

Employee Privacy Code

The Federal Government as an employer is committed to fair information practices for its employees, which creates a legitimate and enforceable expectation of privacy. These are expressed for all government institutions in the *Privacy Act* (1983), which has as its broad purpose "to . . . protect the privacy of individuals with respect to personal information about themselves held by a government institution and . . . provide individuals with a right of access to such information." (*Privacy Act*, section 2).

Personally identifiable information exists in employee and job applicant records. The collection, use, disclosure, retention and disposal of this information must be managed in a way that takes into account the *Privacy Act's* principles of confidentiality, accuracy and relevance. The spirit and the letter of the *Privacy Act*, as it pertains to Federal employees, is expressed in the Employee Privacy Code.

The Code consists of six Principles, as follows:

- *An access process must be in place to enable an employee to find out what information about him or her is in a record and how that information is used.*

All personal information holdings must be described as Personal Information Banks by the government institutions controlling them and published in the annual *Personal Information Index*.

Employees must, with some exceptions, be given access to the information pertaining to them. This should normally be done informally without recourse to the formal procedures of the *Privacy Act*. However, no prejudicial actions will be taken against an employee who wishes to exercise his or her legal rights. Personal information will be withheld from access by employees only in strict compliance with the limited situations for exemption set out in the *Privacy Act*.

There must be no classes of information and no personal information banks whose existence is not known.

- *A process must be in place to enable an employee to correct a record containing personal information about him or her.*

Employees are entitled to ask that information pertaining to them be corrected, and they have the right to have a notation attached to any information for which a correction was requested but not made.

- *The legal provisions limiting the collection of personal information must be followed.*

The collection of personal information must be directly relevant to an authorized program or activity. Whenever possible, personal information shall be collected directly from the individual to whom it pertains. There are limited exceptions to this general rule, for example, law enforcement activities. An employee must also be informed why the information is being collected and