



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Dalmac Oilfield Services Inc. (Organization)
Decision number (file number)	P2015-ND-29 (File #000073)
Date notice received by OIPC	December 16, 2014
Date Organization last provided information	December 16, 2014
Date of decision	May 15, 2015
Summary of decision	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify the individual pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is incorporated in Alberta. I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i)(i) of PIPA and the breach occurred in Alberta.
Section 1(1)(k) of PIPA “personal information”	The incident involved all or some of the following information: <ul style="list-style-type: none">• hours of work,• rate of pay, and• home address. This information is “personal information” as defined in section 1(1)(k) of PIPA and was collected in Alberta.
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<p>Description of incident</p>	<ul style="list-style-type: none"> • In December 2013, an employee of the Organization transferred branches. Payroll then misdirected his next three paystubs to the employee’s former branch. • In November 2014, a clerical employee was cleaning an office in the former branch and found three window envelopes. The employee claimed that these were sealed. She placed them in a larger sealed envelope and sent them to the branch manager to be re-directed to the employee. • The recipient employee opened the envelope and found three opened paystubs. • It is not clear whether the paystubs were opened prior to placing them in the larger envelope or whether they were opened afterwards and the larger envelope later re-sealed. • It would have been clear to anyone that the windowed envelopes contained paystubs and who they were for. • The Organization conducted an investigation and received conflicting accounts from staff as to who may have opened the paystubs. The Organization believed that someone must have been lying. It was unable to determine the identity of the person who opened the envelope.
<p>Affected individuals</p>	<p>One affected individual.</p>
<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • The Organization implemented a new process for paystub distribution. Paystubs are now couriered to the branch manager and handed to each employee in the sealed envelope in which they arrived. They are stored in a locked area for safeguarding when an employee is not available, with access restricted to the branch managers. • Any envelope opened inadvertently is immediately reported to Human Resources. • All private correspondence is marked “personal and confidential”. • Employees were asked to re-sign their confidentiality agreements (and to renew them annually) and must explain their responsibilities to Human Resources.
<p>Steps taken to notify individuals of the incident</p>	<p>The affected employee was notified on December 1, 2014.</p>
<p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p>	
<p>Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm</p>	<p>The Organization recognized that potential harm resulting from the incident could include humiliation/embarrassment as a result of a co-worker knowing the employee’s rate of pay and potentially disclosing it to others.</p>

<p>must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.</p>	<p>In my view, the information at issue is of moderate to high sensitivity. The type of harm that could result from unauthorized access to this personal information is embarrassment/humiliation, particularly as the person who viewed it must be a fellow employee. In my view, this is a significant harm.</p>
<p>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.</p>	<p>The Organization reported that it considered there to be a moderate risk of harm to the affected individuals.</p> <p>In my view, the likelihood of harm resulting from this incident is increased because the Organization received conflicting accounts from staff, indicating that someone was lying. This factor increases the likelihood of harm resulting from this incident.</p>
<p>DECISION UNDER SECTION 37.1(1) OF PIPA</p>	
<p>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 individual. The information at issue is of moderate to high sensitivity. The type of harm that could result from unauthorized access to this personal information is embarrassment/humiliation, particularly as the person who viewed it must be a fellow employee. In my view, this is a significant harm. Further, at least one employee is believed to be lying about his/her role in the incident.</p> <p>I require the Organization to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified the employee in a letter dated December 1, 2014. Therefore, the Organization is not required to notify again.</p>	

Jill Clayton
Information and Privacy Commissioner