



March 28, 2019

TO: Michelle Deister, Legislative Fiscal Office

FR: Duke Shepard, Bureau of Labor and Industries

RE: Follow-up information requested

During the agency budget presentation of March 26, 2019, additional detail was requested regarding this agency's longstanding practice of determining charges for public records by weight in the Civil Rights Division (CRD).

As each page weighs approximately .16 ounces, 100 pages equals approximately one pound. OAR Chapter 839, Division 30 covers the agency's rules for public records requests. Specifically, OAR 839-030-0010 addresses fees. Below are OAR references for costs associated with public records requests:

- OAR 839-030-0010(9): Assigns a cost for staff time depending on staff designation.
- OAR 839-030-0010(10): Assigns costs for materials, including a cost of \$.25 per page (black & white copy)
- OAR 839-030-0010(11): States, "Charges for copies of Civil Rights Division closed investigative files are calculated based on the weight of the file."

The fee for CRD public records requests as price per pound is a composite of cost for materials; staff time to prep, copy, and redact the file; and then postage. There are separate and different fees involved in an instance in which someone seeks material in a different format (e.g., on CD) or if they choose to come to the agency and personally view the file.

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