



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Employer's Resource Council (Organization)
Decision number (file number)	P2020-ND-003 (File #013698)
Date notice received by OIPC	September 3, 2019
Date Organization last provided information	September 3, 2019
Date of decision	January 31, 2020
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals whose personal information was collected in Alberta 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"	The information at issue includes: <ul style="list-style-type: none">• name,• financial account number,• financial account password or PIN. <p>This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. To the extent the information was collected in Alberta, PIPA applies.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On or about February 21, 2019, the Organization became aware of suspicious activity relating to two of its employees' email accounts.• On April 2, 2019, the Organization determined that an unauthorized actor accessed the impacted accounts on February 21, 2019.

	<ul style="list-style-type: none"> On June 28, 2019, the Organization determined that personal information relating to a Canadian resident was potentially affected.
Affected individuals	The incident affected 1 resident of Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Began an investigation with the assistance of an outside computer forensics expert. Providing potentially affected individuals access to 12 months of credit monitoring and identity restoration services.
Steps taken to notify individuals of the incident	Affected individuals were notified in writing on August 23, 2019.
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 that it was “...providing potentially impacted individuals with guidance on how to better protect against identity theft and fraud”.</p> <p>In my view, a reasonable person would consider that the financial information at issue could be used to cause the significant harms of identity theft and fraud.</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 did not specifically assess the likelihood of harm resulting from this incident.</p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is increased as the breach was the result of malicious intent (deliberate action).</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<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 financial information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased as the breach was the result of malicious intent (deliberate action).</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 individuals were notified in writing on August 23, 2019. The Organization is not required to notify affected individuals again.

Jill Clayton
Information and Privacy Commissioner