PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	AFAB Metalworks Inc. (Organization)
Decision number (file number)	P2016-ND-24 (File #P2737)
Date notice received by OIPC	February 27, 2014
Date Organization last provided information	February 27, 2014
Date of decision	March 15, 2016
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals pursuant to section 37.1 of the *Personal Information Protection Act* (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization is incorporated in Alberta and is an "organization" as defined in section 1(1)(i)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	The incident involved all or some of the following information: • wage amount, • severance amount. This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.
DESCRIPTION OF INCIDENT	

☐   loss   ☐   unauthorized access   ☒   unauthorized disclosure

Description of incident	• An employee working in the Organization's financial department disclosed the wages of certain employees of the company to other employees, as well as the amount of severance paid to one employee. • The employee in question left the Organization shortly after the incident.
Affected individuals	There were 4 affected individuals.
Steps taken to reduce risk of harm to individuals	The incident was discussed with all employees.
Steps taken to notify individuals of the incident	The incident was discussed with all employees.

REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury that could be caused to 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 reported that the information is moderately sensitive "based on the potential for humility or damage to relationships between employees" and "high or severe with regards to damage to relationships between employee and employer." I agree that the personal information involved is moderately sensitive and could be used to cause the harms of hurt, humiliation or embarrassment, and damage to relationships. 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 did not specifically assess the likelihood of harm resulting from this incident, but noted there may have been a malicious motive behind the disclosure. In my view, although limited information was disclosed, the likelihood of harm resulting from this incident is increased due to the close relationships between co-workers and the possibility of a malicious motive behind the disclosure.

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 individuals. The personal information involved is moderately sensitive and could be used to cause the significant harms of hurt, humiliation or embarrassment, and damage to relationships. Although limited information was disclosed, the likelihood of harm resulting from this incident is increased due to the close relationships between co-workers and the possibility of a malicious motive behind the disclosure. I require the Organization to notify the affected individuals in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation). I understand the Organization met with the affected individuals to discuss the incident. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner