



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Aegion Corporation (Organization)
Decision number (file number)	P2016-ND-17 (File #002211)
Date notice received by OIPC	January 15, 2016
Date Organization last provided information	February 24, 2016
Date of decision	March 15, 2016
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.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved the following information:</p> <ul style="list-style-type: none">• name,• home address,• Social Insurance Number, and• bank account number. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	

Description of incident	<ul style="list-style-type: none"> On November 10, 2015 an employee discovered that she was able to access information about herself and other employees through an internal company portal after searching her own name. The portal is only accessible to employees. The information was located in files created in October 2014 as part of a data loading effort when the company migrated systems.
Affected individuals	A total of 2,426 affected individuals were affected, including 437 Albertans.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> The Organization conducted an internal investigation to determine the cause of the incident. All files were secured and removed from the portal. Employees who found the information and notified their supervisor of the incident signed a good faith and non-disclosure acknowledgement.
Steps taken to notify individuals of the incident	Notification sent by mail to affected individuals on January 22, 2016.
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 reported the affected individuals may be at risk for financial loss, or identity theft.</p> <p>I agree with the Organization The personal information involved includes sensitive identity and financial information. This information could be used to cause the harms of identity theft and fraud. 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 reported that the risk of harm was low because the information was not contained on a single file, the employees who discovered the information signed good faith and non-disclosure acknowledgements, the information was not available outside of the Organization and there is no indication that the information was accessed or acquired by anyone outside of the Organization.</p> <p>The Organization had employees who reported viewing the information sign non-disclosure undertakings. While this action mitigates the risk of harm somewhat, it only accounts for those employees who reported viewing the information. Further, the likelihood of harm resulting from this incident is</p>

	increased because the information was exposed for thirteen months to a large number of individuals.
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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 involves sensitive identity and financial information which could be used to cause the significant harms of identity theft and fraud. The information has been exposed for thirteen months to a large number of individuals. While the Organization has received non-disclosure undertakings from those employees who reported viewing the information, it did not confirm whether other employees may have viewed the information.

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 in a letter dated January 22, 2016, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner