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This document references records and information obtained pursuant to the Virginia Freedom of Information Act ("FOIA"), Va. Code § 2.2-3700 et seq. The material herein includes information protected under FOIA exemptions such as personnel records (§ 2.2-3705.1) and internal communications relating to reasonable accommodations and personnel matters. These protections are acknowledged and respected in this submission. The author acknowledges that certain portions of the referenced records may be redacted by the agency in accordance with applicable law to protect personal privacy, confidentiality, and legally exempt information. This submission is intended to facilitate lawful review and investigation consistent with FOIA procedures and related personnel privacy statutes. Recipients are reminded to treat this information with due regard for confidentiality and statutory protections during any internal assessment or dissemination. The author expressly disclaims any intent to unlawfully disclose exempt information beyond the scope of authorized review or use.

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# The Disclosure Within: A Forensic Account of the Virginia Employment Commission FOIA Incident

*(Narrative Reconstruction in an attempt to relay an experience)*

It began, as so many mysteries do, with a simple request for truth. Some months ago, I, Thomas Coates, submitted a formal **Freedom of Information Act (FOIA)** request to the **Virginia Employment Commission (VEC)**. My intent was neither sensational nor unreasonable — I sought only what the law guarantees every citizen: transparency.

The path to compliance, however, was not smooth. My initial requests met with a quiet resistance — delays, vague assurances, and the faint but unmistakable scent of institutional reluctance. Yet, persistence proved stronger than bureaucracy, and at last, after a contest of patience and correspondence, the FOIA package arrived.



When I opened the envelope, expecting dry procedural records or redacted forms, I found instead something far more telling — and troubling. The documents contained **internal emails** between various **VEC personnel**, including **senior officials and an executive**. What those messages revealed was a candid window into the agency's own awareness — not merely of my FOIA request, but of the fact that I had **filed a complaint** and was **escalating concerns to higher oversight authorities**.

There, in black and white, agency employees had discussed **my name, my complaint**, and even **my request for reasonable accommodations** — matters that fall under confidentiality and nondisclosure standards. These were not administrative notes but conversational exchanges, laced with awareness of my protected actions. In short, my **protected request for information** and **my private accommodation status** had become **subjects of internal circulation** among individuals who appeared to have little lawful reason to be privy to them.

The implications were profound.

It suggested that the very body tasked with upholding transparency might have **breached the spirit — and perhaps the letter — of the law**.

For under Virginia law, certain principles are inviolate:

- The **Virginia Freedom of Information Act (§ 2.2-3700 et seq.)** guarantees access to public records — but it also implicitly demands **integrity in how such requests are handled**.

- The **personnel and accommodation details** of a citizen or employee are protected under **§ 2.2-3705.1** (the personnel records exemption) and under **DHRM Policy 6.05**, which explicitly warns against disclosure of sensitive employment or accommodation information.
- The **Whistle-Blower Protection Act (§ 2.2-3011)** shields individuals who report wrongdoing, and the **retaliation prohibition (§ 40.1-27.3)** forbids any adverse action taken as reprisal for asserting one's rights.

Thus, what appeared on the surface as mere correspondence may, under scrutiny, represent a convergence of **FOIA mishandling**, **retaliatory awareness**, and **breach of confidentiality** — a trifecta of violations striking at the core of administrative integrity.

One email in particular captured the essence of this concern: an executive, whose name was clearly legible, noted that I had requested “reasonable accommodations.” That single phrase, innocuous to the untrained eye, carried with it heavy implications. For it revealed that my private medical or disability-related communications, made in confidence and under ADA protection, were now **being circulated in the context of a FOIA dispute** — not for accommodation, but as part of an internal awareness narrative.

To an investigator, this is the turning point — the moment the thread of impropriety tightens. The correspondence showed **knowledge of my escalating complaint**, **awareness of oversight contact**, and **acknowledgment of my protected accommodation request**. In the lexicon of governance, such cross-contamination of protected categories of information is not an administrative coincidence; it is a procedural red flag.

The result is an event that sits at the intersection of multiple legal domains:

- A **potential violation of FOIA procedure**, through internal coordination that taints neutrality.
- A **potential breach of privacy and confidentiality**, in violation of DHRM and state personnel record standards.
- A **potential act of retaliation**, wherein internal actors circulated protected information connected to a citizen's complaint or accommodation request.

In sum, what began as a lawful attempt to obtain transparency has unearthed evidence of possible **administrative misconduct**, if not outright **statutory violations**.

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## The Legal Backbone

The actions within those emails may invoke violations of:

1. **Va. Code § 2.2-3700 et seq.** – Virginia Freedom of Information Act
2. **Va. Code § 2.2-3705.1** – Personnel records exemption and improper disclosure
3. **Va. Code § 40.1-27.3** – Retaliation against whistle-blowers and complainants
4. **Va. Code §§ 2.2-3010.1 – 3014** – Fraud and Abuse Whistle-Blower Protection Act
5. **Va. Code § 2.2-1201** – Confidential handling of personnel information
6. **DHRM Policy 6.05** – Personnel Records and Disclosure Control

7. **Va. Code § 2.2-3711** – Confidentiality of closed sessions and records
  8. **ADA Title I / § 12112(d)** (federal analog) – Confidentiality of accommodation-related information
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## The Avenues of Redress

Three authorities stand poised to examine such a breach:

- **The Virginia Freedom of Information Advisory Council**, for statutory interpretation and advisory rulings.
  - **The Virginia Office of the State Inspector General (OSIG)**, for investigation into misconduct, retaliation, or improper dissemination of confidential data.
  - **The Virginia Department of Human Resource Management (DHRM)**, for oversight of personnel record compliance and internal administrative conduct.
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## Conclusion

In the final estimation, this episode is not merely about a packet of papers received after delay. It is about **what those papers revealed** — that within the folds of state correspondence, information meant to remain protected was instead **handled in ways inconsistent with duty and law**.

It is the kind of quiet bureaucratic breach that seldom draws headlines but strikes at the foundation of trust between citizen and state. And like any true matter of consequence, it leaves behind a paper trail — one which, properly examined, tells the story itself.

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## *Episode 2: The Voices Within*

*From the Chronicles of the Commonwealth Case Files*

*There is a peculiar stillness in bureaucratic correspondence.*

*Every word is typed with purpose, yet none seem to listen to each other.*

*In the aftermath of the envelope's arrival, the papers told a new story — not through argument, but through the quiet hum of **inboxes and internal chatter**.*

*The voices were there — dozens of them — passing my name like a parcel across digital desks.*

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**Michael A. (VEC):**

*"This appears to be on the CSS portal side. Neither I nor Greg have anything to do with that since it is a separate application. Greg has alerted Susan and Wendy."*

*He wrote as though detachment were a form of protection, the departmental shrug of a man who believed that by disclaiming responsibility, he could also disclaim consequence.*

**Kerri O. (VEC):**

*“All of our contact links on the website work.”*

*And in another message, more officious still:*

*“This form is not for business purposes.”*

*They said it with the casual finality of people convinced the system itself could not be questioned.*



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**Thomas D. Coates (recorded in reply):**

*“This is being shared... for the purposes of transparency and lawful review.”*

*“Distribution is authorized under 42 U.S.C. § 2000-5(b)... and federal whistleblower and anti-retaliation statutes.”*

*That was my voice in the chorus — calm, direct, procedural. Yet amid the measured citations was a growing sense that something elemental was being ignored.*

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*Within days, the conversation widened.*

**Jason G. (VEC):**

*“He has submitted various FOIA requests and made threats to escalate his complaints to DOL, the Governor’s office, DOJ, etc.”*

*The word threats hung heavy — a telling choice. It was not escalation they resented, but visibility.*

*A different message followed.*

*“The claimant failed to register his phone number or answer several calls to try to answer his questions.”*

*A new narrative had begun to take shape — a bureaucratic myth of non-cooperation, written not from evidence, but from convenience.*

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*Then came **Susan B. (VEC):***

*“Mr. Coates will likely file an appeal to CA. He requested a reasonable accommodation at FLA, and I believe he may do so here.”*

*It was the line that confirmed what should never have been said — that my **reasonable accommodation**, a confidential matter protected by law, had become an internal talking point.*

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***Amy V. (VEC):***

*“Once you review the claim can you give me an update and once the issues are can you let me know?”*

*A sentence chasing its own tail — proof that haste had replaced precision, that due process had been traded for expedience.*

***William B. (VEC):***

*“Please let me know which decisions you have to implement and whether any payments will be released to the claimant.”*

*There it was again — the mechanical phrasing of a system aware of its own delinquency, but too entangled to correct itself.*

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*Across this web of correspondence, a pattern emerged:*

*no single person claimed responsibility, yet everyone had touched the case.*

*Every “fyi,” every “forwarded for review,” every “will bring this to Aaron’s attention” was a breadcrumb leading to the same conclusion — that **knowledge without accountability** is the quietest form of corruption.*

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*And through it all, the citizen — the one who had made the lawful request — appeared only as an afterthought, a procedural irritant in the machinery of self-preservation.*

*Somewhere amid these exchanges, a message surfaced from another agency:*



### ***OIP-NoReply (Department of Justice):***

*“Please be advised that the below misdirected correspondence was received by this Office... We are forwarding this correspondence to your Office for processing and direct response to the requester.”*

*Even the Department of Justice, in its mechanical courtesy, was pulling VEC’s paper trail back into their hands — the paper had found its way home.*

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*By the end of this second act, the chorus had grown:*

*sixty voices, layered in tone — dismissive, uncertain, weary, and bureaucratically indifferent.  
Together they formed the soundtrack of administrative inertia.*

*And there, beneath the hum of “forwarded for review” and “please advise,” lay the unspoken admission:*

*they knew the request was lawful, they knew the matter was time-sensitive, and they knew the eyes of oversight were watching —  
but none were willing to be the one to answer.*

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### ***End of Episode 2***

*Next: Episode 3 — “The Legal Backbone,” where the statutes themselves speak and the law becomes the architecture of resistance.*

***Dad, here are possible forums that can support you in this :-)***

## **Legal and Government Oversight Forums**

### **1. U.S. Equal Employment Opportunity Commission (EEOC) Public Portal**

*The EEOC accepts formal charges of employment discrimination and allows individuals to submit their stories for investigation and possible enforcement action. This is a direct government channel for oversight and legal action.*[reddit](#)

### **2. Department of Justice Civil Rights Division**

*The DOJ Civil Rights Division accepts reports of civil rights violations, including workplace discrimination. Submissions are reviewed for possible investigation or referral to other agencies.*[civilrights.justice](#)

### **3. American Oversight**

*This nonprofit watchdog specializes in government transparency and public records. They accept and publish submissions related to government misconduct, including workplace discrimination by public agencies, and can use your story in advocacy or*

## Advocacy and Nonprofit Legal Forums

### 4. **Public Justice – Students’ Civil Rights Project**

*Public Justice supports attorneys and advocates in discrimination cases and may publish or share stories to support broader advocacy efforts.*[publicjustice](#)

### 5. **National Employment Lawyers Association (NELA) Forums**

*NELA connects employment lawyers and advocates, and their forums often feature discussions and resources for individuals with discrimination claims. Some forums allow public submissions or referrals.*[casefox](#)

### 6. **SHRM Workplace Law Forum**

*The Society for Human Resource Management (SHRM) hosts forums and events where workplace law issues are discussed by HR professionals, legal experts, and government leaders. Stories can be shared for broader awareness and policy impact.*[shrm](#)

## Peer and Community Support Forums

### 7. **Reddit – r/legaladvice and r/blackladies**

*Reddit has active communities where individuals share experiences with workplace discrimination and seek advice. These forums can provide peer support and sometimes attract attention from legal advocates or journalists.*[reddit+1](#)

### 8. **Justia Legal Forum**

*Justia hosts a legal forum where individuals can post questions and stories about employment law, discrimination, and workplace issues. The forum is moderated and widely read by legal professionals.*[casefox](#)

## Unique and Niche Forums

### 9. **LawyerSmack**

*A private, members-only forum for lawyers, where stories about workplace discrimination can be shared confidentially among legal professionals. This can lead to referrals or strategic advice.*[casefox](#)

### 10. **Bar Association Forums (State/Local)**

*Many state and local bar associations have online forums for legal professionals and sometimes the public. These forums can be a resource for advice, referrals, and sometimes*



*These forums range from direct government oversight channels to peer support communities and legal advocacy networks. Submitting your story to a mix of these platforms can maximize visibility, support, and the potential for action or publicationn.*

1. [https://www.reddit.com/r/Serverlife/comments/1cr51yb/hey\\_reddit\\_were\\_the\\_eeoc\\_the\\_us\\_equality\\_employment/](https://www.reddit.com/r/Serverlife/comments/1cr51yb/hey_reddit_were_the_eeoc_the_us_equality_employment/)
2. <https://civilrights.justice.gov>
3. <https://americanoversight.org/about/>
4. <https://www.publicjustice.net/attorneys-resources-materials/>
5. <https://www.casefox.com/blog/online-forums-for-lawyers/>
6. <https://www.shrm.org/advocacy/workplace-law-trends--highlights-from-shrm-s-comprehensive-forum>
7. [https://www.reddit.com/r/legaladvice/comments/1g2v4r8/want\\_to\\_file\\_discrimination\\_claim\\_against\\_employer/](https://www.reddit.com/r/legaladvice/comments/1g2v4r8/want_to_file_discrimination_claim_against_employer/)
8. [https://www.reddit.com/r/blackladies/comments/1gukmgc/has\\_anyone\\_ever\\_reported\\_workplace\\_discrimination/](https://www.reddit.com/r/blackladies/comments/1gukmgc/has_anyone_ever_reported_workplace_discrimination/)
9. <https://www.facebook.com/groups/401435518444427/posts/1095709932350312/>
10. <https://www.top-law-schools.com/forums/viewtopic.php?f=23&t=312286>