

# Mass Workforce Issuance

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**Workforce Issuance No. 08-10**

**Policy**    **Information**

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**To:** Chief Elected Officials  
Workforce Investment Board Chairs  
Workforce Investment Board Directors  
Title I Administrators  
Career Center Directors  
Title I Fiscal Officers  
DCS Associate Directors  
DCS Field Managers

**cc:** WIA State Partners

**From:** David W. Mackley, Director  
Department of Workforce Development

**Date:** March 21, 2008

**Subject:** **Public Information and Records Request Policy**

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**Purpose:** To transmit to Local Workforce Investment Boards, One-Stop Career Center Operators and other local workforce investment partners revised policy and procedural guidance with respect to public information and records requests.

**Background:** On February 12, 2007 Chief Legal Counsel for the Commonwealth, Ben T. Clements issued a memorandum (Attachment A) to all Executive Branch Legal Counsels revising Public Records Request procedures, primarily with respect to when and how executive branch departments should notify the Commonwealth's Office of Legal Counsel (OLC) of public records requests.

Subsequently, Executive Office of Labor and Workforce Development (EOLWD) General Counsel, Gerald A. McDonough issued complementary procedural instructions to all EOWLD agencies, again providing guidance as to when and how notification of such requests are to be forwarded to the EOWLD General Counsel's office (see Attachment B).

Previously, procedural guidance pertaining to public information requests relevant to the Commonwealth's One-Stop Career Center system was described as part of WIA Communication No. 04-24, Mandatory Policies for Press Inquiries to Unemployment Insurance Claimants and Functions. Recommended Policies and Procedures for Inquiries not related to Unemployment Insurance Claimants and

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Functions (3/25/2004) in a distinct section of the issuance: “Public Information Requests”.

**Policy:** This MassWorkforce Policy Issuance replaces the prior procedural guidance relevant to public information requests described in WIA Communication No. 04-24 in order to comply with current procedural requirements:

1. Requests for public information and records relevant to: activities and actions carried out and/or conducted with funds and/or resources provided by EOWLD; actions/activities specifically involving unemployment insurance claimants; or actions/activities sanctioned under policies/procedures established by any EOWLD agency or department must be processed in a manner consistent with General Counsel McDonough’s instruction of September 17, 2007.
2. Copies of routine public records requests received in the ordinary course of business are not required to be forwarded to EOWLD’s General Counsel.
3. All such requests outside of the ordinary course of business should be immediately forwarded to:

Michael Pineault, Deputy Chief Legal Counsel  
Office of Legal Counsel  
Fax: 617-727-8290

A copy of the request should also be forwarded to:

Gerald A. McDonough, General Counsel  
Executive Office of Labor and Workforce Development  
Fax: 617-727-1090

*Examples of “non-routine” requests include (but are not limited to): requests that implicate sensitive or controversial issues; request that relate to potential or pending litigation; or request that appear to have been made to multiple departments.*

4. Notification of public information requests forwarded to Deputy Chief Legal Counsel Pineault and General Counsel McDonough *must* be transmitted by FAX (see numbers, above) using the attached cover sheet (Attachment C).
5. If a public information request is made by a media organization (written or electronic), or in your opinion it is likely to become the focus of media attention, please contact Linnea Walsh (617-626-7111) immediately. A copy of such media requests should also be faxed to General Counsel McDonough, as well (617-727-1090).

**Action**

**Required:** Please assure that all appropriate staff are informed of the contents of this issuance.

**Effective:** Immediately

**Inquiries:** Please email all questions to [PolicyQA@detma.org](mailto:PolicyQA@detma.org). Also, indicate Issuance number and description.