

FACNC Personal Information and Privacy Policy

1. Policy Statement

This policy defines the restrictions around the collection, distribution, and security of any personal information gathered by the Faculty Association in accordance with the requirements of the *Personal Information Protection Act of BC* (PIPA) which came into force January 1, 2004, and the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA).

The Faculty Association of the College of New Caledonia is committed to protecting the privacy, confidentiality, accuracy, and security of any member information collected or disclosed under the auspices of its activities under the Collective Agreement with the College of New Caledonia. Any member information collected will only be used and retained as described under Reasons for Collecting, Using and Disclosing Personal Information.

2. Purpose of the Act

The purpose of the *Act* is to govern the collection, use, and disclosure of personal information by organizations in a manner that recognizes both the right of individuals to protect their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.

3. Personal Information Definition

In the Act, personal information is defined as information about an identifiable individual. Personal information includes:

- a. Age, weight and height;
- b. Home address and phone number;
- c. Race, ethnic origin, sexual orientation;
- d. Political association;
- e. Medical information;
- f. Income, purchases, and spending habits;
- g. Blood type, DNA code, fingerprints;
- h. Marital status and religion;
- i. Educational, financial or criminal history, and
- j. Employment information.

Personal information is deemed not to include the name, job title, business address telephone number or other contact information of an individual at a place of business. It also does not include work product information.

4. Policy Guidelines

This policy has been developed to meet PIPA principles for:

- a. Accountability;
- b. Identifying the reasons for collecting information;
- c. Obtaining consent;
- d. Limited collection of personal information;
- e. Disclosure and retention of personal information;
- f. Limited use of information;
- g. Accuracy of information;
- h. Safeguards for protecting personal information;
- i. An individual's access to information, and
- j. Challenging compliance by providing a complaint procedure.

5. Policy Information and Limitations

The FACNC will distribute policy information to new and existing faculty members based upon the requirements and restrictions concerning personal information as defined under applicable federal and provincial statutes.

- a. The FACNC will present a candidate to be the "Privacy Officer" each year at the Annual General Meeting and the name of the "Privacy Officer" will be distributed to the membership. This appointment shall be ratified by the membership.
- b. Personal information could appear in labour issues and grievance proceedings, or in layoff notes of faculty representatives and in letters that may be submitted to the college.
- c. When personal information is collected or used for the purposes above, then the FACNC will seek the consent of the individual affected.
- d. Information collected prior to January 2004 is not subject to the PIPA; however, if information is required because of an on-going union issue, the FACNC will seek a right to disclosure from the individual(s) involved.

6. Reasons for Collecting, Using and Disclosing Personal Information

The FACNC collects and uses certain personal information in order to:

- a. Maintain an accurate list of members
- b. Communicate with members
- c. Investigate and settle grievances, appeals and to provide other union services under the collective agreement
- d. Collect and manage dues and other assessments
- e. Carry out its responsibilities under the Collective Agreement

- f. Fulfil its obligations to members as a member of FPSE of BC
- g. Assist the FACNC and FPSE of BC in representing members with respect to employment under the Collective Agreement
- h. Provide information about FACNC benefits and programmes
- i. Conduct the day to day business of the FACNC, including but not limited to correspondence and research
- j. Provide electronic (Web) information services (e.g. address changes, e-mail information, or other information of general interest to members)

The FACNC may collect use, or disclose personal information for any of these identified purposes as stated above. If personal information is needed for any purpose other than those set out above, the FACNC will not use or disclose said information without obtaining additional consent from the member(s). If we transfer personal information to an organization that performs services on our behalf, we will require that organization to use such information solely for the purposes of providing services to FACNC or the individual(s) concerned and to have adequate safeguards for the protection of information.

7. Collection of Member Personal Information

The FACNC collects personal information from the following sources:

- a. The College of New Caledonia, under the terms of the Collective Agreement,
- b. Membership application forms,
- c. Grievance, appeal or claim forms
- d. Member interaction with the FACNC – for example, memos, letters, e-mail, telephone and notes taken in meetings.

8. FACNC Web Site and E-mail Communications

It is not necessary to provide personal information to visit our web site. During your visit, if you just browse through our web site, read our pages or download information, FACNC may automatically collect and store only the following information about your visit:

- a. the Internet Protocol (IP) address of the computer from which you obtain access to our site;
- b. the date and time of the visit;
- c. the pages visited.

FACNC uses this information for statistical purposes to help us make our web site more useful to visitors. This information does not identify you personally and is not correlated with any personal information.

From time to time FACNC may use non-persistent cookies within multiple page online forms to remember you from page to page. These cookies do not store any personal information and are deleted at the end of your visit.

FACNC may employ software programs to monitor network traffic to identify unauthorized attempts to upload or change information, or otherwise cause damage to our site. This software receives and records the IP address of the computer that has contacted our network, the date and time of the visit and the pages visited. FACNC makes no attempt to connect these IP addresses to the identity of individuals visiting our site unless an attempt to damage the site has been detected.

If you choose to provide us with personal information through an e-mail message of form, we will retain the information only as long as needed to respond to your question or to fulfill the purpose of the communication.

The FACNC web site may contain links to other sites, which are not governed by this policy.

9. Protection of Member Personal Information

In order to protect member's personal information in the custody of the faculty association, the FACNC has made reasonable security arrangements to protect personal information including:

- a. Limiting access to members' personal information to selected employees and officers of FACNC and FPSEA of BC who require access to the information in order to perform their job or office;
- b. Providing security safeguards on computer systems to prevent unauthorized access;
- c. Limiting collection and disclosure of personal information to the purposes described in this policy;
- d. Taking reasonable steps to audit information on a regular basis to ensure that it is accurate and necessary;
- e. Ensuring membership lists do not include employee social insurance or employee numbers;
- f. Ensuring that distribution of membership lists, and reports printed for the conduct of FACNC business is limited to persons who require the information in order to carry out union business (for example: telephone fan out in case of job action, etc.).

The FACNC does not sell, rent, lend or otherwise give out personal information or membership lists to any organization.

10. Withholding Consent

A member may decline consent to have their personal information collected, used, or disclosed for certain purposes; however, members should be aware that this may restrict the ability of FACNC to represent the interests of the member. If this applies to the request the member will be notified by FACNC.

11. Contacting the FACNC Privacy Officer

An FACNC member may obtain access to, or correct his or her personal information by submitting a request in writing addressed to the FACNC Privacy Officer:

Address: FACNC
3477 – 15th Avenue
Prince George, BC
V2N 3Z3

E-mail: facnc_local3@telus.net

12. Complaints Procedure

Summary

A complaint relating to this FACNC Personal Information and Privacy Policy should be provided in writing to the attention of the FACNC Privacy Officer. The Privacy Officer takes the complaint to the executive any necessary steps required to resolve the issue, including amending the FACNC Personal Information and Privacy Policy.

If the FACNC is unable to resolve a complaint, or if a member has any other concerns about the FACNC Personal Information and Privacy Policy, the member may contact the Office of the Provincial Privacy Commissioner. The FACNC Privacy Officer will provide contact information for the Privacy Officer upon request.

Complaints relating to the FACNC Personal Information and Privacy Policy should follow this process:

1. Member provides a written complaint to the Privacy Officer
2. Privacy Officer records the date and nature of the complaint, and acknowledges receipt of the complaint.
3. If necessary, the Privacy Officer will contact the complainant to clarify the complaint.
4. The FACNC Executive reviews the complaint and determines whether or not the complaint is justified.

5. If the complaint is deemed to be frivolous or vexatious in nature the Privacy Officer will recommend to the executive that an exemption under Section 37 of the PIPA be requested from the Privacy Commissioner.
6. If the complaint is deemed to be justified, then the Privacy Officer will investigate the complaint as necessary and make recommendations to the FACNC Executive any steps necessary to resolve the issue, including amending the FACNC Personal Information and Privacy Policy.
7. The Privacy Officer will investigate all complaints received in a fair and impartial way. If for some reason, the Privacy Officer is unable to be impartial regarding a particular complaint, he/she will request that the FACNC president designate another member of the FACNC executive to act as Privacy Officer to handle that complaint. In investigating a complaint, the Privacy officer or designate shall have access to all relevant records, employees, or others who handled the personal information or access request.
8. The FACNC will act as necessary to resolve the complaint and communicate the resolution of the matter to the complainant
9. If the FACNC is unable to resolve a complaint, or if a member has any other concerns about the FACNC Personal Information and Privacy Policy, the member may contact the Office of the Provincial Privacy Commissioner. The FACNC Privacy Officer will provide contact information for the Privacy Commissioner upon request.