



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

<b>Organization providing notice under section 34.1 of PIPA</b>	The Brenda Strafford Foundation Ltd. (Organization)
<b>Decision number (file number)</b>	P2020-ND-129 (File #013767)
<b>Date notice received by OIPC</b>	October 24, 2019
<b>Date Organization last provided information</b>	October 24, 2019
<b>Date of decision</b>	October 30, 2020
<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 the 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 reported it is incorporated under Part 9 of Alberta’s <i>Companies Act</i> and is a “non-profit-organization” as defined in section 56(1)(b)(i) of PIPA. Under sections 56(2) and (3), PIPA only applies to personal information that is collected, used or disclosed by non-profit organizations in connection with a commercial activity.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• employee number,</li><li>• banked/used vacation (hours and dollars), and</li><li>• banked/used incentive (hours and dollars).</li></ul> <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 at issue was collected in connection with a commercial activity, PIPA applies.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	

<b>Description of incident</b>	<ul style="list-style-type: none"> <li>On October 24, 2019, an attachment containing the information at issue was sent out with employee pay stubs in error.</li> <li>The incident was discovered when one of the employees opened the attachment and immediately called the payroll clerk.</li> </ul>
<b>Affected individuals</b>	The incident affected 138 employees.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>Reminded employees of the confidentiality policy which would state that this information is not to be shared and asked employees to delete the email.</li> <li>Discontinued the practice of sending attachments with pay stubs until a full investigation is completed.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by email on October 24, 2019.
<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 possible harm that might result from this incident is that "Employees could calculate each other's hourly rate based on information received".</p> <p>In my view, a reasonable person would consider that the employment information at issue could be used to cause the harms of hurt, humiliation or embarrassment, particularly where there are professional/personal relationships. These are significant harms.</p>
<b>Real Risk</b>  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>The Organization reported "Low risk assessment of likelihodd [sic] that significant harm will result as our policies: 1) Code of Conduct and 2) Business Ethics require our employees to act in an ethical way and delete the incorrect email."</p> <p>In my view, a reasonable person would consider that the likelihood of hurt, humiliation or embarrassment resulting from this incident is increased because of the personal/professional relationships between the affected individuals and the unintended recipients of the information.</p>
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
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.	

A reasonable person would consider that employment information at issue could be used to cause the harms of hurt, humiliation or embarrassment, particularly where there are professional/personal relationships. These are significant harms.

The likelihood of hurt, humiliation or embarrassment resulting from this incident is increased because of the personal/professional relationships between the affected individuals and the unintended recipients of the information.

The Organization is required to notify the affected individuals pursuant to section 37.1 of PIPA. I understand affected individuals were notified by email on October 24, 2019. The Organization is not required to notify affected individuals again.

Jill Clayton  
Information and Privacy Commissioner