



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Proline Pipe Equipment Inc. (Organization)
Decision number (file number)	P2019-ND-120 (File #011214)
Date notice received by OIPC	December 11, 2018
Date Organization last provided information	December 11, 2018
Date of decision	August 1, 2019
Summary of decision	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).
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,• address,• social insurance number, and• earnings history. <p>This information is about an identifiable individual and is "personal information" as defined in section 1(1)(k) of PIPA.</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 December 6, 2018, a former employee's Record of Employment was erroneously emailed to approximately 50 fellow employees.• An employee of the Organization notified management the same day.

Affected individuals	The incident affected one individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Notified affected individual to place fraud alerts at bank and credit bureau. • Requested payroll software to develop a system flag to question when attachment is being sent. Internal check will be for ROE to be sent as a separate attachment from payroll slip.
Steps taken to notify individuals of the incident	The affected individual was notified verbally on December 7, 2018.

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 possible harm that might result from this incident was “Create credit for own personal gain using information”.</p> <p>In my view, a reasonable person would consider that the contact, identity and employment information at issue could be used to cause the significant harms of identity theft and fraud, as well as 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 the likelihood of harm resulting from this incident as “Not very likely”.</p> <p>In my view, a reasonable person would consider that the likelihood of harm is decreased because the breach did not result from malicious intent, but rather human error. However, while I agree it is unlikely that the unauthorized recipients of the information (fellow employees) would use the information for identity theft or fraud purposes, the same personal/professional relationships increase the likelihood of hurt, humiliation or embarrassment resulting from the breach.</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.

A reasonable person would consider that the contact, identity and employment information at issue could be used to cause the significant harms of identity theft and fraud, as well as hurt, humiliation, and embarrassment. The likelihood of harm is decreased because the breach did not result from malicious intent, but rather human error. However, while I agree it is unlikely that the unauthorized recipients of the information (fellow employees) would use the information for identity theft or fraud purposes, the same personal/professional relationships increase the likelihood of hurt, humiliation or embarrassment resulting from the breach.

The Organization is required to notify the affected individual, in accordance with section 19.1 of the *Personal Information Protection Act Regulation*.

I understand the affected individual was notified verbally on December 7, 2018. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner