



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Kiewit Canada Corp. and relevant subsidiaries (Organization)
Decision number (file number)	P2015-ND-72 (File #000745)
Date notice received by OIPC	April 24, 2015
Date Organization last provided information	August 28, 2015
Date of decision	November 5, 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”	The Organization is an “organization” as defined in section 1(1)(i) of PIPA. The Organization’s affiliate companies affected by this incident are also organizations, as they are provincially incorporated in various provinces, including Alberta. Some are federally incorporated.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• home address,• social security number (Social Insurance Number), and• wage information (for past and present employees). <p>This information is about identifiable individuals and qualifies as “personal information” as defined in section 1(1)(k) of PIPA. The information 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	<ul style="list-style-type: none"> • A payroll employee’s rental car was burglarized in Montreal. A laptop computer was stolen. The laptop contained a spreadsheet of employees’ 2014 T4 information. • The laptop was password protected but not encrypted. • The laptop has not been recovered.
Affected individuals	A total of 15,792 employees (past and present) were affected, including 4,669 employees in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • The Organization notified the police on the same day as the theft. • The Organization implemented a program that would erase the information on the laptop if it was connected to the internet. • Employees were advised on how to monitor their finances/credit information. • Payroll employees were reminded of the importance of maintaining the security and confidentiality of the Organization’s records containing personal information. • The Organization has a process which prohibits employees from storing information on laptop computers without encryption.
Steps taken to notify individuals of the incident	Current and former employees were notified of the incident by letter sent on April 24, 2015.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>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.</p>	<p>The Organization recognized the affected individuals may be at risk for financial harm and identity theft.</p> <p>I agree with the Organization. The personal information involved includes sensitive identity information. This information could be used to cause the financial harm and identity theft. These are significant harms.</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 considers that there is no real risk of significant harm to the affected individuals at this time as there has been no evidence that the information was accessed, or that harm has resulted from the incident.</p> <p>In my view, the risk of harm is increased because the laptop was stolen (malicious intent), and has not been recovered. Further, the laptop was not encrypted.</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 individuals. The personal information involved includes sensitive identity information, which could be used to cause financial harm and identity theft. These are significant harms. The risk of harm is increased because the laptop was stolen (malicious intent), and has not been recovered. Further, the laptop was not encrypted.</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 affected individuals in a letter dated April 24, 2015, in accordance with the Regulation. Therefore, no further notification is required.</p>	

Jill Clayton
Information and Privacy Commissioner