



pennsylvania
OFFICE OF OPEN RECORDS

June 5, 2013

David J. Brann, Esquire
Brann, Williams, Caldwell & Sheetz
1090 West Main Street
Troy, PA 16947

Re: Advisory Opinion Request

Dear Mr. Brann:

Thank you for writing to the Office of Open Records (“OOR”) with your May 31, 2013 request for an Advisory Opinion pursuant to the Right-to-Know Law, 65 P.S. §§67.101, *et seq.*, (“RTKL”).

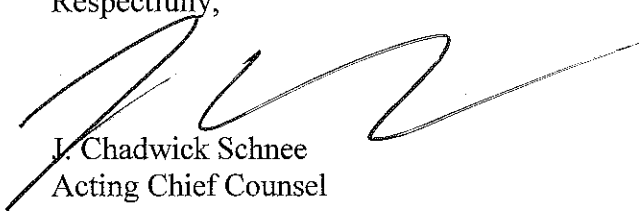
You asked the OOR interpret if a request of records includes an individual acting on behalf of an organization and if the Right to Know Law requires the disclosure of whether an employee of a municipality is affiliated with a union and, if so, the union’s identity.

Please be advised that the OOR has decided not to grant this request for an Advisory Opinion at this time. We are declining to accept this request because the request seeks response to general questions without presenting sufficient specific facts to which the law may be applied. However, the OOR provides the following guidance with respect to the questions you pose.

With respect to your question concerning an individual acting on behalf of an organization, the OOR has permitted this practice in prior adjudications. In *Spatz and The Reading Eagle v. City of Reading*, OOR Dkt. AP 2013-0210, 2013 PA O.O.R.D. LEXIS 189, for example, the OOR held that a journalist could act on behalf of media employers.

Thank you for your inquiry. We will reflect this response on the OOR website.

Respectfully,



J. Chadwick Schnee
Acting Chief Counsel

email: davidbrann@bwcs-law.com

Reply to Troy address

May 30, 2013

via e-mail
Office of Open Records
Attn: Terry Mutchler
Executive Director
400 N. Street
Harrisburg, PA 17120

Re: Advisory Opinion

Dear Ms. Mutchler:

1. Does a "requester" of records pursuant to Pennsylvania's Right to Know Law include an individual acting on behalf of an organization?
2. Does the Pennsylvania Right to Know Law require the disclosure of whether an employee of a municipality is affiliated with a union and, if so, the identity of said union?

Canton Borough recently received a right to know request for the above-described information. No litigation is pending.

Please respond to David J. Brann, Esq. at davidbrann@bwcs-law.com

Sincerely,

BRANN, WILLIAMS, CALDWELL
& SHEETZ

David J. Brann
Solicitor, Canton Borough

DJB:clf

Applegate, Kyle

From: David Brann <DavidBrann@bwcs-law.com>
Sent: Friday, May 31, 2013 10:25 AM
To: DC, OpenRecords
Subject: Right to Know Law
Attachments: 05.30.13 ltr Office of Open Records.wpd

See attached letter.

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