



# ALASKA RAILROAD CORPORATION

## BOARD RULE NO. 4

Adopted Dec. 17, 1984  
Amended July 18, 1985

**Subject:** Public Disclosure of Information

**Purpose:** Alaska Statute 42.40.220 provides that information in the possession of the Corporation is public and therefore available to public inspection at reasonable times.

Board Rule No. 4 also designates privileged or proprietary information to be withheld from public inspection.

The Amendment to Rule No. 4 amends the privileged or proprietary information to be withheld from public inspection.



# ALASKA RAILROAD CORPORATION

Adopted Dec. 17, 1984  
Amended July 18, 1985

## RULE NO. 4 (AMENDED)

### PUBLIC DISCLOSURE OF INFORMATION

#### A. Public Information

As provided in AS 42.40.220, information in the possession of the Corporation is public and available to public inspection at reasonable times.

#### B. Restrictions on Disclosure

As further provided under such provision and as required by the Alaska Railroad Transfer Act of 1982 (ARTA)(45 U.S.C. 1204), the following information is hereby designated to be of a privileged or proprietary nature and shall be withheld from public inspection.

1. As required under Section 605(b)(ARTA), certain information of the Federal Alaska Railroad available to the Corporation, including "proprietary business data, personnel records, and other information, the public disclosure of which is prohibited by law;"
2. Personnel records of the Corporation, including but not limited to, each employees' original application for employment and employment memorandum, resume, any and all salary information, reports of other employment investigations, tests, any letters of recommendation, reports of work performance, reports of the employee's progress, disciplinary actions, and such other records as may be created in the employee's initial employment and continued service to the Alaska Railroad Corporation. Personnel records may be released upon receipt of written authorization from the employee, former employee, or applicant whose records are requested. Such authorization shall specifically identify the information authorized for release.

For employees who transferred to the Corporation pursuant to P.L. 97-468, personnel records shall include the employee's Official Personnel Folder, Emergency Medical Folder, and any copies thereof. Disclosure of information contained in the Official

Personnel Folder and Emergency Medical Folder shall be governed by applicable federal law and regulations;

3. Communications with and work product of counsel;
4. All other records, documents, data or information of a privileged or proprietary nature, including but not limited to, proprietary information associated with specific shippers, divisions and contract rate agreements, and specifically including all information that may be withheld or protected from discovery in proceedings before the Interstate Commerce Commission consistent with the Commission's standards and practices;
5. Other information, the subject of which could be discussed in Executive Session under AS 42.40.170; and
6. Any other information or records required to be kept confidential by federal or state law or regulations.