you have a right of review by the Illinois Attorney General's Public Access Counselor Leah Bartelt, who can be contacted at 500 South Second St., Springfield, IL 62701, by telephone at (877) 299-3642, or by email at public.access@ilag.gov . You may also seek judicial review of a denial under 5 ILCS 140/11 of FOIA.

Sincerely,

Margaret Dever
Council Committee FOIA
CouncilCommitteeFOIA@cityofchicago.org