

# PRIVACY POLICY - RESPECTING THE COLLECTION, USE, AND DISCLOSURE OF PERSONAL INFORMATION

Approved by the APUO Executive Committee on 4 March 2004

## The purpose of the Privacy Policy

APUO has always recognized the importance of privacy and the sensitivity of personal information, first enacting an official statement on this on 17 April 1986. This Privacy Policy outlines our current practices and reflects legislative developments respecting privacy. This Policy applies to all members' *personal information* that APUO possesses and uses to provide member services and to engage in collective bargaining. APUO is responsible for the *personal information* it collects.

## What is meant by personal information

*Personal information* includes any factual information about yourself that helps others identify you, and includes home address, age, identification numbers, income, marital status, ethnic origin, employment files and medical records. *Personal information* does not include information otherwise available through publications such as telephone or professional directories and, therefore, does not include your name, title and office contact numbers.

## Why APUO needs personal information

APUO engages in collective bargaining on behalf of its members and provides representation to individual members respecting rights under the collective agreement. APUO collects a variety of information in order to provide these services to its members, the nature of the information depending on the specific purpose. This includes career and salary information used for collective bargaining purposes as well as for the collection of dues for APUO itself, CAUT and OCUFA. More specific *personal information* contained in employment files or medical records is used in the representation of members who request assistance in dealing with the employer or its agents. Without the collection and use of *personal information*, APUO could not provide these services.

## How personal information is collected

APUO collects information only by lawful and fair means and not in an unreasonably intrusive way. Some information is obtained from the employer, as mandated by the collective agreement or the law generally. In most individual situations, we collect your personal information directly from you, although we may obtain that information from third parties with your authorization.

## Consent

Consent for the collection and use of *personal information* may be implicit or explicit, or may be otherwise mandated by law. As a result of APUO's collective bargaining role and the employer's reporting obligations under the collective agreement, APUO is provided with access to membership salary and career data required to carry out the statutory responsibilities of a bargaining agent under the *Labour Relations Act*. All such information obtained by APUO is maintained in a strictly confidential manner. With respect to an individual case, consent may be implied by the member's conduct with us, such as requesting assistance in dealing with the employer on a specific matter or grievance. Explicit consent may be necessary in certain circumstances, particularly where the use of

the information may be unusual or where the information could be considered of a sensitive nature. This explicit consent may be given orally (where appropriate) or in writing, the latter situation normally applying to the collection and use of information such as medical records or reports, or access to personal employment files at the dean's office. Such consent for further collection or use of this information may be withdrawn subsequently, subject to restrictions required or authorized by law, but it is the member's responsibility to contact APUO to determine how the withdrawal might affect the services available.

**Disclosure of your personal information**

APUO does not disclose your *personal information* to any third party to enable them to market their products or services. Under certain circumstances, APUO will disclose your *personal information* as necessary, for instance, when we are required or authorized by law to do so, when the services we are providing to you require us to give such information to a third party (e.g. a board of arbitration, an expert witness or consultant engaged on your behalf), if the information is already publicly known, or when you have otherwise consented to the disclosure. APUO does use membership aggregate information for collective bargaining purposes and does provide aggregate information (without identification of individuals) to both CAUT and OCUFA to assist in their collective bargaining activities or research.

Le personnel de l'APUO a accès aux *renseignements personnels* « au besoin » pour accomplir ses tâches au nom des membres. L'adresse à domicile et le numéro de téléphone, par exemple, sont communiqués seulement pour accomplir les activités de l'APUO et seulement s'il n'y a pas d'autre moyen de les accomplir ou si le membre en a convenu pour communiquer avec lui. Les données sur la rémunération et la classification nécessaires pour vérifier les cotisations et la conformité à la convention collective sont disponibles seulement pour ceux qui sont chargés de la perception des cotisations et de la comptabilité ou de la surveillance de l'application de la convention collective. L'information pertinente à un grief ou un différend au travail en particulier est disponible seulement à ceux qui sont engagés dans l'affaire et au besoin (p. ex., l'administrateur de l'APUO, l'agent de liaison ou le conseiller juridique si nécessaire). Les entités de l'APUO, notamment le Comité des griefs ou le Comité exécutif, ont accès aux *renseignements personnels* pertinents au cas seulement lorsqu'on fait appel à eux pour obtenir une recommandation ou rendre une décision.

## Sécurité de vos renseignements personnels

L'APUO prend toutes les précautions raisonnables pour garantir la sécurité de vos *renseignements personnels* et pour éviter la perte, l'accès non autorisé, la modification ou la divulgation de ces renseignements. Ces précautions comprennent la sécurité des lieux, l'accès restreint aux dossiers et fichiers de *renseignements personnels*, et des sauvegardes technologiques.

## Accès à vos renseignements personnels

Vous pouvez demander l'accès aux *renseignements personnels* que nous avons sur vous en envoyant une demande par écrit au bureau de l'APUO. Vous serez informé par écrit, après un délai raisonnable, si l'APUO a ce genre de *renseignements personnels* et les caractéristiques seront précisées, le cas échéant. Une demande détaillée exigeant une recherche aux archives peut retarder notre réponse. Il n'y a pas de frais pour les demandes raisonnables, sauf si vous voulez un bon nombre de copies des dossiers ou s'il y a des frais importants d'extraction. Vous serez informé d'avance des coûts. L'APUO peut refuser les demandes d'accès frivoles, vexantes ou répétitives. Si l'APUO a des renseignements sur vous et si vous pouvez démontrer qu'ils ne sont pas précis, complets et à jour, l'Association prendra des mesures raisonnables pour corriger la situation.

Vous n'avez pas le droit absolu d'avoir accès à vos *renseignements personnels*. Dans certaines circonstances, l'APUO pourrait ne pas être en mesure de donner accès à vos renseignements personnels, en tout ou en partie, p. ex., si l'octroi de l'accès aurait des répercussions déraisonnables sur les renseignements personnels des autres, si la divulgation aurait des répercussions sur la sécurité personnelle ou si des normes de confidentialité ou de privilège client – avocat protègent l'information.

APUO staff has access to *personal information* on an "as needed" basis to perform their duties on behalf of members. For instance, home address and telephone information is only provided to carry out APUO business and then only if there is no alternative or the member has agreed to be contacted there. Salary and classification data required for the verification of dues and compliance with the collective agreement are available only to those responsible for dues collection and accounting or the monitoring of the collective agreement. Information related to a particular grievance or employment dispute is available only to those involved in the case on an as needed basis (e.g. APUO Administrator, Liaison Officer, or legal counsel where deemed necessary). APUO bodies, such as the Grievances Committee or the Executive Committee, are provided access to *personal information* relevant to the case only when called upon to provide a recommendation or make a decision.

## The security of your *personal information*

APUO takes all reasonable precautions to ensure that your *personal information* is kept safe from loss, unauthorized access, modification or disclosure. These include premises security, restricted file access to *personal information*, and technological safeguards.

## Access to your personal information

You may ask for access to any *personal information* we hold about you by sending a written request to the APUO office. Within a reasonable time, you will be advised in writing whether APUO has such *personal information* and the nature of this information. A detailed request that requires an archival search may delay our response. There will be no charge for reasonable requests unless you request extensive copying of records or there are significant retrieval costs. We will advise you, in advance, of any costs. APUO may refuse requests for access that are frivolous, vexatious, or repetitious. If APUO holds information about you and you can establish that it is not accurate, complete and up-to-date, APUO will take reasonable steps to correct it.

Your rights to access your *personal information* are not absolute. In certain circumstances, APUO may not be able to provide access to some or all of your personal information, for example, when granting access would have an unreasonable impact on other people's privacy, disclosure would affect personal security, or the information is protected by standards of confidentiality or solicitor-client privilege.

## Communication avec l'APUO

Vous devriez être conscient que le courrier électronique n'est pas sécuritaire à 100 % et il ne faudrait pas l'oublier lorsque vous communiquez des renseignements personnels ou confidentiels.

### Questions ou préoccupations au sujet de cette politique

Si vous avez des questions sur cette politique, ou si vous voulez avoir accès à vos renseignements personnels, communiquez avec :

L'administrateur de l'APUO  
Association des professeurs de l'Université d'Ottawa  
348 – 85, rue Université  
Ottawa (Ontario)  
K1N 6N5

courrier électronique : [apuo@uottawa.ca](mailto:apuo@uottawa.ca)

Approuvé par le Comité exécutif de l'APUO  
le 4 mars 2004

## Communicating with APUO

You should be aware that e-mail is not a 100% secure medium, and you should be aware of this when communicating personal or confidential information.

### Questions or concerns about this Policy

If you have questions about this Policy, or wish to access your personal information, please contact:

APUO Administrator  
The Association of Professors of the University of Ottawa  
348 - 85 University Private  
Ottawa, Ontario  
K1N 6N5

e-mail: [apuo@uottawa.ca](mailto:apuo@uottawa.ca)

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