



## CHECKLIST FOR EMPLOYEE POLICY PRIVACY

THE *PERSONAL INFORMATION PROTECTION ACT* (“PIPA”) REGULATES THE WAY PRIVATE SECTOR ORGANIZATIONS WITHIN BRITISH COLUMBIA COLLECT, USE, KEEP, SECURE AND DISCLOSE PERSONAL INFORMATION.

### I. DEFINITIONS

- A. An employee is someone employed by Just Beginnings Flowers Society or someone who performs a service for us and includes a volunteer, a student and a temporary employee.
- B. Personal Information (“PI”) means all information about an identifiable individual, which may include the following:
- Name and address
  - E-mail address
  - Telephone Number
  - Social Insurance Number
  - Birthdate
  - Annual Income
  - Dependent Information
  - Prior employment history
  - Attendance records
  - Banking details
  - Resumes
- C. Employee PI refers to PI that is reasonably needed to establish, manage or terminate a work or volunteer relationship with Just Beginnings Flowers Society. Employee PI does not include business contact information or work product information.
- D. Contact information refers to an individual’s name and position or title, business telephone number, business address, business email, business fax number and other business contact information.

- E. Work Product Information refers to information prepared by individuals or employees in the context of their work or business, but does not include PI about other individuals. For example, a document prepared and signed by an employee is work product information, but if the document contains PI about Just Beginnings Flowers Society's customers, that portion of the document would remain the PI of the customers.

## II. PURPOSE

- A. PIPA provides that Just Beginnings Flowers Society can collect, use and disclose employee PI without consent if it is reasonable for the purposes of establishing, managing or terminating an employment relationship between Just Beginnings Flowers Society and an individual.
- B. Where practical, Just Beginnings Flowers Society will endeavour to collect employee PI directly from the person to whom the information pertains. When necessary, Just Beginnings Flowers Society will collect PI from other sources. When Just Beginnings Flowers Society collects PI from employees, it will tell them the purpose for collecting the information and who can answer their questions about the collection.
- C. When collecting employee PI from other sources, or when using or disclosing the PI collected by Just Beginnings Flowers Society, Just Beginnings Flowers Society will, where required, first obtain the consent of the employee.
- D. If Just Beginnings Flowers Society uses an employee's PI to make a decision that directly affects an employee, it will retain that information for at least one year after using it. In other cases, Just Beginnings Flowers Society has an obligation to destroy documents containing employee PI once the purpose for which the information was collected is no longer being served and the retention of the information is not necessary for legal or business purposes.
- E. PIPA provides that an individual is deemed to consent to the collection, use or disclosure of PI if, at the time the consent is deemed to be given, the purpose would be considered obvious to a reasonable person. When such circumstances exist, Just Beginnings Flowers Society may collect, use or disclose PI without first obtaining the consent of the individual.
- F. In addition to the circumstances outlined above, there are other times when the law permits Just Beginnings Flowers Society to collect, use or disclose PI about an individual without that person's consent. These include (but are not limited to) circumstances in which:
  - 1. the collection, use or disclosure is clearly in the interests of the individual and consent cannot be obtained in a timely way;
  - 2. it is reasonable to expect that the collection, use or disclosure with the consent of the individual would compromise the availability or accuracy

of the PI, and the collection, use or disclosure of the information is necessary for an investigation or proceeding;

3. the PI is available to the public from a prescribed source;
4. the collection, use or disclosure of PI is required or authorized by law.

G. When Just Beginnings Flowers Society collects, uses or discloses employee PI, it will make reasonable efforts to ensure that it is accurate and complete.

### III. PROTECTION OF PI

A. Just Beginnings Flowers Society recognizes its obligations to protect employee personal information during the course of its business operations. It has therefore made arrangements to secure against the unauthorized access, collection, use, disclosure, copying, modification and disposal of such personal information. Specifically:

1. employee personal information is to be collected by the personnel office and treated in the strictest of confidence. Only authorized individuals shall be provided access to personnel and payroll records;
2. the personnel office and/or information shall be locked and secured at all times. Hourly payroll records and employee records are to be locked at all times. This information shall be destroyed in a secure fashion when not required by Just Beginnings Flowers Society or government authorities;
3. employee personal information shall only be disclosed to authorized company personnel, government authorities as required by law and to Just Beginnings Flowers Society's payroll and insurance carriers; and
4. access to third parties requesting personal information, such as that which is used in securing loans and mortgages, must be given only after the employee provides written consent to do so, outlining specific information to be released and to whom it is to be released.

### IV. ACCESS TO PI AND OTHER RELATED INFORMATION AND CORRECTION PROCESS

A. PIPA permits individuals, including employees, to submit written requests to Just Beginnings Flowers Society to provide them with:

1. their personal information under Just Beginnings Flowers Society's custody or control;
2. information about how their personal information under Just Beginnings Flowers Society's control has been and is being used by Just Beginnings Flowers Society;

3. the names of the individuals and organizations to whom their personal information under Just Beginnings Flowers Society's control has been disclosed by Just Beginnings Flowers Society.
- B. Just Beginnings Flowers Society will respond to access requests within the time allowed by PIPA and will make a reasonable effort to assist applicants and to respond as accurately and completely as reasonably possible.
- C. An employee's ability to access his or her personal information under Just Beginnings Flowers Society's control is not absolute. PIPA provides that Just Beginnings Flowers Society must not disclose personal information if:
1. the disclosure could reasonably be expected to threaten the safety or physical or mental health of an individual other than the individual who made the request;
  2. the disclosure can reasonably be expected to cause immediate or grave harm to the safety or to the physical or mental health of the individual who made the request;
  3. the disclosure would reveal personal information about another individual;
  4. the disclosure would reveal the identity of an individual who has provided personal information about another individual and the individual providing the personal information does not consent to disclosure of his or her identity.
- D. PIPA further provides that Just Beginnings Flowers Society is not required to disclose personal information if:
1. the personal information is protected by solicitor-client privilege.
  2. the disclosure of the personal information would reveal confidential commercial information that, if disclosed, could, in the opinion of a reasonable person, harm the competitive position of an organization;
  3. the personal information was collected without consent for the purposes of an investigation, and the investigation and associated proceedings and appeals have not been completed;
  4. the personal information was collected or created by a mediator or arbitrator in the conduct of a mediation or arbitration for which he or she was appointed to act:
    - (a) under a collective agreement,
    - (b) under an enactment, or

(c) by a court.

E. The law permits individuals, including employees, to submit written requests to Just Beginnings Flowers Society to correct errors or omissions in their personal information that is in Just Beginnings Flowers Society's custody or control. Just Beginnings Flowers Society will:

1. correct the personal information and, if reasonable to do so, send correction notifications to any other organizations to whom it has disclosed the incorrect information; or
2. decide not to correct the personal information, but annotate the personal information that a correction was requested but not made.

V. RETENTION OF PI

A. one year after used to make decision affecting an individual

VI. SALE OF PI

VII. NOTICE OF ANY MONITORING

VIII. EXTERNAL/INTER-CORPORATE DISCLOSURE