

## 2.1.18 FSA Member Privacy Policy

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1. The BCIT Faculty and Staff Association (the “Association”) is committed to protecting the privacy of its members. The proper safeguarding of all personal information collected in the course of the Association’s day-to-day activities is the cornerstone of this commitment, and the Association’s practices in this regard are regulated in accordance with the B.C. *Personal Information Protection Act*.
2. The Association will meet its legal obligations to protect personal information and ensure that all information is properly collected, stored, used only for the purpose for which it was collected, and disposed of in a secure and timely manner when it is no longer needed.
3. Accountability
  - 3.1. The Executive Director, all FSA staff members, the Board of Directors, and members who are serving as FSA representatives on BCIT committees are responsible for maintaining and protecting any personal information under their control.
4. Privacy Officer
  - 4.1. The Privacy Officer is responsible for ensuring the Association’s compliance with its privacy obligations.
  - 4.2. The Executive Assistant will ordinarily serve as Privacy Officer. If there is no Executive Assistant, or if they are on leave for a period longer than three months, then the Executive Director will appoint a temporary Privacy Officer.
5. Identifying Purposes
  - 5.1. The Association collects, uses, and discloses personal information for various purposes, including to:
    - 5.1.1. Administer the Association, such as when maintaining records of membership;
    - 5.1.2. Communicate with members, such as when providing information and responding to inquiries;
    - 5.1.3. Investigate and resolve disputes or claims, grievances, appeals, or other formal processes;
    - 5.1.4. Assist in monitoring compliance with employment rights;
    - 5.1.5. Collect and manage dues;
    - 5.1.6. Provide an informed perspective for negotiations, representation, and policy decisions;

- 5.1.7. Conduct surveys of member preferences, needs, or interests; and
- 5.1.8. Verify member eligibility for strike pay.
- 5.2. The Association shall identify the purposes for which it is collecting personal information before information is collected.
  - 5.2.1. The Association collects information anytime a member provides it to the Association through email and other correspondence, telephone conversations, at meetings, or attendance at the Association's office.
  - 5.2.2. The Association collects information whenever members file grievances or consult the Association for information or assistance.
  - 5.2.3. The Association also regularly receives certain personal information about members from the Employer in accordance with its obligations under the Collective Agreement, BCIT policy, and law or statute.
- 5.3. The Association may collect personal addresses and telephone numbers of members under Canadian law for the sole purpose of labour relations representation, with disclosure only to authorized Association staff or officials.
- 5.4. If the Association wishes to use an individual's personal information for a purpose not contemplated at the time of collection, the individual's consent will be sought prior to using it for that purpose.
6. Consent
  - 6.1. Individuals shall be informed and their consent obtained for the collection, use, and disclosure of their personal information, except where otherwise required or permitted by law.
  - 6.2. When it is appropriate, the written consent of the individual shall be obtained, including by mail, email, or fax. Sometimes, an individual's consent may be obtained verbally or reasonably implied through their conduct.
  - 6.3. If a member wishes to withdraw their consent to the Association's ability to collect, use, or disclose any of their personal information, the member must first contact the Association's Privacy Officer.
  - 6.4. In the event that the withdrawal of consent will impact other aspects of the member's relationship with the Association, the Association will advise that member.
  - 6.5. The Association will only disclose personal information without notice or consent if required to do so by law or when acting in the good faith belief that such action is necessary to:

- 6.5.1. Cooperate with regulatory bodies and law enforcement officials to conform to obligations imposed by law or statute;
- 6.5.2. Meet an emergency need; or
- 6.5.3. Comply with the Association's obligations under the Collective Agreement, BCIT policy, or law or statute.

## 7. Limiting Collection

- 7.1. The Association shall only collect personal information that is required to meet the purposes identified by the Association.
- 7.2. The Association is committed to collecting personal information in a fair, open, and lawful manner. For this reason, the Association does not indiscriminately collect personal information.

## 8. Retention

- 8.1. The Association retains personal information only for as long as it is needed and only for the fulfillment of the purposes for which it was originally collected.
- 8.2. The Association retains an individual member's personal information used to make a decision directly affecting that member for no less than one year.
- 8.3. The Association's strategy for the retention and destruction of records containing personal information are governed by FSA Records Retention Policy 3.3.3 and the B.C. *Personal Information Protection Act*.

## 9. Accuracy

- 9.1. Every reasonable effort will be made to ensure that personal information is accurate, complete, and up-to-date to fulfill the purpose for which it was collected.
- 9.2. Periodically, the Association may request written confirmation from an individual that the information collected and maintained by the Association is up-to-date and accurate.

## 10. Safeguards

- 10.1. Personal information shall be protected by security safeguards appropriate to the sensitivity of the personal information. The Association's security safeguards include:
  - 10.1.1. Premises security,
  - 10.1.2. Locked file cabinets,
  - 10.1.3. Restricted access to files containing personal information,
  - 10.1.4. Technological safeguards such as security software and firewalls to prevent unauthorized computer access,

10.1.5. Internal passwords and security policies to control access to the Association's network and software, and

10.1.6. Policy prohibitions against unauthorized use or disclosure.

10.2. If the Association uses the services of any third parties to process personal information, the Association will enter into legal agreements that require them to protect this personal information in a manner acceptable to the Association.

10.3. In entering into these legal agreements, the Association does not transfer any interest in this personal information to them. The purpose of these legal agreements is to ensure that the personal information delivered to third parties is maintained at a level of security equal to or better than that provided by the Association under this Policy.

10.4. The Association also ensures that any of its employees who deal with personal information are properly trained and are aware of the necessary and appropriate measures required to protect personal information.

10.5. The Association's website may contain links to other sites. The Association is not responsible for the privacy practices or the content of such websites and encourages users to read the privacy statements of any such sites.

## 11. Transparency

11.1. This policy is available on the Association website. A hard copy of this policy is also available at the Association's office.

## 12. Individual Access

12.1. Upon request, the Association will inform an individual if the Association has any personal information about the individual under its care and control and will provide the individual with details about such personal information.

12.1.1. The Association reserves the right to confirm the identity of the person seeking access to personal information before complying with any access request.

12.1.2. In responding to an access request, the Association may charge a reasonable fee.

12.2. An individual may challenge the completeness or accuracy of the personal information under the Association's care and control. Where an individual successfully demonstrates that an error in their personal information exists the Association will amend the personal information accordingly.

12.3. The Association may deny access to personal information when denial of access is required or authorized by law. Possible reasons for denying access to personal information include:

12.3.1. When granting access would have an unreasonable impact on other people's privacy,

12.3.2. To protect the Association's rights and property, or

12.3.3. Where the request is frivolous or vexatious.

12.4. If the Association is unable to provide access to all of the personal information it holds about an individual, then the reasons for the denial of access will be provided to the individual.

12.5. Requests for access to an individual’s personal information shall be specific and made in writing through email to the Executive Assistant or other designated Privacy Officer.

12.6. The Privacy Officer will endeavour to respond to all requests within 30 days of receipt. If additional time is required, the Privacy Officer will advise the member.

13. Challenging Compliance

13.1. An individual may challenge the Association’s compliance with this policy by directing their questions, concerns, or complaints to the Privacy Officer at the aforementioned contact information.

13.2. If a complaint cannot be resolved by the Privacy Officer, the member may contact the Office of the Information and Privacy Commissioner in Victoria

Revision History

Date	Revision (Brief description)
May 2016	Reviewed by K. Woodbridge in consult with H. Neun and approved by the board.