

LETTER #2 to be provided to public owner as a courtesy, which public owner may use in responding to FOIL requests for payroll records.

[Union]
[Address]

Re: Freedom of Information Act Request

Dear Sir:

Under Article 8, § 220 of the New York State Labor Law, a contractor or subcontractor is required to prepare payroll records for possible inspection by, and submission to, the New York State Department of Labor and to submit such payrolls to the public owner on a monthly basis.

Based on the foregoing, the following is in response to your Freedom of Information Act request.

We have been provided with copies of the certified payrolls from the contractor. However, under the decision of the Court Appeals for the Second Circuit in *Hopkins v. U.S. Department of Housing and Urban Development*, decided April 1991, we have deleted the names, addresses and social security numbers of each of the employees on the certified payrolls. This is also the policy of the New York State Department of Labor. Enclosed are copies of the redacted information you requested.

Should you disagree with our decision to redact the information noted above, you may appeal this decision by initiating suit in the New York State Supreme Court for the County in which we reside, pursuant to the terms of the New York State Freedom of Information Law, Article 6 of the Public Officers Law.

Yours truly,