



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

<b>Organization providing notice under section 34.1 of PIPA</b>	AltaSteel Inc. (Organization)
<b>Decision number (file number)</b>	P2021-ND-269 (File #020894)
<b>Date notice received by OIPC</b>	February 5, 2021
<b>Date Organization last provided information</b>	February 5, 2021
<b>Date of decision</b>	February 10, 2022
<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 is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	The incident involved pay statement information, including address and payroll details.  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.
<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 February 2, 2021, the Organization mailed out pay statements. Due to a folding and stuffing error, every second employee received two pay statements - theirs and that of another employee.</li><li>• The breach was discovered on February 4, 2021, when an employee informed the Organization they had received another employee’s pay statement along with their own.</li></ul>
<b>Affected individuals</b>	The incident affected 46 individuals whose information was collected in Alberta.

<p><b>Steps taken to reduce risk of harm to individuals</b></p>	<ul style="list-style-type: none"> <li>• Asked employees to return the unopened pay statement envelope if they had not yet opened it, or return the statement if they had opened it.</li> <li>• Mailed employees a new pay statement.</li> <li>• Will be counting pay statements going forward to ensure that the correct number of statements are being mailed.</li> </ul>
<p><b>Steps taken to notify individuals of the incident</b></p>	<p>Affected individuals were notified by email on February 4, 2021. Information was also posted within the workplace on bulletin boards.</p>
<p><b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b></p>	
<p><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>	<p>The Organization reported,</p> <p style="text-align: center;"><i>We are not aware of nor do we anticipate any harm. These are all members of the Bargaining Unit who have access to the wage scale for the various positions through the Collective Agreement.</i></p> <p>In my view, a reasonable person would consider that the contact and employment information at issue could be used to cause the harms of hurt, humiliation and embarrassment as well as damage to professional relationships. These are significant harms.</p>
<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>	<p>The Organization reported, “We are not aware of nor do we anticipate any harm.”</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, this factor does not mitigate the type of harm that might result from this breach, particularly given the potential for personal and professional relationships between the affected individuals and the unintended recipients. The Organization reported the affected individuals “are all members of the Bargaining Unit who have access to the wage scale for the various positions through the Collective Agreement.” However, a wage scale is a general level of wages and, in this case, the unauthorized disclosure involved the employee’s actual payment statement. Additionally, the Organization requested that the unintended recipients return the envelopes/pay statements sent to them in error; however, it is unclear whether all envelopes were returned.</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>	

A reasonable person would consider that the contact and employment information at issue could be used to cause the harms of hurt, humiliation and embarrassment as well as damage to professional relationships. These are significant harms.

The likelihood of harm is decreased because the breach did not result from malicious intent, but rather human error. However, this factor does not mitigate the type of harm that might result from this breach, particularly given the potential for personal and professional relationships between the affected individuals and the unintended recipients. The Organization reported the affected individuals “are all members of the Bargaining Unit who have access to the wage scale for the various positions through the Collective Agreement.” However, a wage scale is a general level of wages and, in this case, the unauthorized disclosure involved the employee’s actual payment statement. Additionally, the Organization requested that the unintended recipients return the envelopes/pay statements sent to them in error; however, it is unclear whether all envelopes were returned.

I require the Organization to notify the affected individuals, in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individuals by email on February 4, 2021 in accordance with the Regulation, as well as by posting on the workplace bulletin board. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner