



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Midwest Surveys Inc. (Organization)
Decision number (file number)	P2019-ND-107 (File #011403)
Date notice received by OIPC	December 21, 2018
Date Organization last provided information	December 21, 2018
Date of decision	July 19, 2019
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 operates in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The Organization reported that the incident involved “Salary information”. This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
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 9, 2018, the Organization implemented a mail merge to send employees their options for their WSA registration.• After starting the mail merge, the Organization immediately received some responses from employees indicating they received someone else's information.• The merge was cancelled and attempts were made to recall the emails; however, this was not successful.
Affected individuals	The incident may have affected 21 employees.

<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • Attempted to stop the mail merge and recall emails, but not successful. • Emailed unauthorized recipients to request they delete the email. • Working with IT to purge the emails and confirmed they were not forwarded • Providing mail merge training and revised process.
<p>Steps taken to notify individuals of the incident</p>	<p>Affected individuals were notified by email on November 14, 2018.</p>
<p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p>	
<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 potential harms include “Harassment over knowing how much someone makes, harassment of leadership to give raise because they want to make more due to knowing what someone else makes, humiliation, risk due to knowing COO pay information. Blackmail or extortion due to knowing someone else's pay.”</p> <p>In my view, a reasonable person would consider that the information at issue could most likely be used to cause the significant harms of hurt, humiliation and embarrassment.</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 likelihood that harm would occur is low. To date no one has acted on having this information.”</p> <p>In my view, a reasonable person would consider that there is a real risk of significant harm in this case, despite the fact the breach resulted from an error and not malicious intent. The likelihood of personal/professional relationships between the affected individuals and the unauthorized recipients makes embarrassment and humiliation more likely, merely from the information being viewed.</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.</p> <p>A reasonable person would consider that the information at issue could most likely be used to cause the significant harms of hurt, humiliation and embarrassment. Despite the fact the breach resulted from an error and not malicious intent, the likelihood of personal/professional relationships between the affected individuals and the unauthorized recipients makes embarrassment and humiliation more likely, merely from the information being viewed.</p> <p>I require the Organization to notify the affected individuals whose personal information was collected in Alberta, in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p>	

I understand affected individuals were notified were notified by email on November 14, 2018. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner