



For Immediate Release
July 22, 2004

INFORMATION AND PRIVACY COMMISSIONER SEEKS PUBLIC INPUT ON EMPLOYMENT PRIVACY GUIDELINES

Victoria—The Office of the Information and Privacy Commissioner is seeking the public's input into the development of employment privacy guidelines.

“Privacy issues in the employment relationship are becoming both increasingly complex and pressing,” Information and Privacy Commissioner David Loukidelis said, adding that “Employees spend a large percentage of their waking hours at work and it is recognized that they have a significant dignity interest in maintaining a right of privacy in the workplace. At the same time, employers have a strong business interest in monitoring employee activity in order to address a variety of concerns, ranging from detecting and deterring employee theft to ensuring a safe and harassment free workplace.”

On January 1, 2004, the *Personal Information Protection Act* (“PIPA”) came into force. PIPA regulates the collection, use and disclosure of employee personal information by private sector employers. Loukidelis added, “To help employers make appropriate decisions around the collection, use and disclosure of employee personal information, I’ve decided to develop and publish guidelines for selected employment privacy issues. They’re drawn from labour arbitration and human rights cases and are intended to illustrate how well-established employment law principles about workplace privacy can be applied under BC’s new privacy law.”

The guidelines cover topics such as pre-employment screening, drug and alcohol testing and surveillance of employees. The Commissioner has sought input from stakeholders in the business community, labour movement, labour arbitrators and privacy groups. He said, “I also invite the general public to review the guidelines and ask them to provide their comments before August 31, 2004.”

The invitation for input and consultation draft of the guidelines can be found at http://www.oipc.bc.ca/sector_private/whats_new.htm.

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