

N A S A

PERSONAL INFORMATION PROTECTION ACT **(PIPA)**

PRIVACY POLICY

NASA is the certified bargaining agent for non-academic staff at the University of Alberta. As a trade union, NASA is committed to representing its members to the best of its ability. This representation includes a commitment to protecting the confidentiality of personal information of its members.

NASA is also subject to the legal duty to represent the members of the bargaining unit. In order to fully and properly represent employees, NASA will be required to obtain, use, and disclose personal information as it may relate to the representation of an employee or of the bargaining unit. However, all such collection, use, and disclosure of personal information shall only be for the purposes of representing the Union, its members and for the purpose of administration needs of the Union.

NASA is also an employer and has the responsibility to protect the right to privacy of the personal information of its employees.

NASA is committed to complying with the provisions of the Canadian Standards Association (CSA) Model Code for Protection of Personal Information insofar as they are compatible with trade union principles, representation rights and duties, and the duties of an employer. The CSA Model Code is attached to this policy for information purposes.

NASA is a Union dedicated to furthering the goals of the Union in enhancing the socio-economic conditions of members of the Association. The Objectives of the Association are:

- a) To encourage the education, training, skill and efficiency of members of the Association;
- b) To promote and safeguard harmony between the employers and the members of the Association;
- c) To unite the members of the Association for their mutual improvement socially, mentally and physically, and for their protection and common interest and individual welfare without discrimination;
- d) To bring about united action and to act on any matter or issue of common interest to the members of the Association;
- e) To regulate relations between employers and employees.

COLLECTION OF PERSONAL INFORMATION

1. Personal information, with respect to employees and job applicants, may be collected from the employer.
Such personal information will only consist of information necessary for the establishment, management, and termination of the employment relationship, for the administration of the collective agreement, and for collective bargaining.
2. Personal information may be collected from the employees of the University of Alberta.
Such information shall relate to the establishment, management and termination of the employment relationship, for the administration of the collective agreement and for collective bargaining.
3. Personal information is also collected from individual employees who wish to have the Union represent them with respect to issues or disputes involving the employment relationship. An employee is deemed to consent to the collection of any information that they provide to NASA and to the collection of information from other employees and the employer. If it is necessary to collect information from a third party, NASA will obtain consent in form of *Appendix "A"*.
4. Personal information is also collected from the employer and affected employees with respect to health benefits. The Union recognizes the importance of safeguarding the confidentiality of medical information and will obtain written consents from the affected employees prior to collection of medical information from any party.
5. Personal Information may be collected through the website of the Union. The website shall contain a notice as to what specific information is being collected and the purpose for such collection.
6. In compliance with the spirit of privacy protection, the Union shall provide notice to the employees of the University of Alberta, that it will be collecting personal information by including such notices in new employee orientation; on employers' new hire practices to which the Union is invited to attend; and by including a notice in the collective agreement booklets made available to employees (in the next printing).

USE OF PERSONAL INFORMATION

Any information collected by NASA shall only be used for the purposes of representing NASA and its members (including the investigation of issues, representations to the employer, pursuing dispute resolution mechanisms including arbitration, collective bargaining, assistance with medical leaves, etc.) for the internal administration of the Union and for the purposes of furthering the goals of NASA.

DISCLOSURE OF PERSONAL INFORMATION

1. Personal employee information may be disclosed to employees and elected officials or agents* of the Union. Such employees, agents, and elected officials shall be subject to the duty of confidentiality.
2. Personal employee information may be disclosed to the employer if such disclosure is necessary for the representation of an employee and for the enforcement of the collective agreement.
3. Personal information will be disclosed to third parties who are not the employer and not the Union employees, agents, or officials only with the specific consent of the employee or where otherwise required by law.
4. Personal employee information which consists of contact information and which may include name, home address, phone number and e-mail address may be used by the Union for the distribution of union information, for contact for the purpose of Union business and representation, and for matters necessary for the administration of the Union.

**(agents: investigators, legal council, etc.)*

PRIVACY OFFICER

1. The Executive Board of NASA, in consultation with the Business Agent, shall appoint an employee as the Privacy Officer for the Non-Academic Staff Association, as well as an alternate Privacy Officer effective January 1, 2004.
2. The Alternate Privacy Officer shall act as the Privacy Officer for the Non-Academic Staff Association in circumstances where the Privacy Officer is unable to act as a result of termination of employment or an absence in excess of one week.
3. The Privacy Officer shall have the responsibility for:
 - a. Receiving, investigating and responding to inquiries and complaints regarding the collection, use and distribution of personal information by members of the University of Alberta represented by NASA employees;
 - b. Ensuring that procedures set out to protect personal information are implemented and maintained by the Non-Academic Staff Association;
 - c. Developing training programs for the staff, executive and shop stewards in regards to protection of privacy and coordinating such training programs;
 - d. Reporting to the Executive on an annual basis with respect to the inquiries and complaints relating to the collection, use and distribution of personal information by the Union and any proposals with respect to policy and administration of protection of privacy.

STORAGE AND SAFEGUARDING OF PERSONAL INFORMATION

The Union stores personal employee information in a number of forms and venues. The Union is committed to safeguarding such information whether it is in written, electronic or other format.

Personal employee information is stored in a number of locations:

1. NASA offices;
2. personal possession of Union Staff, Union Executive, Union Stewards;
3. on University of Alberta computer servers;
4. off site storage facilities rented by the Union.

The storage of personal employee information in the personal possession or personal property of Union staff and officials shall occur only when necessary and shall be subject to the following:

1. ensuring the information is contained in a secure location if it is not in the immediate possession of the staff person or official;
2. the information is not placed in such a manner as to provide accessibility to the information to any party not entitled to such access;
3. the information is kept in the possession of the staff person or official only so long as is necessary to deal with that information;
4. Upon no longer being necessary to retain such personal employee information in their personal possession, such information shall be brought to the Union office and placed in a file;
5. Officials of the Union, such stewards, who deal on an ongoing basis with such information which normally is not placed on files (e.g. handwritten notes of contacts, etc..) shall, on a monthly basis review that personal employee information that they may possess and if that information is not required to be retained by them, the information shall be placed in a general file and stored at the Union office. While in their possession, ensure privacy in accordance with the Act.

The personal employee information shall be safeguarded by:

1. All written, video and audio records containing personal employee information shall be placed in files and stored in cabinets which shall be locked outside of the normal business hours of the office, or during such time where there are no employees or elected officials of the Union present.
2. All computer records shall be stored on computers which have been safeguarded from intrusion (e.g. firewalls installed) and all such reasonable methods as may be possible

shall be taken to safeguard those computer records. Such continued storage on computers shall be kept to a minimum.

3. Computer server and workstations shall be protected.
 - open BSD Firewall protected
 - Black Ice protected

Backup information shall be safeguarded.

- off-site storage and safety deposit box at a bank.
- computer – as above
- office door locked when absent

4. All e-mails relating to personal employee information shall be printed and placed on files and the e-mails deleted from the computers, within a reasonable period of time.
5. Any storage facility obtained by the Union, which is located on premises other than the Union office, shall be completely secured premises and include security measures.

The Union recognizes that the ongoing retention of files may create issues with respect to the safeguarding of personal employee information. As a result, retention of such information shall be governed by the following guidelines:

1. All records relating to the collective bargaining process shall be retained.
2. All files containing personal employee information collected by Union officials and unrelated to specific issues or collective bargaining shall be destroyed after the conclusion of two years from the end of the calendar year in which the notes or file was made.
3. All issue and grievance files shall, upon conclusion of that issue or grievance, contain a completed 'report' document summarizing the matter. Such a report shall NOT contain the reference to the name of the affected employee. All the information in the file, with the exception of the summary report, shall be destroyed after the conclusion of five years from the date of the conclusion of the file, except where it is reasonable to anticipate the information will be required past that time.
4. Computer cleansing:
 - Surplus computers will have the hard drive removed and destroyed.
5. The destroying of files shall consist of the shredding of all paper records and the proper destruction of all audio and visual files.

WHERE A PERSON IS REQUESTING PERSONAL INFORMATION HELD BY NASA, THERE WILL BE THE FOLLOWING PROCESS.

INQUIRY/COMPLAINT HANDLING PROCESS

The Union is committed to handling inquiries and complaints in regards to the Union's compliance with the Personal Information Protection Act.

All inquiries and complaints shall be submitted in writing to the Privacy Officer of the Union. The Privacy Officer shall not be required to pursue any inquiries/complaints which are not submitted in written form. For the purposes of this policy, e-mails shall not be considered to be "written form".

The written inquiry/complaint shall contain sufficient information to establish the fact of a inquiry or complaint, shall contain contact information, including mailing address and telephone number, of the person making the inquiry/complaint and shall be signed and dated by the person making the inquiry/complaint.

Upon receipt of a complaint/inquiry, the Privacy Officer shall:

1. record the receipt of the inquiry/complaint on a form designed to record such information;
2. provide the complainant with written confirmation of receipt of the inquiry/complaint;
3. contact the complainant in order to clarify the inquiry/complaint or obtain further information;
4. conduct an inquiry including the review of any records, interviews of people, etc.
5. the inquiry shall include an interview of the person making the inquiry/complaint;
6. upon conclusion of the investigation, the Privacy Officer shall prepare a written report, which shall be provided to the complainant, the Secretary of NASA, and the Business Manager.
7. The Privacy Officer shall respond to the person making the inquiry/complaint no later than 45 days from the written inquiry/complaint or at the end of such extended time period as permitted by the PIPA.
8. In the event that the inquiry/complaint is justified the written report shall contain recommendations to rectify the situation. NASA shall take such measures necessary to ensure that the situation is rectified and shall provide notification to the complainant of the specific action taken to rectify the situation.
9. In the event of an inquiry to gain access to personal information, the Privacy Officer may release such information as permitted by the PIPA. If access to personal information is denied, the Privacy Officer shall provide reasons for such denial.

10. All such inquiry/complaint files shall be destroyed upon two years from the date on which the NASA provided a response to the inquiry/complaint.