



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Waste Management of Canada Corporation (Organization)
Decision number (file number)	P2016-ND-18 (File #000582)
Date notice received by OIPC	April 7, 2014
Date Organization last provided information	February 8, 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 registered in Alberta as an extra provincial corporation and is an “organization” as defined in section 1(1)(i)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The following information was involved in this incident: <ul style="list-style-type: none">• name,• date of birth,• employee signature,• phone number,• resume,• current address,• drivers licence,• drivers abstract,• Social Insurance Number (SIN),• training records,• discipline records,• Workers Compensation Board (WCB) information such as accident injury and/or medical information,

	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.
DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none"> On March 29, 2015, an office trailer was broken into. Active employee records were stolen. The incident was discovered when an employee noticed the filing cabinet was open. The employee recalled the cabinet was locked on March 27. The trailer also contained tablets, computers and a flat screen TV; however these items were not taken. The Organization notified the RCMP on March 29, 2015.
Affected individuals	The incident affected 31 Albertans.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Employees were offered credit alert plus services. The Organization keeps all personnel files in a locked cabinet and access to the files is limited.
Steps taken to notify individuals of the incident	The Organization notified the affected individuals by letter on April 8, 2015.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury that could be caused to the 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 concluded the level of harm is significant due to the high sensitivity of the information involved. I agree with the Organization’s assessment. The information at issue includes sensitive identity and employment information and, in some cases, medical information. This information could be used to cause the harms of identity theft, fraud, hurt or humiliation. 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 did not specifically assess the likelihood of harm in its report, but noted the possibility that the thief was looking for a specific file. The Organization also reported there is no evidence of malicious intent, but that the information was likely exposed between March 28-29, 2015. In my view, the likelihood of harm resulting from this incident is increased because the personal information was stolen, indicating malicious intent, 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 in this case. The information involved includes sensitive identity and employment information and, in some cases, medical information. This information could be used to cause the significant harms of identity theft, fraud, hurt or humiliation. The likelihood of harm resulting from this incident is increased because the personal information was stolen, indicating malicious intent, and has not been recovered.

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

I understand the Organization notified the affected individuals on April 8, 2015. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner