

August 1992	Corporation of the City of Pembroke	
Revision #: 1	Human Resources Policies and Procedures	
Date: July 2006	Policy: 100 - Employment	Section 100-02 Protection of Personal Employee Information
Coverage: All Employees		

POLICY STATEMENT:

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, the City of Pembroke respects the confidentiality of personal employee information, and protects the collection, use, disclosure and disposal of personal employee information.

PROCEDURE:

1. Personal employee information includes any recorded information:
 - 1.1. relating to an employee's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital or family status, political beliefs, or associations;
 - 1.2. relating to an employee's education or medical, psychiatric, psychological, criminal, or employment history;
 - 1.3. describing an employee's finances, income, assets, liabilities, net worth, bank balances, financial history or credit worthiness, or financial transactions in which the employee has been involved;
 - 1.4. identifying numbers assigned to the employee, e.g. social insurance number;
 - 1.5. identifying the personal address, telephone number, fingerprints, or blood type of the employee;
 - 1.6. identifying the employee's personal opinions or views, except if they relate to another employee; in which case they are the latter employee's personal information;
 - 1.7. illustrating the views or opinions of another individual about the employee, e.g. personal recommendations, evaluations, or character references; or
 - 1.8. identifying eligibility for social service or welfare benefits or information relating to the determination of benefit levels.
2. The *Act* limits the rights of institutions to collect and hold personal information about individuals. The general rules are as follows:
 - 2.1. that individuals must consent to the specific use of personal information about them; and

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- 2.2. that personal information is collected directly from the individual to whom the information relates unless, among other exceptions, he/she authorizes an indirect method of collection (e.g. in conducting a reference check on a job applicant), the applicant's written authorization is first obtained and the authorization specifies who can be contacted for a reference.
- 2.3. Every employee has the right to access his/her own personal information e.g. an employee can access, with sufficient notice, all personal documentation in his/her employee file(s). The only exceptions are the following:
 - 2.3.1. evaluative information collected in a reference check if the disclosure reveals the identity of the information source, and the source expected that his/her identity would be held in confidence (this information is retained on the competition file rather than in the employee file); and
 - 2.3.2. information that would disclose personal information about another party, unless that party provides written consent.
3. An employee can request correction of his/her personal information if there is an error or omission or, alternatively, he/she may require that a statement of disagreement is attached. Such request must be made within two weeks of discovering said error or omission.
4. No document is to be removed from an employee's file or photocopied without the approval of the Information Privacy Coordinator and/or the Manager of Human Resources.
5. Other individuals/organizations have access to employees' personal information only under the following circumstances:
 - 5.1. if the employee has given express written consent;
 - 5.2. if the information is required for the purpose for which it was obtained;
 - 5.3. if legislated (e.g. reporting of employee accidents to the Workplace Safety and Insurance Board or to a law enforcement agency);
 - 5.4. in compelling circumstances under which a delay in obtaining information may be injurious to an individual's health and safety; and

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- 5.5. in compassionate circumstances in order to facilitate contact with next-of-kin or a friend of an individual who is injured, ill, or deceased.
6. If an organization contacts the City for information regarding an employee or former employee of the City, the information is only disclosed if the organization has the written authorization of the employee. Information when so requested and authorized may only be provided by the Information/Privacy Coordinator and/or the Manager of Human Resources. Any information divulged must be documented (provided in written format) and a copy maintained by Human Resources along with the written authorization of the employee.
 7. The following types of information may be released (subject to paragraph 2.1 above): name, period of employment, reasons for leaving, current position information, current salary, office address, office telephone number. Unless release is legally required, information which the City has determined to be an invasion of personal privacy shall not be released to the public. Such information includes but is not limited to: the individual's home telephone number and home address; spouse's or other relatives' names; birth date; social security number; citizenship; income tax withholdings; health care records; and information relating to evaluation of performance.
 8. It is important that personnel records be accurate at all times. In order to avoid compromising your benefit eligibility or having T4's returned, the City expects that employees will promptly notify appropriate Human Resources of any change in name, home address, telephone number, marital status, number of dependents, or any other pertinent information which may change.
 9. Reasonable measures are implemented to prevent unauthorized access to employee records, to ensure that those individuals who need a record for the performance of their duties have access, and that records are protected from inadvertent destruction and/or damage. Personnel files will be maintained in a centralized, secure location by Human Resources.