



**U.S. Department of Labor**  
**Freedom of Information Act (FOIA)**  
(5 U.S.C. § 552)

**FOIA Reading Room Certification**

This is to certify that I have reviewed the following Department of Labor (DOL) FOIA Reading Rooms for purposes of determining whether they are in compliance with the legal requirement for FOIA Reading Rooms:

DOL-Wide Electronic FOIA Reading Room (<http://www.dol.gov/dol/foia/readroom.htm>)

Agency Specific FOIA Reading Rooms:

<b>AGENCY</b>	<b>ELECTRONIC LINK</b>	<b>CONVENTIONAL READING ROOM LOCATION</b>
<b>Employee Benefits Security Administration (EBSA)</b>	<a href="http://www.dol.gov/ebsa/foia/foia.html">http://www.dol.gov/ebsa/foia/foia.html</a> )	U.S. Dept of Labor 200 Constitution Ave, NW Room N1513 Wash., DC 20210
<b>Mine Safety and Health Administration (MSHA)</b>	<a href="http://www.msha.gov/READROOM/READROOM.HTM">http://www.msha.gov/READROOM/READROOM.HTM</a>	1100 Wilson Blvd., Room 2349 Arlington, VA 22209
<b>Employment Standards Administration (ESA) – Office of Federal Contract Compliance Programs</b>	<a href="http://www.dol.gov/esa/ofccp/ofccp-foia.htm">http://www.dol.gov/esa/ofccp/ofccp-foia.htm</a>	
<b>Employment Standards Administration (ESA) – Office of Workers' Compensation Programs</b>	<a href="http://www.dol.gov/esa/owcp/foia/owcp-foia.htm">http://www.dol.gov/esa/owcp/foia/owcp-foia.htm</a>	

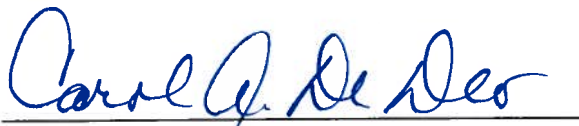
AGENCY	ELECTRONIC LINK	CONVENTIONAL READING ROOM LOCATION
<b>Employment Standards Administration</b> (ESA) – Wage and Hour Division	<a href="http://www.dol.gov/esa/whd/foia/">http://www.dol.gov/esa/whd/foia/</a>	
<b>Employment and Training Administration</b> (ETA)	<a href="http://www.doleta.gov/foia/">http://www.doleta.gov/foia/</a>	
<b>Job Corps</b>	<a href="http://jobcorps.dol.gov/foia.htm">http://jobcorps.dol.gov/foia.htm</a>	
<b>Office of Administrative Law Judges –</b> (OALJ)	<a href="http://www.oalj.dol.gov/LIBFOIA.HTM">http://www.oalj.dol.gov/LIBFOIA.HTM</a>	U.S. Dept of Labor Office of Administrative Law Judges Techworld Plaza 800 ‘K’ Street, NW Room 4093 Wash., DC 20001
<b>Office of the Assistant Secretary for Administration and Management –</b> (OASAM)	<a href="http://www.dol.gov/oasam/foia/">http://www.dol.gov/oasam/foia/</a>	
<b>Office of the Inspector General –</b> (OIG)	<a href="http://www.oig.dol.gov/foia.htm">http://www.oig.dol.gov/foia.htm</a>	
<b>Occupational Safety and Health Administration -</b> (OSHA)	<a href="http://www.osha.gov/as/opa/foia/foia.html">http://www.osha.gov/as/opa/foia/foia.html</a>	U.S. Dept of Labor Technical Data Center 200 Constitution Ave, NW Room N2625 Wash., DC 20210
<b>Office of the Solicitor –</b> (SOL)	<a href="http://www.dol.gov/sol/foia/">http://www.dol.gov/sol/foia/</a>	
<b>Veterans’ Employment and Training Administration -</b> (VETS)	<a href="http://www.dol.gov/vets/foia/">http://www.dol.gov/vets/foia/</a>	

AGENCY	ELECTRONIC LINK	CONVENTIONAL READING ROOM LOCATION
<b>Bureau of Labor Statistics (BLS)</b>	<a href="http://www.bls.gov">http://www.bls.gov</a>	
<b>Women's Bureau (WB)</b>	<a href="http://www.dol.gov/wb/e-foia.htm">http://www.dol.gov/wb/e-foia.htm</a>	U.S. Dept. of Labor 200 Constitution Avenue, NW Room S3309 Wash., DC 20210

I also reviewed the **Employment Standards Administration (ESA)** – Office of Labor Management Standards FOIA Reading Room and identified deficiencies that must be corrected. Attached is the agency's Corrective Action Plan for bringing its FOIA Reading Room into compliance with FOIA.

### Certification

I certify that, with the single exception noted above, all previously identified deficiencies have been corrected and the Department of Labor's FOIA Reading Rooms are in compliance with the requirements of the FOIA.



**November 3, 2008**

**Carol A. De Deo**  
Chief FOIA Officer, DOL

U.S. Department of Labor

Employment Standards Administration  
Office of Labor-Management  
Standards  
Washington, DC 20210  
(202) 693-1203



October 28, 2008

MEMORANDUM FOR: CAROL A. De DEO  
Deputy Solicitor for National Operations

FROM: ANDREW AUERBACH  
Deputy Director

SUBJECT: OLMS FOIA Online Reading Room

This is in response to your October 17, 2008, e-mail to the Office of Labor-Management Standards (OLMS) regarding its compliance with the Freedom of Information Act (FOIA). In particular, you informed the Agency that its FOIA Reading Room did not meet the requirements of the FOIA. This memorandum details the OLMS plan to achieve compliance with the FOIA.

The OLMS FOIA compliance plan involves two steps. First, the web site ([http://www.dol.gov/esa/olms/regs/compliance/OLMS\\_FOIA.htm](http://www.dol.gov/esa/olms/regs/compliance/OLMS_FOIA.htm)) has been updated to provide the links and pages necessary to house the types of documents required to be made available electronically for inspection under the FOIA. These pages will, as discussed below, be soon populated with the documents. Second, for pertinent documents created prior to 1996 for which electronic versions do not exist, OLMS will establish and maintain an FOIA disclosure file in its Public Disclosure Room. This FOIA section will include the existing, outdated OLMS Interpretative Manual, the OLMS Election Case Digest, Assistant Secretary Decisions, and other categories of documents.

The name of the web site has been changed from "OLMS FOIA Page" to "OLMS Online FOIA Reading Room." On the updated site, OLMS will make available the following documents not previously available on its web site:

- Final election decisions: These documents comprise:
  - Dismissal letters issued by the field administratively closing election cases on grounds of procedural deficiency;
  - Statements of Reasons issued to document the agency's rationale for dismissing union member election complaints, rather than taking enforcement action;
  - Agency determinations certifying supervised elections conducted pursuant to voluntary compliance agreements; and
  - Certifications of supervised elections conducted pursuant to court order.
- Final trusteeship decisions: Statements of Reasons issued to document the agency's rationale for dismissing union member complaints concerning the imposition or conduct of a trusteeship, rather than taking enforcement action.
- Assistant Secretary Decisions and Orders: Final decisions in Civil Service Reform Act, Standards of Conduct cases.
- Agency determinations on requests for hardship exemptions from the requirement to file Form LM-2 and Form T-1 electronically.
- Certification Determinations and Claims Determinations issued by the agency under provisions of federal transit law.
- FOIA disclosures of significant public interest: Records the subject of prior FOIA requests that are of public interest.
- The OLMS Interpretative Manual (upon completion of pending revision).

Much of the information intended for posting on the OLMS online FOIA Reading Room must be redacted to ensure non-disclosure of confidential information, which will slow the posting of the documents. Posting of the most recent documents will be accomplished first; at least one document in each category will be posted within two weeks.

OLMS is still taking inventory of older documents that must be made public. It is anticipated that the documents issued in FY 2008 will be posted by the end of the calendar year, with the majority of the existing documents issued prior to FY 2008 posted by the end of calendar year 2009. OLMS intends to complete its FOIA compliance plan by the end of calendar year 2010.

I hope this corrective action plan meets the requirements of the FOIA and the Department of Justice. Please let me know if we can provide you with any further information.