



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	Groupe Materiaux Godin and Materiaux Godin et Fils (Organization)
<b>Decision number (file number)</b>	P2019-ND-028 (File #010308)
<b>Date notice received by OIPC</b>	November 12, 2018
<b>Date Organization last provided information</b>	November 12, 2018
<b>Date of decision</b>	February 19, 2019
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA. The incident occurred in Spruce Grove, Alberta.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved some or all of the following information:</p> <ul style="list-style-type: none"><li>• first and last name,</li><li>• address,</li><li>• date of birth,</li><li>• address,</li><li>• salary,</li><li>• occupation,</li><li>• branch name, and</li><li>• insurance premium costs (but not associated with personally identifiable information).</li></ul> <p>Social insurance number and bank information may be at issue for 38 individuals</p> <p>The documents date from 2013 to 2016 inclusively. A limited number of documents from 2012 are also missing consisting of a generic payroll report that contains name, salary information and deductions along with company name.</p>

	This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
<b>DESCRIPTION OF INCIDENT</b>	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"> <li>• A small black tote containing documents with the information at issue was stored in a residential garage on July 10, 2018. The tote was last seen on or around July 1, 2018.</li> <li>• On the night of September 3, 2018, a neighbor reported the garage door was open overnight. Some items stored in the garage were missing.</li> <li>• When cleaning out the garage on October 25, 2018, the tote was noted to be missing.</li> <li>• The Organization reported “If there was in fact a breach, I suspect it occurred on the night of September 3 to September 4, 2018.”</li> <li>• The personal information has not been recovered.</li> </ul>
<b>Affected individuals</b>	The incident affected 169 individuals.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Identified possible affected individuals.</li> <li>• Reported the breach to law enforcement.</li> <li>• Will offer credit monitoring services to affected individuals.</li> <li>• Enhanced physical security arrangements for personal information.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Shareholders were advised by telephone on October 23, 2018 and October 24, 2018. The Organization reported “The other employees affected are in the process of being contacted.”
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<b>Harm</b> 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>The Organization reported “The identity of 38 individuals ... could have their identity stolen due to potential breach with SIN# and ban [sic] information in addition to DOB, address and name. The other employees were only Name, DOB, and address have a lesser risk for identity fraud but are at risk for phishing to gather additional information with fraudulent intent.”</p> <p>In my view, a reasonable person would consider that the contact, identity, employment, financial and insurance information at issue could be used to cause the harms of identity theft and fraud. Name, salary information and deductions along with company name could be used to cause the significant harms of hurt, humiliation and embarrassment.</p>

<p><b>Real Risk</b></p> <p>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 did not specifically identify the likelihood of harm resulting in this case.</p> <p>In my view, a reasonable person would consider that the likelihood of identity theft and fraud resulting from this incident is increased because the breach appears to be the result of deliberate action (theft) and the documents have not been recovered. In my view, there is a low risk that the information will be used to cause the significant harms of hurt, humiliation and embarrassment, as it is unlikely the thief has any personal/professional relationship with the affected individuals.</p>
<p><b>DECISION UNDER SECTION 37.1(1) OF PIPA</b></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.</p> <p>A reasonable person would consider that the contact, identity, employment, financial and insurance information at issue could be used to cause the harms of identity theft and fraud. Name, salary information and deductions along with company name could be used to cause the significant harms of hurt, humiliation and embarrassment.</p> <p>The likelihood of identity theft and fraud resulting from this incident is increased because the breach appears to be the result of deliberate action (theft) and the documents have not been recovered. In my view, there is a low risk that the information will be used to cause the significant harms of hurt, humiliation and embarrassment, as it is unlikely the thief has any personal/professional relationship with the affected individuals.</p> <p>I require the Organization to make all reasonable efforts to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation). I understand that shareholders were advised of the breach by telephone on October 23, 2018 and October 24, 2018 and “The other employees affected are in the process of being contacted.” <b>The Organization is required to confirm to my office in writing within 10 days of the date of this decision that all affected individuals have been notified in accordance with the Regulation.</b></p>	

Jill Clayton  
Information and Privacy Commissioner