

Effective 4 March 2022

<p>POLICY CIRCULAR REMEDIATION PLAN FOR PRIVACY BREACHES</p>
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At its meeting of 4 March 2022 the NL Labour Relations Board (“Board”) adopted the below Policy in relation to the remediation of incidents involving privacy breaches.

This Policy is to be applied in conjunction with the Board’s Policy Circular on the Procedure for Addressing and Containing Privacy Breaches along with the provisions of the *Labour Relations Act*, and the *Labour Relations Board Rules of Procedure*.

In the event of a privacy breach by the Board, immediate steps will be taken to retrieve the confidential information and contain the breach. This will include:

- Speaking or meeting with any recipient who should not have received the information;
- For physical/paper information, ensuring that the information has been returned directly to the Board without copies having been made and without the information having been shared with others (written or sworn statements may be required as per the below);
- For electronic/email information, ensuring that the information has been fully deleted by the recipient without copies having been saved or made and without the electronic information having been forwarded or shared with anyone else (written or sworn statements may be required); and
- If circumstances warrant, obtaining written or sworn statements from the recipient about how the information was received, the extent to which the information was viewed or shared and by whom, and the steps taken to fully return or delete the information.

The Board, while it is entitled to investigate privacy breaches, is not able to conduct legislative investigations under its governing statutes at its own initiative. The Board may, however, conduct legislative investigations under its governing statutes when an application or a complaint is filed by a party under the applicable legislation. Similarly, Board panels are not able to make legal decisions under their governing statutes concerning privacy breaches at their own initiative. Board

panels may, however, make legal decisions under their governing statutes when an application or a complaint is filed by a party under the applicable legislation.

The Board will be forthright and open with individuals and stakeholders who are affected by privacy breaches to the fullest extent possible. This will include providing details on the circumstances surrounding the breach, the extent of the breach, the steps taken by the Board to address the breach and any other relevant information. There are, though, legal limits to the amount and type of information that the Board can provide. This may include the protection of personal information.