

# CUPE·SCFP

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## CUPE NATIONAL PRIVACY POLICY FOR MEMBERSHIP INFORMATION

### 1. Commitment to the Protection of Privacy

CUPE National is committed to protecting the privacy, accuracy and security of members' personal information.

### 2. Purpose and Scope

This policy relates to the collection and management of all members' personal information during the course of interactions with their union.

It outlines CUPE National's general practices concerning the collection, use, disclosure and retention of personal information and is consistent with the requirements of applicable legislation.

This policy provides guidelines which balance members' reasonable expectation of privacy with CUPE National's need to collect and use personal information for representation purposes, to further members' interests and/or as authorized or required by law.

### 3. Definitions

**Personal Information:** means information about an individual. It includes data such as an individual's name, home address and personal e-mail address. However, it does not include an individual's employment contact information or work product.

**Privacy Officer:** means the individual responsible for ensuring that CUPE National complies with this policy and applicable legislation. As of the effective date of this policy, the CUPE Privacy Officer is Gavin Leeb, Director, Legal Branch or designate.

### 4. Collection, Use and Disclosure of Personal Information

CUPE National has implied consent to collect, use and disclose as appropriate members' personal information necessary to discharge its duty to represent members with respect to their employment, which includes obligations enshrined in its Constitution and/or imposed by applicable labour laws. For example, information may be used for:

- union education and organizing drives;
- collective bargaining – including strike/ratification votes;
- grievances and arbitrations;
- membership communications;
- advocacy for members and other workers in the workplace and/or in the broader political arena; and

- receiving and sharing information with an employer as required under a collective agreement.

## **5. Safeguarding and Retention**

CUPE National shall provide for the secure storage of all personal information collected about members.

CUPE National retains personal information where necessary or prudent to i) represent union members; ii) further the interests of members; and/or iii) where the retention of records is required by law.

## **6. Right to Access Personal Information and Accuracy**

Members can gain access to their own personal information contained in CUPE National files and are encouraged to ensure that records are updated to reflect accurate information.

CUPE National shall make reasonable efforts to ensure the accuracy and completeness of any personal information collected, used, or disclosed by CUPE in the discharge of its duty to represent members.

In certain situations, further to privacy legislation, CUPE National may not be able to provide access to certain personal information. For example, access may not be provided where:

- doing so may reveal personal information about another individual;
- information is subject to solicitor-client privilege; or
- doing so could reasonably be expected to harm the well-being of an individual.

If access cannot be provided, CUPE National will notify the individual making the request, in writing, of the reasons for the refusal. Where access has been provided and where the information is inaccurate or incomplete, CUPE National will amend the information as required.

CUPE National shall make every reasonable effort to respond to a request for access to personal information within thirty (30) business days.

## **7. Questions or Concerns Regarding Privacy**

An individual may direct their questions or concerns regarding CUPE National's compliance with this Policy to: Privacy Officer, CUPE National, 1375 St. Laurent Blvd., Ottawa, ON K1G 0Z7 (PrivacyOfficer@cupe.ca).

CUPE National will consider complaints in relation to this Policy received in writing. If a complaint is found to be justified, CUPE National will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An individual will be informed in writing of the outcome of the investigation regarding their complaint.

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