



Pennsylvania
Office of Open Records

Standard Right-to-Know Law Request Form

Please read carefully. Complete this form and retain a copy of **both** pages; this copy may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied. More information about the RTKL is available at <https://www.openrecords.pa.gov>. In most cases, a completed RTKL request form is a public record.

SUBMITTED TO AGENCY NAME: City of DuBois, Pa. (Attn: AORO)

Date Request Submitted: 1/12/25 Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Full Name: Judith Suplizio

Company (if applicable): _____

Please send response via: Email U.S. Mail

If you wish to obtain records that only exist in hard copy, or must be provided on an electronic storage device, you may be required to provide a mailing address to the agency. See Section 703.

Email: [REDACTED]

Mailing Address: 314 Hamor Street

City: DuBois State: Pa Zip: 15801 Telephone: [REDACTED]

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

By checking this box, I affirm that my full name and contact information is true and correct, and that I am a legal resident of the United States. I understand that failure to check this box may result in the denial of my request and the dismissal of any appeal filed with the Office of Open Records.

RECORDS REQUESTED: *Provide as much detail as possible, including subject matter, time frame, and type of record sought. RTKL requests must seek records, not ask questions. Use additional pages if necessary.*

RTK #016....EMPLOYEE TURNOVER

Calendar year 2024, the first year of this current council's leadership, is now complete. In accordance with The State of Pennsylvania's Right to Know Law, please provide the accumulated, complete listing (record) of all city employees (with noted employee position) that left city employment in 2024 (other than for natural reasons like retirement, death, sickness, etc.). Please include the reasons why they left. Be complete.

Then, compare this listing to the similar compiled HR listing of those employees that likewise chose to leave over the past 20 harmonious years (2004 thru 2023) and provide conclusions for the any differences. Be complete and specific.

*Form continues on page 2. Retain a copy of **both** pages.*

RECORDS REQUESTED (continued):

DO YOU WANT COPIES? Yes, printed Yes, electronic No, in-person inspection

Records shall be provided in the medium requested if they exist in that medium; otherwise, they shall be provided in the medium in which they exist. See Section 701. Your request may require payment or prepayment of fees. View the Official RTKL Fee Schedule for more details.

I understand that my request may incur fees. Notify me before further processing if fees will be more than \$100 (or) \$_____.

Do you want certified copies? Yes (*may be subject to additional costs*) No

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.

Retain a copy of both pages of this Form.



CITY OF DUBOIS, PENNSYLVANIA

PO BOX 408 16 W. SCRIBNER AVE. DUBOIS, PENNSYLVANIA 15801

TELEPHONE: 814-371-2000

FAX: 814-371-1290

January 14, 2025

Judith Suplizio
314 Hamor Street
DuBois, PA 15801

Dear Ms. Suplizio,

Thank you for writing to the City of DuBois with your request for information pursuant to the Pennsylvania Right-To-Know law. On January 13, 2025, we received your request for complete listing of all City employees who left employment in 2024 (other than for natural reasons) and compare to a similar list of City employees who left 2004 thru 2023.

Pursuant to Section 902(a) of the Right to Know Law, the City of DuBois requires an additional 30 days to respond to the request:

- A timely response to the request cannot be accomplished due to bona fide and specified staffing limitations.

The City of DuBois expects to respond to your request on or before February 12, 2025.

Respectfully,

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County

LH/cls



CITY OF DUBOIS, PENNSYLVANIA

PO BOX 408 16 W. SCRIBNER AVE. DUBOIS, PENNSYLVANIA 15801

TELEPHONE: 814-371-2000

FAX: 814-371-1290

January 29, 2025

Judith Suplizio
314 Hamor Street
DuBois, PA 15801

Ms. Suplizio,

The City of DuBois (“the City”) acknowledges receipt of your right to know request submitted on January 12, 2025 (“the request”). Upon review, the request is denied.

As framed, the request purports to seek a “complete listing . . . of all city employees . . . that left city employment in 2024” The foregoing request, however, is confined to city employees “that left city employment in 2024 (*other than for natural reasons like retirement, death, sickness, etc.*). Please include the reasons why they left.” (emphasis added).

A written request for information under the RTKL “should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested” 65 P.S. § 67.703. In *Pennsylvania Dep't of Educ. v. Pittsburgh Post-Gazette*, 119 A.3d 1121 (Pa.Cmwlth. 2015), the [Commonwealth] Court set forth a three-part balancing test to evaluate whether a request is sufficiently specific, examining whether the request identifies: (1) the subject matter of the request; (2) the scope of the documents sought; and (3) the timeframe for the records sought.” *Lehighon Area Sch. Dist. v. Bradley*, 75 Pa.D.&C.5th 353, 359-60 (C.P. Carbon 2019).

Here, the request does not identify or describe the records sought with sufficient specificity to enable the agency to determine which records are being requested. The request seeks information as to former city employees whose employment was terminated in 2024 for reasons *other than* “natural reasons like retirement, death, sickness, etc.”

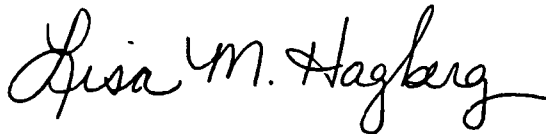
The use of the word “etcetera”, in and of itself, renders the City unable to ascertain the types of reasons for termination of employment to which the request applies. The word “etcetera” is defined in Merriam-Webster’s Dictionary as “*unspecified* additional items.” (emphasis added).

Additionally, it's unclear what is meant by the request's reference to "natural" reasons for one's employment with the City being terminated. Even assuming, *arguendo*, that the request is limited to those employees who "chose" to leave their employment with the City, this confounds rather than clarifies the subject matter and scope of the request; for example, an employee may have "chosen" to leave and terminate his or her employment with the City because of, or in lieu of, facing consequences for misconduct. In such a case, information relating to the employee – *i.e.*, the reason he or she "chose" to terminate employment with the City – would not be subject to disclosure under the Right to Know Law. *See* 65 P.S. § 67.708(7)(vi); 65 P.S. § 67.708(7)(viii).

Based upon the above, the request is insufficiently specific, and, consequently, is denied.

If you wish to appeal the denial of your request, you must file an appeal with the Pennsylvania Office of Open Records within fifteen (15) days from the date of this written response issued by the City. Further instructions for filing an appeal to the Pennsylvania Office of Open Records can be found at <https://www.operecords.pa.gov>.

Respectfully,

A handwritten signature in cursive script that reads "Lisa M. Hagberg". The signature is written in black ink and is positioned above the typed name and title.

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County

LH/kl