



STATE OF INDIANA

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March 5, 2015

Ms. Linda K. Robbins
Monroe County Clerk
301 N. College Ave., Room 201
Bloomington, IN 47404

Re: Informal Inquiry 15-INF-01; Poll Worker Records

Dear Ms. Robbins:

This is in response to your informal inquiry regarding the release of records of former county poll workers. I issue the following informal opinion in response to your inquiry. My opinion is based on applicable provisions of the Access to Public Records Act ("APRA"), Ind. Code § 5-14-3-1, Ind. Code § 5-14-3-2, and Ind. Code § 5-14-3-4(b)(8)(A).

BACKGROUND

The Monroe County Clerk seeks to address whether certain personnel information regarding public employees can be released to a third party, as a matter of public record under the APRA, Ind. Code § 5-14-3-1. The request specifically seeks to address whether the identity of a precinct election worker, the precinct where the worker served, the party affiliation of the poll worker, the address, telephone number, and email of the poll worker is a matter of public record.

ANALYSIS

According to the APRA, Ind. Code § 5-14-3-1, Indiana public policy provides that, "all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees."

For purposes of voting and elections, poll workers are employed by the Monroe County Clerk's office. Looking to information directly posted on the Monroe County Elections website, poll workers are trained and compensated for their efforts, and even reimbursed for any meal costs they may incur on Election Day. Monroe County Elections: Become a

Poll Worker, *Poll Worker Positions*, 2015,
<http://monroecountyelections.com/pollworkerinformation.html>.

According to Ind. Code § 5-14-3-4(b)(8)(A), personnel files of public employees and applicants for public employment are exempt from the disclosure requirements, except for “the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency.” *Id.*

It is clear Monroe County employs poll workers for the duration of the voting process and Election Day. As a public agency, Monroe County is required to comply with all requests under the Access to Public Records Act. Records kept by the Monroe County Clerk in relation to the office’s governmental responsibilities are a matter of public record. However, as employees of the county, poll workers personnel files qualify under the exemption described above. Therefore, the county is not required to release the home addresses, home telephone numbers, party affiliation, and email addresses of poll workers. The names and precincts where the election worker served is public record.

Please do not hesitate to contact me with any further questions.

Best regards,

A handwritten signature in black ink, appearing to read 'L. H. Britt', with a large, sweeping flourish underneath.

Luke H. Britt
Public Access Counselor