

# Personal Information Protection and Electronic Documents Act (PIPEDA)

1. UWOFA shall designate an individual accountable for its compliance with these policies and the Personal Information Protection and Electronic Documents Act (PIPEDA). Such individual shall be so designated by the Executive Committee, and may delegate, with the consent of the Executive Committee, his/her responsibilities. The identity of the designated individual and any delegate shall be made known to the membership.
2. UWOFA collects personal information in order to represent its members. UWOFA will continue to collect such personal information as necessary and advisable for it to represent its members. UWOFA does not intentionally collect personal information for any other purpose, but may come into possession of various sorts of personal information in the course of its representative efforts.
3. UWOFA will use personal information it has collected to represent its members, specifically and generally to further the interests of the membership as a whole. UWOFA may use personal information, in accordance with this policy, for purposes such as:
  - a) grievances and arbitrations;
  - b) other legal proceedings;
  - c) collective bargaining;
  - d) public education;
  - e) advocacy;
  - f) organizing and informing members and the public over issues of concern; and
  - g) administration of benefits

However, UWOFA will not use, collect or disclose personal information for these purposes if it can perform these functions as effectively without disclosure, use or collection of such personal information.

4. Given UWOFA's extensive and necessary collection, use, and disclosure of personal information, UWOFA does not view it as practical or appropriate to obtain express written consent from individuals in every instance. In many instances, seeking such express consent would compromise the timely availability of personal information which is necessary and related to UWOFA's ongoing investigation of collective agreement violations or activities conducted on behalf of members.
5. UWOFA will periodically communicate with its members regarding its policies and practices, and will assume implied consent to the use, disclosure and/or collection of personal information in the absence of written notice to the contrary, subject to this policy. If a member expressly withdraws consent to UWOFA's use, collection or disclosure of personal information, UWOFA shall advise the member how such limitation may impede UWOFA's ability to represent the member.
6. UWOFA shall endeavour to review its records on a regular basis in order to determine what personal information and electronic documents it has collected, and it shall cause to be destroyed all those records and electronic documents which it determines could not be of value or use in representing the members in future. The destruction or disposal of these records will be done in a fashion so as to make it impossible for anyone outside the organization to use or view the documents, i.e. shredding, where appropriate. However, UWOFA may retain records with personal information, so long as they may be relevant to the representation of members of UWOFA in the future.
7. Employees, officers and representatives of UWOFA shall not disclose sensitive personal information about members, without their consent, to others outside of the organization or each other, unless such disclosure is necessary to further the interests and/or safety of UWOFA members.
8. To represent its members UWOFA requires members' names, addresses, telephone numbers, wage rates and employment status as well as other personal information. UWOFA will update this information regularly and endeavour to maintain the accuracy of the personal information it possesses, uses and discloses. If an individual seeks to correct personal information UWOFA collects, uses or discloses, UWOFA will receive that information and proceed accordingly.

9. No employee, officer or other representative of UWOFA shall disclose its membership list with or without any of the information identified in paragraph 8 to any other organization or individual. Disclosure of the membership list is considered a serious infraction.
10. Documentary files while not in use shall be kept in the union's office in a secured location. UWOFA members and staff shall take all reasonable precautions to prevent disclosure of personal information when files are removed from the office and shall not disclose, or allow disclosure of, personal information to any inappropriate person or for reasons not related to the purposes of collection in the first place. If files are taken from the office they shall be signed out and returned as soon as practical.
11. In some instances, UWOFA members and staff may come into possession of sensitive information regarding members, such as medical diagnosis, criminal conduct and family and intimate personal information. Such information shall be treated with the utmost confidence and shall not be disclosed without the members' express consent, unless necessary to represent or protect the interests of UWOFA members, including the individual in question. If it is necessary to disclose such highly sensitive information for these reasons, then the member will be notified. Such information will not be disclosed to others beyond what is necessary to represent the member or members.
12. The University retains much personal information regarding UWOFA's members, which must be disclosed to UWOFA if it is to represent the members properly. Members will be presumed to have consented to such disclosure, in the absence of written notice to the contrary, on the understanding that UWOFA will be unable to fulfill its function as exclusive bargaining agent without regular and required disclosure of members' personal information to it. UWOFA's use, disclosure and collection of such information shall be in accordance with this Policy and will be respectful of the members' legitimate privacy concerns and governing legislation.
13. Medical records held by UWOFA will not be disclosed to third parties, without the express consent of the member, or to seek advice on the matter with that member's knowledge.
14. UWOFA may disclose any personal information it possesses to its legal counsel and other advisers for the purpose of obtaining advice, and such counsel and advisors are similarly bound by this policy.
15. UWOFA members and staff shall not disclose wage rates or disciplinary records of specific members, except for purposes of representation of members as a whole.
16. UWOFA members & staff who cease to perform in that capacity shall return all files and records, electronic and paper, and shall not disclose, use or collect personal information regarding members, obtained as a representative, without the consent of the union's designate under paragraph 1.
17. This policy will be available for review by members. Upon written request, any member shall be informed of the existence, use and disclosure of his/her personal information collected, used or disclosed by UWOFA and shall be given access to that information. A member shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.
18. Any member shall be able to address a challenge concerning compliance with the above guidelines with the designated individual identified in paragraph 1. In the event of any such challenge, the designated individual will address the matter and issue a response to the member within 30 days of receipt of the complaint.

Approved  
Board – October 8, 2004;  
General Meeting - October 19, 2004