



BC FERRY AND MARINE WORKERS' UNION

PRIVACY POLICY

The following policy outlines the BC Ferry and Marine Workers' Union's (BCFMWU) practices concerning the privacy of members' personal information to meet the requirements of the *British Columbia – Personal Information Protection Act*.

1. Purpose and Principles

The Personal Information Protection and Electronic Documents Act requires under Section 3:

The purpose of this Part is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.

The BCMFWU is committed to protecting the privacy of individuals in the collection, use and distribution of personal information. This Policy outlines how and why we collect personal information and the way in which it is used.

What is Personal Information?

Personal Information is information about an identifiable individual including information about an employee's home address and telephone number. The name, title or business address or telephone number of an employee of an organization is not considered *personal information*.

BCFMWU is responsible for protecting your personal information in its custody, including personal information that has been transferred to, or received from a third party in the course of commercial activities for processing or other purposes for which you have consented.

2. Purpose of Collection of Personal Information

BCFMWU collects, uses and discloses personal information for one reason – to serve you better. Personal information is used to identify our membership, collect dues, provide representation and benefits to you and communicate about the activities of the Union.

The BCFMWU collects, uses and discloses your personal information to:

- Verify your identity (your S.I.N. is used for confirmation of your identity);
- Collect union dues;
- Investigate, process, and arbitrate grievances; and
- Comply with the law.

Personal information may be collected, used or disclosed for any of these “Identified Purposes” set out above.

The information gathered from you may be received from:

- Your membership application;
- Information you provide us through investigation, processing or arbitrating your grievance(s); and
- From BC Ferries.

3. Consent

No Consent Required

BCFMWU requires your knowledge and consent before we may collect, use or disclose your personal information, **except** in special circumstances. **No consent is required** for BCFMWU to:

Collect Information

- If the personal information is publicly available (for example, in a phone book);
- If knowledge and consent will compromise the availability and accuracy of the personal information and it is necessary to investigate a breach of an agreement or contravention of a law (for example, in a fraud investigation, an investigation by the police, or in situations otherwise permitted by the law); and
- Information pertaining to your occupation or department is not considered “personal information” and therefore, no consent is required.

Use Information

- In the same circumstances as in collection; and
- In an emergency situation respecting that person.

Disclose Information

- To your lawyer;
- To collect a debt owed by the person the personal information is disclosed about;
- To comply with a law, subpoena, warrant or rules of court;
- To the authorities;
- In an emergency involving that person;
- 100 years after it is gathered, 20 years after death; and
- Publicly available personal information.

Consent

There may be certain cases where your consent will be explicit. For example, where a grievance is filed, you must consent to your representative(s) having access to your personnel file to properly investigate your grievance. That is, by signing a grievance form, you are consenting to the reasonable collection, use and disclosure of your personal information by BCFMWU for the purpose of resolving your grievance.

If any of the personal information that we collect is sensitive, such as health information, we will obtain additional written or oral consent from you before collecting, using or disclosing the information.

4. Limitations on Use, Disclosure and Retention of Personal Information.

BCFMWU does not disclose sensitive information for a new purpose beyond that to which you have consented. You may withdraw your consent at any time upon reasonable notice, subject to legal or contractual restrictions. However, by withdrawing your consent, it may affect BCFMWU's ability to continue to represent you or provide certain services.

Should you wish to withdraw your consent, please contact our Privacy Officer.

Depending upon the nature of your personal information, BCFMWU may retain it for an indefinite period of time. Once BCFMWU determines that the information is no longer required, it will be destroyed or personal identifiers will be removed.

5. Security of Information

Filing Systems

BCFMWU ensures that all files are stored in cabinets or offices that are not accessible to members or local officers who are at the office. In addition, only staff is allowed access to the internal offices past the reception area. Should members and/or other visitors require access to these offices, they must be accompanied by a staff member.

Access to Electronic Personal Information

In order to protect your electronic personal information, a login and password is required to access this information. Electronic personal information is protected through the use of firewalls to prevent third party access.

Destruction of Personal Information

BCFMWU shall take care when storing or destroying your personal information in order to prevent unauthorized access, or disclosure.

6. Third Party Access

BCFMWU does not sell personal information to third parties. However, there may be instances where third parties receive certain information. For example, when newsletters are distributed, address labels are provided to third parties for the sole purpose of distribution.

From time to time, BCFMWU may ask a third party to conduct a survey of its members. Participation is optional but information gathered may be of a personal nature. However, BCFMWU does not share any of this personal information and you are not identified in the results of the survey.

Where personal information is provided to third parties, BCFMWU ensures that agreements are in place with our third parties that they undertake to protect and secure that personal information from unauthorized or unintended use.

7. Complaints Procedure

If you have a complaint related to this Policy or any of our procedures, please contact our Privacy officer. If your complaint is justified, we will take the steps necessary to resolve the issue, including amending our Policy and practices, if necessary. If we are unable to resolve your concern, you may contact the Office of the Privacy Commissioner of Canada, or if applicable, the provincial Privacy Commissioner.

8. Privacy Officer

For more information, to file a complaint, to make enquiries, or to opt out of all or parts of the Policy, please contact BCFMWU's Privacy Officer.

Privacy Officer: Ellen Oxman
Address: 1511 Stewart Avenue
Nanaimo, BC V9S 4E3
Telephone No: 250-716-3454
Fax No: 250-716-3455
Email: ellenoxman@bcfmwu.com

This Policy may be updated from time to time as policies, procedures or technologies change.

*Current Policy dated January 1, 2008.
Contact Information updated March 27, 2012.*