

The Canadian Federal Pilots Association's Privacy Code

Our Privacy Commitment to You

The Canadian Federal Pilots Association (hereinafter "CFPA") is demonstrating its commitment to protecting the privacy of its members and employees by developing and implementing this Privacy Commitment to the Protection of Member and Employee Information.

The CFPA Privacy Commitment complies with, or exceeds, the federal *Personal Information Protection and Electronic Documents Act* (hereinafter "PIPEDA"). This Privacy Commitment applies to the collection, storage, use, disclosure, protection, and accuracy of personal information collected and controlled by CFPA. The policy is organized according to the principles of the Canadian Standards Association's Model Code, which forms the base of PIPEDA.

We invite you to address any questions you may have about personal information and about our policy to our Office Manager.

The CFPA will continue to review its Privacy Code to ensure it is relevant and remains current with changing technologies and laws. Most importantly, the CFPA wants to ensure that it continues to meet the evolving needs of its members and staff.

Definitions

Personal information – information about an identifiable individual. It includes, but is not limited to, age, name, home address and phone number, identification numbers, disciplinary actions, membership cards, and dispute or grievance records.

Under PIPEDA, personal information does not include a job title, business telephone number or address.

Consent – voluntary agreement with what is being done or proposed. Consent can be either express or implied. Express consent is given explicitly, either orally or in writing. Express consent is unequivocal and does not require inference on the part of the CFPA. Implied consent arises where consent may reasonably be inferred from the action or inaction of the member or employee.

The Principles

1. Accountability

The CFPA is responsible for personal information under its control. The CFPA shall use appropriate means to provide a comparable level of protection when information is being processed by a third party.

The Office Manager is responsible for our privacy policies for both members and staff information. She trains all our staff in how to handle the personal information of members. She will also be happy to provide any information about your information, including copies of your personal information if we have that information. She can be reached at 613-2305476, fax 613-230-2668, or email cfpa@cfpa-apfc.ca. You may also write to the Office Manager at the Canadian Federal Pilots Association, Suite 400 – 350 Sparks Street, Ottawa, Ontario, K1R 7S8.

2. Identifying Purposes

At or before the time the information is collected, the CFPA shall identify the purposes for which personal information is collected.

We gather member information only for the following purposes:

- to serve the members needs including for the provision of assistance, information and representation;
- to understand member needs and preferences;
- to disclose personal information about its members for normal personnel and dues administration and for legal proceedings;
- to process union dues;
- to manage and develop the CFPA's business and operations, including the CFPA's personnel and employment matters and to maintain good member and employee records.

The CFPA shall specify orally, electronically or in writing the identified purposes to the member or employee at or before the personal information is being collected. Upon request, the person collecting the information shall explain these identified purposes or refer the individual to the Office Manager within the CFPA who shall explain the purposes.

Unless required by law, the CFPA shall not use or disclose for any new purpose personal information that has been collected without first identifying and documenting the new purpose and obtaining the consent of the member or employee.

3. Consent

The knowledge and consent of a member or employee is required for collection, use or disclosure of personal information, except where inappropriate.

We do not gather information from anyone but our members and employees, and we tell you when we are asking for information what it will be used for. In the event that an individual moves from his or her current address or position, we reserve the right to seek the new address or job location.

In certain circumstances, personal information can be collected, used or disclosed without the knowledge and consent of the individual. For example, the CFPA may collect or use personal information without the knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely fashion, such as when the individual is seriously ill, or in the case of an emergency where the life, health or the security of the individual is threatened.

The CFPA may also collect, use or disclose personal information without knowledge or consent if seeking the consent of the individual might defeat the purpose of collecting the information, such as in the investigation of a breach of an agreement, a contravention of a federal or provincial law, or to comply with a subpoena, warrant or other court or tribunal order or as may be otherwise authorized by law.

In determining the appropriate form of consent, the CFPA shall take into account the sensitivity of the personal information and the reasonable expectations of its members and employees.

Initially when a new member is asked to complete an application and membership card, express consent shall be sought when reasonably feasible. In general, the use of CFPA member services, including for the grievance and arbitration process, constitutes implied consent for the CFPA to collect, use and disclose personal information for all identified purposes.

A member or employee may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice.

4. Limiting collection

The CFPA shall only use or disclose personal information in furtherance of that which is necessary for the purposes identified by it. The CFPA shall collect personal information by fair and lawful means.

As indicated above, we limit the information we collect to that which is necessary to deliver services to the members and to verify collection of dues and for accounting practices. We keep on our member card and file, if any, your name, address, phone and fax numbers and email address, and any other information you may have given us with respect to your work environment.

5. Limiting Use, Disclosure and Retention

The CFPA shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. The CFPA shall retain personal information only as long as necessary for the fulfillment of those purposes.

We use our information only for the purposes outlined above, and we do not sell or lend out information to anyone else. Law enforcement agencies have a right under various pieces of legislation to get information that may be necessary for investigations, however, we insist on warrants and lawful instruments before we provide any such information.

We have a record of your membership card and any employment related concerns or grievances you have filed and we keep these records in an active file for ten years. After that time, we store it in secure storage for ten years. If you ask us, we will keep these records in perpetuity; otherwise, we will purge the cards and files at that time.

6. Accuracy

Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

These documents are held securely and are not altered unless you ask us or we identify errors. If you have concerns about the accuracy of our records, please speak to the Office Manager and he/she will be happy to assist you.

7. Safeguards

The CFPA shall protect personal information by security safeguards appropriate to the sensitivity of the information.

We keep all our membership cards and files in a locked cabinet, which is controlled by the Office Manager. In addition, the keys to the cabinet are placed in the safe each evening.. If a record needs to be taken from the main office, a copy is made and the original stays in the cabinet unless the original is required for arbitration or mediation proceedings. In such instances, the copy shall stay in the cabinet. The CFPA shall protect personal information disclosed to third parties by stipulating the confidentiality of the information and the purposes for which it is to be used. All our member information kept on disc or hard drive shall be protected through appropriate security measures.

8. Openness

The CFPA shall make readily available to members and staff specific information about its policies and practices relating to the management of personal information.

This policy is freely available. Any requests should be addressed to the Office Manager.

9. Individual Access

The CFPA shall inform a member or employee of the existence, use, and disclosure of his or her personal information upon request and shall give the individual access to that information. A member or employee shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

We will be happy to provide all members or employees with a reasonable opportunity to review the personal information in their membership card or file, if any. Personal information shall be provided in an understandable form within a reasonable time, and at a minimal cost, if any, to the individual. All such inquiries shall be made to our Office Manager. In addition, if you feel that the information on your card or file is inaccurate, you are invited to bring it to the attention of our Office Manager and ask for it to be amended. In rare instances, we may not agree to amend the information, but we will be happy to add your notations about the information in the file.

In certain circumstances, the CFPA may not be able to provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of another individual. Also, the CFPA may not provide access to information if disclosure would reveal confidential information if the information is solicitor-client privileged, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law.

If access cannot be provided, the CFPA shall provide the reasons for denying access.

10. Challenging Compliance

A member shall be able to address a challenge concerning compliance with the above principles.

We are anxious to ensure that our privacy policy meets your concerns and responds to your needs. Our Office Manager is available to receive your enquiries and complaints. The CFPA shall undertake to investigate all complaints and respond within ninety days. If the complain is found to be justified, CFPA shall take appropriate measures to resolve the complaint, including, if necessary, amending its policies and practices.

If you are unhappy with the results of these discussions, you may complain to the Federal Privacy Commissioner, 112 Kent Street, Ottawa, Ontario, K1A 1H3.