



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

August 23, 1990

Mr. William Grossenbacher
Administrator
Texas Employment Commission
T.E.C. Building
Austin, Texas 78778

OR90-403

Dear Mr. Grossenbacher:

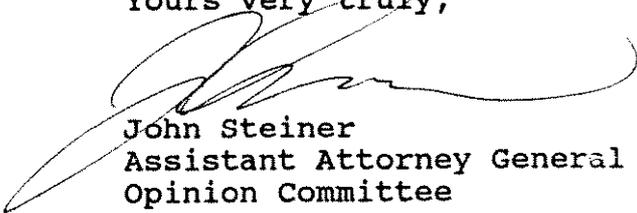
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9215.

We have considered the exception you claimed, specifically the informer's privilege and common-law privacy as each is incorporated into the Open Records Act by section 3(a)(1), and have reviewed the documents at issue.

The requested documents relate to wage claims against an employer filed with the Texas Employment Commission under article 5515, section 5, V.T.C.S. Pursuant to art. 5155, section 5(d), V.T.C.S., if the commission determines that the wage claim is valid, it notifies the employer of the claim. The informer's privilege does not apply to complaints made available to the person complained of. Open Records Decision No. 470 (1987), 208 (1978). However, background financial information about an individual has been held to be within the protection provided by common-law privacy. Open Records Decision No. 545 (1990). Accordingly, the names of the claimants may be withheld, the balance of the information must be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-403.

Yours very truly,


John Steiner
Assistant Attorney General
Opinion Committee

JS/le

Ref.: ID# 9215, 9217

Enclosure: Open Records Decision Nos. 208, 470, 545

cc: Travis E. Poling, Staff Reporter
San Antonio Business Journal
3201 Cherry Ridge, D400
San Antonio, Texas 78230