

STATE OF VERMONT
Office of Governor Elect Peter Schumlin
128 State Street
Montpelier, VT 05633-03802

November 16, 2010

John Curran
Associated Press Correspondent
535 Stone Cutters Way
Montpelier, VT 05602

Dear Mr. Curran:

I have received your public records law request for "all correspondence from persons inquiring about jobs in the Shumlin Administration." We are not entirely sure that the transition team actually is a public agency subject to the law, but have evaluated your request as if it is.

As you may know, the public records law specifically exempts from disclosure personal documents concerning, among other things, hiring. 21 V.S.A. section 317(c)(7). One purpose of this exemption is to prevent disclosure of information that might cause the person embarrassment, harassment, or loss of employment. To publicly release correspondence from people inquiring about jobs in the Shumlin Administration, when many of those people have relied on the confidentiality associated with the application process, could well expose them to embarrassment or loss of employment. Most applicants are currently in other jobs.

Governor Elect Shumlin is committed to recruiting top quality talent to help address the important challenges facing our state. Disregarding the above exemption, and the policies underlying that exemption, would undermine this goal.

You may consider this a final determination pursuant to 1 V.S.A. Section 318(a)(3). You have a right to apply for relief to the Superior Court pursuant to 1 V.S.A. section 319.

Sincerely,

Elizabeth A. Bankowski
Co chair
Governor Elect Transition Office