



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Wal-Mart Canada Corporation (Organization)
Decision number (file number)	P2015-ND-27 (File #P2765)
Date notice received by OIPC	July 14, 2014
Date Organization last provided information	July 14, 2014
Date of decision	April 27, 2015
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	<p>The Organization is federally incorporated and operating in Alberta.</p> <p>I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i)(i) of PIPA.</p>
Section 1(1)(k) of PIPA “personal information”	<p>The Organization reported the incident may have involved the following information:</p> <ul style="list-style-type: none">• job application,• home address and other contact information,• salary and title information,• social insurance number,• benefits information,• job training records,• appraisals. <p>This information is “personal information” as defined in section 1(1)(k) of PIPA and was collected in Alberta.</p>

DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	The personnel files of three assistant managers were lost during an office relocation. The Organization believes it is highly likely that the personnel files were misfiled within the Organization. The files have not been recovered.
Affected individuals	Three affected individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Management personnel files have been centralised within the regional office. • A file tracking system has been implemented. • Store human resource managers have been assigned as the sole handlers of personnel files.
Steps taken to notify individuals of the incident	Notification via hand delivered letter completed by July 14, 2014.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.	The Organization recognized that the information is sensitive and the loss of this information could result in financial loss, fraud or identity theft. I agree that the personal information involved is sensitive. Identity and financial information could be used to cause financial loss, fraud or identity theft. Information related to employment could be used to cause the harms of hurt or humiliation. In my view, these are significant harms.
Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.	The Organization reported that it does not believe the risk of harm is significant as it is unlikely the information was disclosed outside of the company and any individuals who could be handling the files are in a position of trust. In my view, the likelihood of harm resulting from this incident is increased because the information was lost and has not been recovered.

DECISION UNDER SECTION 37.1(1) OF PIPA

Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals. The personal information involved includes identity and financial information that could be used to cause the significant harms of financial loss, fraud or identity theft. Information related to employment could be used to cause the significant harms of hurt or humiliation. The information was lost and has not been recovered. These factors contributed significantly to my decision.

I require the Organization to notify the affected individuals in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individuals by letter, in accordance with the Regulation.

Jill Clayton
Information and Privacy Commissioner