



PERSONAL INFORMATION PROTECTION ACT Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Fuel Pro Logistics Ltd. (Organization)
Decision number (file number)	P2016-ND-20 (File #P2690)
Date notice received by OIPC	May 16, 2014
Date Organization last provided information	December 11, 2015
Date of decision	March 15, 2016
Summary of decision	<p>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).</p>
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is incorporated and operating in Alberta. It is an “organization” as defined in section 1(1)(i)(i) of PIPA.
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">• home address,• home telephone number,• employer name,• bank account number,• court documents. <p>This information is about an identifiable individual and is “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"> One of the Organization's employees resigned and took another employee's (the affected individual's) information as she left. The employee who resigned was on bad terms with the affected individual. The information was taken from the affected individual's personnel file, and related to legal proceedings.
Affected individuals	One individual residing in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Notified the individual in person. Reviewed all other employees' files to ensure nothing was missing. Reported the incident to the Office of the Information and Privacy Commissioner of Alberta.
Steps taken to notify individuals of the incident	Notified the affected individual in person.
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.	<p>In its report of the incident, the Organization did not specifically identify the type of harm that might result, but indirectly suggested the possibility of financial harm.</p> <p>In my view, the information could be used to cause fraud, as well as hurt and humiliation. These are significant harms.</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>In its report of the incident, the Organization did not specifically address the likelihood of harm resulting from the incident, but noted that the affected individual had "changed his banking account".</p> <p>In my view, the likelihood of harm resulting from this incident is increased because the personal information was deliberately taken by a disgruntled employee who, according to the Organization, was on bad terms with the affected individual. Further, the information has not been recovered.</p>

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 individual. The personal information could be used to cause the significant harms of fraud, as well as hurt and humiliation. The personal information was deliberately taken by a disgruntled employee who, according to the Organization, was on bad terms with the affected individual. Further, the information has not been recovered.

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

I understand the Organization notified the individual in person on April 24, 2014, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner