

PRIVACY ACT
ANNUAL REPORT



PUBLIC SERVICE STAFF
RELATIONS BOARD

2000-2001

PRIVACY ACT
ANNUAL REPORT



**PUBLIC SERVICE STAFF
RELATIONS BOARD**

2000-2001

June 13, 2001

The Honourable Stéphane Dion, P.C., M.P.
President of the Queen's Privy Council
for Canada and Minister of
Intergovernmental Affairs
House of Commons
OTTAWA

Dear Mr. Minister:

It is my pleasure to transmit to you, pursuant to section 72 of the Privacy Act, the Eighteenth Annual Report of the Public Service Staff Relations Board covering the period from April 1, 2000 to March 31, 2001 for submission to Parliament.

Yvon Tarte
Chairperson

CONTENTS

	PAGE
Introduction.....	1
Statistical Reports / Explanation	1
Organization of Activities	2
Implementation	2
Formal/Informal Interface.....	2
Institutional Policies	2
Delegation Instrument.....	2
Education and Training.....	3
Complaints, Investigations and Audits.....	3
Appeals to the Federal Court	3
Disclosures under 8(2)(e) of the Privacy Act	3
Exempt Banks	3
Use and Disclosure	3

**PUBLIC SERVICE STAFF RELATIONS BOARD
ANNUAL REPORT
PRIVACY ACT
APRIL 1, 2000 TO MARCH 31, 2001**

INTRODUCTION

The Public Service Staff Relations Board (the Board) is a quasi-judicial statutory tribunal responsible for the administration of the systems of collective bargaining and grievance adjudication established under the Public Service Staff Relations Act (the Act) and the Parliamentary Employment and Staff Relations Act. In addition, the Board is responsible for the administration of certain provisions of Part II of the Canada Labour Code concerning the occupational safety and health of employees in the Public Service. The combined functions of the Chairperson and the Board in specific areas under the Act are analogous to those performed by Ministers of Labour in private sector jurisdictions. Pursuant to the Act, the Board consists of a Chairperson, Vice-Chairperson, no less than three Deputy Chairpersons and such other full-time members and part-time members as the Governor in Council considers necessary.

Proceedings before the Board include applications for certification, revocation of certification, complaints of unfair labour practices, the designation of positions whose duties are of a managerial or confidential nature, the designation of positions whose duties are required to be performed in the interest of the safety or security of the public, and complaints and references of safety officers' decisions under the safety and health provisions of Part II of the Canada Labour Code. By far the heaviest volume of cases consists of grievances referred to adjudication concerning the interpretation or application of provisions of collective agreements or major disciplinary action and termination of employment. The Board also provides mediation and conciliation services when requested to do so by parties unable to resolve their disputes. Many such cases are settled without resort to formal proceedings before the Board.

STATISTICAL REPORTS / EXPLANATION

Twenty-one requests were received during the period under review. Fifteen requests were from individuals, five were consultations from other federal institutions and one was transferred to the appropriate federal institution. All requests were completed within the 30-day limit. The method of access to all disclosed information was copies of the documents.

In the case of the five consultations, authority was given to proceed with full disclosure of the documents in question. There was full disclosure in one of the fifteen requests and the remaining fourteen could not be processed because the Board did not have the information being sought.

No requests for translation, corrections or notations were received during the period under review.

SUPPORTING DOCUMENTATION

Organization of Activities

The Chairperson has appointed a Co-ordinator for activity under the Privacy Act. Any request received is referred by the Co-ordinator to the pertinent Branch for review and report before a decision is rendered on the request by the Co-ordinator. Where necessary, consultation takes place with the Chairperson. The Co-ordinator dedicates approximately 4% of a person-year to the administration of the Privacy Act.

Implementation

A reading area is located in the Board's Records Office. A copy of the Government of Canada Publication Info Source is available for reference as are Access to Information Request Forms, a copy of the Board's Subject Classification Manual and other relevant publications.

All Personal Information Banks have been registered with Treasury Board and are reviewed and updated annually.

Records contained in Personal Information Banks are disposed of in accordance with schedules approved by the National Archives. Destruction of personal information is performed by the National Archives' shredding facilities.

Formal/Informal Interface

All requests for personal information were submitted formally during the reporting period.

Institutional Policies

All requests for personal information are processed free of charge to applicants.

Delegation Instrument

The Chairperson has appointed the Head of Information Management and Production Services for the Board as Co-ordinator for the Privacy Act.

Education and Training

The Board has formally implemented a Privacy Act awareness campaign through its employee orientation program.

Complaints, Investigations and Audits

As of March 31, 2001, there was one outstanding complaint against the Board, which was filed during this reporting period. Of the six complaints resolved in 2000-2001, five of them, one filed in 1998, three in 1999 and one in 2000, were resolved in the favour of the Board following a Federal Court decision (A-685-96) by Madame Justice Desjardins. The sixth complaint filed in 1996 was resolved after the Board released the information to the complainant.

Appeals to the Federal Court

There were no appeals to the Federal Court during the period under review with respect to Privacy requests.

Disclosures under paragraph 8(2)(e) of the Privacy Act

The Co-ordinator for the Privacy Act, following consultation with the Chairperson, is authorized to approve disclosures to specified investigative bodies.

Exempt Banks

There were no denials of access pursuant to subsection 18(2) of the Privacy Act.

Use and Disclosure

During the formal review and registration process of Personal Information Banks, bank managers were informed of the requirement to ensure that information contained in banks directly related to an existing government program or activity and that the use of personal information be consistent with the purpose for which it was compiled/obtained.