

PRIVACY POLICY – SASKATCHEWAN LABOUR RELATIONS BOARD – February, 2005

Introduction

The Saskatchewan Labour Relations Board is an independent, impartial, quasi-judicial tribunal established under *The Trade Union Act* to hear and determine cases under the *Act* and other related labour relations legislation. It is responsible for processing applications, hearing applications, setting out rules of procedure and determining the interpretation and application of labour relations legislation.

As a quasi-judicial tribunal, the Board must act in accordance with the principles of natural justice and procedural fairness and must operate in an open, accessible, transparent and consistent manner. As an agency of the Government of Saskatchewan, the Board must be mindful of privacy legislation and policies applicable to agencies of the Government of Saskatchewan.

Vision Statement

Our vision:

- A healthy and effective labour relations climate in Saskatchewan.

Mission Statement

The mission of the Saskatchewan Labour Relations Board is to administer, interpret and enforce Saskatchewan's labour legislation in an impartial, knowledgeable, efficient, timely and consistent way. It will do this by:

- Hearing and determining labour relations applications in a timely, fair, respectful and economical manner;
- Resolving labour relations problems through appropriate dispute resolution mechanisms;
- Educating the labour relations community and the public of their statutory rights and obligations;
- Maintaining effective Regulations and practices developed through consultation with the labour relations community.

Core Activities

The Board's core activities are derived from the statutory responsibilities placed on it by the labour legislation it oversees. These activities include:

- the investigation, processing and determining of applications made to the Board by unions, employers and individual employees;
- the formal adjudication of issues arising out of the application process;
- the mediation of differences in attempts to limit the need for formal adjudication and to reinforce the ability of the parties to resolve their own disputes;

- the education of Saskatchewan's labour relations community in the interpretation of Saskatchewan labour relations legislation and the Board's rules, policies and procedures;
- the development of formal and informal consultative processes with the province's labour relations community to ensure that Board policies and procedures are beneficial to the community.

Purpose of Saskatchewan Labour Relations Board Privacy Policy

The purpose of this policy is to discuss the Board's collection, use and disclosure of personal information and personal health information and to examine the interplay between the protection of this information and the Board's core activities as a quasi-judicial tribunal.

Information and Privacy Co-ordinator

The Board Registrar is the Board's Information and Privacy Co-ordinator pursuant to *The Freedom of Information and Protection of Privacy Act* and is the Board's Privacy Officer pursuant to The Overarching Personal Information Privacy Framework for Executive Government.

Personal Information and Personal Health Information

In the course of undertaking its core activities, the Board collects, uses and discloses personal information as defined in *The Freedom of Information and Protection of Privacy Act* and personal health information as defined in *The Health Information Protection Act*.

The personal information and personal health information collected, used and disclosed by the Board can be divided into three categories:

- Category 1 Personal information and personal health information about the Board's current and former members and staff collected for personnel/human resources purposes;
- Category 2 Personal information and personal health information about parties before the Board and others collected in connection with applications before the Board and in connection with general correspondence and search requests made to the Board; and
- Category 3 Personal information and personal health information about parties before the Board and others collected as evidence in the course of the Board's adjudicative processes.

Privacy Policy and Procedures

Category 1 – Collection, use and disclosure will be governed by the Privacy Policy of Saskatchewan Labour as all official files are housed at and maintained

by Saskatchewan Labour. Board will maintain and house duplicates of some category 1 information in duplicate files relating to current staff and Board members. This duplicate material will be stored in a locked filing cabinet which can be accessed by the Executive Administrative Assistant to the Chairperson, the Board Registrar, the Executive Officer of the Board and the Board Chairperson. Current staff and Board members can access their duplicate personal information by making a request to one of the individuals identified above. Duplicate material relating to former staff and Board members will be forwarded to Saskatchewan Labour for retention/disposal when employment/appointment ceases/expires.

Category 2 – The Board will provide a copy of every application, reply and statement of employment (pleadings) filed with it by one party to the other party(s) to the particular Board proceeding that the document was filed in relation to.

Generally speaking, the Board treats applications and replies filed with it as matters of public record and also provides copies of these materials to members of the public upon request. As a quasi-judicial tribunal, the Board feels that it is important that this material be available to the public to ensure transparency of, consistency in and easy access to Board proceedings. The Board will continue to follow this general practice.

However, the Board recognizes that some types of pleadings may tend to contain more personal information than others and may have less precedential value than others. For this reason, the following specific procedures will apply to the following specific pleadings:

1. A copy of a statement of employment will only be provided to the party(s) to the Board proceeding that the statement of employment was filed in relation to;
2. A copy of a duty of fair representation application will only be provided to the party(s) to the Board proceeding that the application was filed in relation to;
3. A copy of an affidavit will only be provided to the party(s) to the Board proceeding that the affidavit was filed in relation to;
4. When a copy of an application for rescission or another type of application made by an individual on his or her own behalf (as opposed to an application made by a union representative on behalf of a union or by an employer representative on behalf of an employer) is provided to an individual other than a party to the Board proceeding that the application was filed in relation to, the applicant's address will be blacked out wherever possible;

With respect to general correspondence (correspondence that does not relate to a particular Board proceeding) and search requests received by the Board,

copies of that correspondence and those requests and the Board's responses thereto will be maintained on an annual basis in General Correspondence and General Search file folders which will be kept in a filing cabinet to which only Board adjudicative, professional and administrative staff have access. Copies of general correspondence and search requests and the Board's responses thereto will not be provided to any individual other than the individual who has corresponded with the Board or made the search request or an individual designated by the individual who has corresponded with the Board or made the search request.

Category 3 – Decisions about the collection, use and disclosure of this information (which would include, inter alia, documents filed as exhibits and oral and written evidence given in a Board hearing), including its disclosure in a written decision of the Board, will be made by the panel of the Board adjudicating the particular Board proceeding at issue.