

1978 WL 34670 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 25, 1978

***1 RE: Freedom of Information**

Jack S. Mullins, Ph.D.,
Director
South Carolina Personnel Division
1205 Pendleton Street
Columbia, SC 29201

Dear Jack:

Attorney General McLeod has asked me to respond to your recent request for information concerning the State's Freedom of Information Act. In particular you have asked for assistance in responding to a request from members of the public for lists of employees' names, telephone numbers and home addresses.

I am enclosing an Opinion dated August 5, 1977, dealing with the items in a public employee's personnel file which are subject to release under the Freedom of Information Act. You will note on page 3 of this Opinion that it was determined home addresses and telephone numbers are unique personal data in which an employee has a legitimate expectation of privacy. These items were determined to be exempt from disclosure as individual personnel records.

However, I feel that the name of a particular employee would necessarily have to be provided in order that a member of the public could determine which agency the employee worked for and how much money the employee was paid. As you know, public employees' salaries are subject to disclosure under the Freedom of Information Act. Therefore, I believe a proper request for the name of a particular employee could be granted. Therefore, it also appears that a list of all the employees in a particular agency could be released to a member of the public. You have advised that such information could be generated with relatively little inconvenience or expense. Since each individual employee would not have a reasonable expectation that his name not be listed as an employee of a State agency, likewise a list containing the names of all employees should not be subject to any disclosure exception under the Freedom of Information Act.

Therefore, a public agency could release a list containing only the names of the employees which work in that agency. Addresses and telephone numbers of employees should not be released, without authorization.

I hope this information will be helpful to you.
Sincerely,

George C. Beighley
Assistant Attorney General

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