Office of the Information and Privacy Commissioner of Alberta

PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	H.B. Fuller Company (Organization)
Decision number (file number)	P2013-ND-30 (File #P2338)
Date notice received by OIPC	June 5, 2013
Date Organization last provided information	August 2, 2013
Date of decision	December 11, 2013
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals pursuant to section 37.1 of the *Personal Information Protection Act* (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	Organization is a US corporation. I have jurisdiction because the Organization is an "organization" as defined in section 1(1)(i)(i) of PIPA and the information collected was about a resident of Alberta.
Section 1(1)(k) of PIPA "personal information"	The spreadsheet contained all of the following information about the individuals; • name, • address, and • social insurance number. This information is "personal information" as defined in section 1(1)(k) of PIPA.
DESCRIPTION OF INCIDENT	
☒ loss ☐ unauthorized access ☐ unauthorized disclosure	

Description of incident	• A laptop computer was stolen while enroute between St. Paul, Minnesota to Vancouver, Washington. It was sent via Fedex. • The laptop was shipped on May 16, 2013. The Organization was notified of the theft on May 17, 2013. • The hard drive of the laptop contained a spreadsheet with the names, addresses and social insurance numbers of former employees. • The laptop was not encrypted and was not recovered.
Affected individuals	283 former employees from the United States and Canada, of which one former employee is a resident of Alberta.
Steps taken to reduce risk of harm to individuals	Review of policies and procedures and mitigation strategies, of which for safeguarding employee data, including the possible use of encryption.
Steps taken to notify individuals of the incident	Notification sent by mail to the affected individuals on May 31, 2013.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury – that could be caused to those affected individuals as a result of the incident. The harm must also be "significant." It must be important, meaningful, and with non-trivial consequences or effects.	The Organization recognized the affected individuals may be at risk for identity theft and fraud, particularly because of the loss of the name and social insurance number of the individuals. In my view, the personal information involved is highly sensitive as it includes a social insurance number. The types of harm that could result from unauthorized access to the personal information in this instance are identity theft and fraud. In my view, these are significant harms.
Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.	The Organization reported that due to the sensitivity of the personal information involved, it considered there to be a real risk of significant harm to the affected individuals. Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals. The information has been stolen and has not been recovered and it includes a social insurance number. These factors contributed significantly to my decision.

DECISION UNDER SECTION 37.1(1) OF PIPA
Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individual from Alberta. The personal information involves sensitive identity information, including name and social insurance number. The information has been stolen and has not been recovered. These factors contributed significantly to my decision. I require the Organization to notify the affected individual from Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation). I understand the Organization notified the affected individual in a letter dated May 31, 2013, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individual from Alberta again.

Jill Clayton
Information and Privacy Commissioner