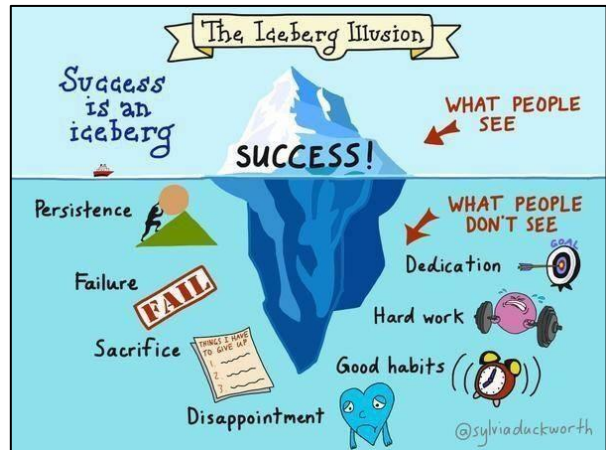


Employee pay is expected to be published soon

Kent County recently replied to a Freedom of Information Act request from the *News Journal* newspaper seeking the names, titles, department & sub-department, and wages (salaries, bonuses, & overtime) of all employees including part-time and temporary employees and appointed Board members for Calendar Year 2020.

That information was submitted to the *News Journal* on July 13 and is expected to be made available to the public very soon. In addition to publication of some or all of the information provided, the newspaper has previously created a searchable database for the County salary information on www.delawareonline.com. A similar database was made available to the public in prior years for Kent County as well as State of Delaware, New Castle County, and Sussex County employee salary information.



This specific information provided is public under the law.

Public Information Officer Kelly Pitts is Kent County's FOIA Coordinator.

The **Delaware Freedom of Information Act**, first established in 1977, is a series of laws guaranteeing that the public has access to the public records of governmental bodies. Public records are defined as information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected by any public body, relating in any way to public business, or in any way of public interest or in any way related to public purposes.

Any citizen of Delaware may request public documents and the purpose of the records request is not required. The Delaware Freedom of Information Act does not place limits on the use of public records and there is a 15 day response time allotted.

The Delaware Open Meetings law, included in the Delaware Freedom of Information Act, states that all gatherings of quorum of members of a public body, whether formal, informal or through video conferencing, with the intention of discussing public business are considered meetings. The act defines government body as any agency of the state or any subdivision, and any agency or body created or empowered by a state agency which receives or disperses public fund or acts in an advisory capacity.

If the Delaware Open Meetings Law is violated, the resident may contact the Attorney General. The Attorney General then has 20 days to respond and decide if a violation has occurred.

Delaware Freedom of Information Act [Title 29, Chapter 100](#)

Exemptions to open records laws include:

- "Any personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy"
- Trade secrets
- Current police investigations, adoption information, and child custody information
- Any criminal records deemed personal and private
- Criminal intelligence information that would pose a security risk
- "Any records specifically exempted from public disclosure by statute or common law"
- Anonymous charitable contributions to the public
- Labor negotiations records
- The minutes of executive meetings where the the meeting has been closed by a vote of the public body because the subject of the meeting was either hiring discussions, disciplinary hearings, litigation strategy, criminal investigations or preliminary discussions of publicly funded projects.
- Records of registered concealed weapons permits
- Public Library records
- Department of Correction records when sought by an inmate in that department
- Autopsy photos and videos
- The emails of the Delaware General Assembly and their staff
- Any records that could result in a security risk to either individuals or infrastructure
- Military service discharge documents

As well as certain other similar type reasons.

In addition to wages, keep in mind that all e-mails received or sent from/thru the County e-mail system, texts, social media posts, etc. are public information if it contains any information related to County government business or duties. Avoid potential embarrassment and/or related issues by NOT emailing or posting inappropriate comments, graphics, or forwarding such content via the County's computer systems or during working hours. Even personal comments or opinions stated, written, emailed, or posted during non-working hours, which you consider to be private, can have serious unintended consequences in the workplace and interpersonal relationships.

Remember that Kent County Code (§41-5 Code of Ethics) states: *Public officials and employees shall endeavor to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of their trust and which will reflect unfavorably upon the county and its government.*

For more information about FOIA check out the links below:

<https://attorneygeneral.delaware.gov/executive/open-government/>

<https://attorneygeneral.delaware.gov/wp-content/uploads/sites/50/2019/11/2019-FOIA-Policy-Manual-For-Website.pdf>

(Posted 07/22/21)