



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Teck Resources Limited (Organization)
Decision number (file number)	P2019-ND-003 (File #008016)
Date notice received by OIPC	March 13, 2018
Date Organization last provided information	March 13, 2018
Date of decision	January 3, 2019
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 whose personal information was collected in Alberta, pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• address,• Social Insurance Number, and• income. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent the personal information was collected in Alberta, PIPA applies in this matter.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On February 27 and 28, 2018, the Organization mailed T4s to former employees. In some cases, due to a faulty setting on an envelope stuffing machine, two T4s were put into each envelope.

	<ul style="list-style-type: none"> • The incident was discovered on March 2, 2018 when three former employees reported receiving another person’s T4 with their T4. • At the time of reporting the incident, the Organization did not know how many envelopes were stuffed by the machine, how many by hand, how many envelopes will be returned unopened and how many envelopes with two T4s will be opened.
Affected individuals	The incident affected three (3) individuals residing in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Attempts were made to recover the information from those who received it in error. • Offered monitoring services free of charge to individuals whose personal information was or may have been accessed.
Steps taken to notify individuals of the incident	Affected individuals were notified by telephone on March 2, 2018 and March 5, 2018 and by letter on March 7, 2018.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>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.</p>	<p>The Organization reported that the types of harm that may result from this breach are “Financial loss, fraud, identity theft.”</p> <p>I agree with the Organization’s assessment. The identity and financial information at issue could be used to cause the significant harms of identity theft and fraud, as well as hurt, humiliation and embarrassment.</p>
<p>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.</p>	<p>The Organization reported that the risk is “Significant”, but noted that it “...does not have any indication that there has been any actual access to or misuse of the personal information. Because the persons to whom two T4's were sent were former employees or active employees of [the Organization] and because most of these persons have returned, or agreed to return, the other person's T4 or the T4 envelope ... there arguably is less risk of these individuals taking advantage of the information they received but there is a chance that there could be someone who is a recipient who has a grudge against [the Organization] and who could misuse the personal information.”</p> <p>In my view, there is a real risk of significant harm in this case, despite the fact the incident did not result from malicious intent (but rather a distribution error).</p>

	<p>The Organization has not recovered all the T4 slips and there may be personal or professional relationships between the affected individuals and the unintended recipients, increasing the likelihood of hurt, humiliation or embarrassment, despite the Organization’s effort to mitigate harm.</p>
<p>DECISION UNDER SECTION 37.1(1) OF PIPA</p>	
<p>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.</p> <p>The identity and financial information at issue could be used to cause the significant harms of identity theft and fraud, as well as hurt, humiliation and embarrassment. Despite the fact the incident did not result from malicious intent (but rather a distribution error), the Organization has not recovered all the T4 slips and there may be personal or professional relationships between the affected individuals and the unintended recipients, increasing the likelihood of hurt, humiliation or embarrassment, despite the Organization’s effort to mitigate harm.</p> <p>I require the Organization to notify the affected individuals whose personal information was collected in Alberta, in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified affected individuals by telephone on March 2 and March 5, 2018, and by letter on March 7, 2018. The Organization is not required to notify the affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner