



COMMONWEALTH OF KENTUCKY
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21-ORD-203

October 27, 2021

In re: Jeana Banks/Office of Unemployment Insurance

Summary: Because the Office of Unemployment Insurance (“the Office”) failed to respond to an open records request within five business days, it violated the Open Records Act (“the Act”).

Open Records Decision

On August 7, 2021, and again on September 14, 2021, Jeana Banks (“Appellant”) requested that the Office provide “all records regarding [her] attempted claim for unemployment insurance benefits.” Having received no response as of September 28, 2021, the Appellant initiated this appeal.

A public agency must respond to an open records request within five business days. KRS 61.880(1). The Office violated the Act when it failed to respond to the Appellant’s request within that time period.¹

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882. Pursuant to KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceeding.

¹ After this appeal was initiated, the Office provided some records to the Appellant, but she disputed whether the Office’s response was complete. The completeness of that response is not at issue in the present appeal. See KRS 61.880(2)(a) (“The Attorney General shall review the request and denial and issue within twenty (20) [business] days . . . a written decision stating whether the agency violated provisions of KRS 61.870 to 61.884.”).

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Distributed to:

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