

Delie, Steve

From: Skorup, Jarrett
Sent: Wednesday, February 10, 2021 2:31 PM
To: presoff@umich.edu
Cc: Skorup, Jarrett; Delie, Steve
Subject: FOIA APPEAL SKO 0038-21
Attachments: SKO 0038-21 data 2019.pdf; SKO 0038-21 data 2020.pdf

President's Office, c/o Liz Barry
The University of Michigan
2080 Fleming Administration Building
503 Thompson Street
Ann Arbor, MI 48109-1340

I'm appealing the partial denial of FOIA request SKO 0038-21. This request was for the names and total gross salaries of employees in the Office for Institutional Equity for 2019 and 2020.

The response to this request says it "contemplates forms of compensation not identified for disclosure by the Michigan FOIA and, thus, your request is denied in part pursuant to Section 13 (1) (a) of the Michigan Freedom of Information Act, which allows the university to refrain from disclosing information that would constitute an unwarranted invasion of an individual's privacy."

This determination should be reversed. The denial does not list what types of compensation cannot be disclosed under the law and, in more than a decade of public records requests, I'm unaware of any parts of a person's compensation not being disclosed or case law that supports that.

Jarrett Skorup
Director of Marketing and Communications
Mackinac Center for Public Policy

From: Patricia Sellinger <patsell@umich.edu>
Sent: Tuesday, February 2, 2021 12:37 PM
To: Skorup, Jarrett
Cc: foia-email@umich.edu
Subject: FOIA SKO 0038-21

Dear Mr. Skorup:

I am writing in regard to your Freedom of Information Act below dated January 12, 2021, which was received on January 13, 2021.

You requested:

The total gross salaries (base salary, OT, bonuses, etc.) for every employee working in the U-M Office for Institutional Equity for the 2019 and 2020 calendar years.

By email dated January 20, 2021 you clarified your request, indicating:

I should note: That should be the NAMES and total gross salaries (so we can make a comparison).

The Michigan Freedom of Information Act requires a public university to provide salary information pertaining to its employees upon request. Enclosed find responsive annual salary information for the employees specified as of November 1, 2019 and November 1, 2020. Your request for "total gross salaries (base salary, OT, bonuses, etc.) ... for the 2019 and 2020 calendar years" contemplates forms of compensation not identified for disclosure by the Michigan FOIA and, thus, your request is denied in part pursuant to Section 13 (1) (a) of the Michigan Freedom of Information Act, which allows the university to refrain from disclosing information that would constitute an unwarranted invasion of an individual's privacy. Therefore, your request is granted in part.

Please note that within 180 days from the date of this letter, you have the right to appeal the denial of information to the President of the University or seek judicial review in the Michigan court of claims to try to compel disclosure. If you elect to appeal and the President upholds the denial, you may still seek judicial review within the 180-day period.

An appeal to the President must be submitted in writing to: President's Office, c/o Liz Barry, The University of Michigan, 2080 Fleming Administration Building, 503 Thompson Street, Ann Arbor, MI 48109-1340 (or by email to: presoff@umich.edu). The statement must (1) identify the request and the final determination by the FOIA officer that is being appealed, (2) specifically state the word "appeal," and (3) identify the reason or reasons why the final determination should be reversed.

If you seek judicial review in the Michigan court of claims and prevail, you will be awarded reasonable attorney's fees, costs and disbursements incurred in maintaining the action. If you prevail in part, you may still be awarded complete or partial reimbursement for those expenses. In addition to actual and compensatory damages, you will be awarded punitive damages in the amount of \$1,000.00 if the court finds that the University was arbitrary and capricious in its denial.

A copy of Section 10 of the Michigan FOIA is available for your reference and review online at <http://foia.vpcomm.umich.edu/foia-right-to-appeal/>.

Sincerely,



Patricia J. Sellinger
Chief Freedom of Information Officer
University of Michigan
2019 Fleming Administration Building
Ann Arbor, Michigan 48109-1340
Phone 734-763-5082
Fax 734-763-1399
patsell@umich.edu

On Wed, Jan 20, 2021 at 8:29 PM Skorup, Jarrett <Skorup@mackinac.org> wrote:

Thanks. I should note: That should be the NAMES and total gross salaries (so we can make a comparison).

On Jan 12, 2021, at 12:28 PM, Skorup, Jarrett <Skorup@mackinac.org<mailto:Skorup@mackinac.org>>> wrote:

January 12, 2021

FOIA Request for salary information

Pursuant to the Michigan compiled Laws Section 15.231 et seq., and any other relevant statutes or provisions of your agency's regulations I am making the following Freedom of Information Act request.

* The total gross salaries (base salary, OT, bonuses, etc.) for every employee working in the U-M Office for Institutional Equity for the 2019 and 2020 calendar years.

I request this information be delivered via email.

Jarrett Skorup
Director of Marketing and Communications
Mackinac Center for Public Policy
140 W. Main St.
Midland, Michigan 48640

www.mackinac.org<<http://www.mackinac.org>><<https://gcc01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.mackinac.org%2F&data=02%7C01%7CMCSC-FOIA%40michigan.gov%7Ca5307a265fef4023977f08d73788b556%7Cd5fb7087377742ad966a892ef47225d1%7C0%7C1%7C637038932602989887&sdata=268qzVL%2BI3WS121QnnmSZPVxDQpwRjpZTnF7k%2FZJaGY%3D&reserved=0>>

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