



GPA Global Privacy and Data Protection Awards 2023

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org **no later than 9 June 2023**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection Authority:	Office of the Privacy Commissioner of Canada	
Person completing this form:	Arun	Bauri
	<i>First name</i>	<i>Last name</i>
Job title:	Policy and Research Analyst	
Email address:	arun.bauri@priv.gc.ca	

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2022.
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

In May 2023, the Office of the Privacy Commissioner of Canada released guidance on workplace privacy so that: i) employers are aware of how relevant privacy laws and other legal obligations apply to employee personal information; and ii) individuals are aware of their privacy rights whether they are on their employee premises and/or using their employer's equipment.

b. Please provide a full description of the initiative (no more than 350 words)

The pandemic has fundamentally shifted where and how we work. In order to navigate the post-pandemic world and new norms, the Office of the Privacy Commissioner of Canada realized there was a need to provide individuals and employers with relevant and meaningful information on how to manage employee privacy in today's world of hybrid and remote work.

The guidance is a product of collaboration from Directorates across the Office of the Privacy Commissioner of Canada. The guidance draws from investigative and legal findings.

The guidance explains in plain language the circumstances relating to when and why employers may need certain information about employees, but outlines what key concepts must be considered to respect employee privacy.

A key element of the guidance is a section dedicated to employee monitoring – which has been a very real challenge across the globe in today's post-pandemic world. The guidance clarifies – to both employers and employees – that while there may be a number of technological measures that are available to monitor employees, not all measures will necessarily be the most effective in meeting the desired goals or be the least intrusive means available to achieve the stated purpose.

The guidance concludes with 8 practical tips that employers should be aware of, which are interwoven with overviews of relevant investigative summaries so that the reader can appreciate how the specific policy and guidance considerations would be applied in real scenarios.

Following the issuance of the guidance, the Office of the Privacy Commissioner of Canada issued a blog post to distil the key concepts from the guidance.

c. Please explain why you think the initiative deserves to be recognised by an award
(no more than 200 words)

The COVID pandemic created a number of challenges for society across the globe, and this exceptional moment in our lifetime fundamentally changed where and how we as a society work.

Organizations are facing new challenges in respect of how to operate in a hybrid and/or remote workplace reality, particularly so given that this reality came about more rapidly than organically. As such, OPC Canada was aware that individuals had questions about what their privacy rights were in this new world. It was also aware that employers had their own questions on a number of issues, for instance how workplace or employee monitoring could be undertaken whilst respecting employees' privacy rights.

With this in mind, this guidance was developed using not only plain language, but taking into account how current real life challenges must be considered.

It also includes a useful section of "Eight Practical Tips" that employers can use to build into their policies and procedures.

Upon release, the guidance received positive reception from stakeholders, particularly from Human Resource industry news organizations.

Comments have included that the guidance provides "practical considerations on how to remain compliant" and that "...the Guidance is a useful resource for employers looking to improve their workplace privacy policies and procedures".

d. Please include a photograph or image, if you wish *(This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)*

e. Please provide the most relevant link on the authority's website to the initiative, if applicable *(The website content does not need to be in English)*

Office of the Privacy Commissioner of Canada – Guidance: Privacy in the Workplace:
https://www.priv.gc.ca/en/privacy-topics/employers-and-employees/02_05_d_17/

Office of the Privacy Commissioner of Canada – Blog Post: Privacy in the workplace – practical tips for employers. <https://www.priv.gc.ca/en/blog/20230608/>

f. Please provide any other relevant links that help explain the initiative or its impact or success (e.g. links to news reports or articles):

McMillan LLP *“OPC Takes Firm Stance on Privacy in the Workplace: Takeaways for Employers”* June 7th 2023. <https://mcmillan.ca/insights/publications/opc-takes-firm-stance-on-privacy-in-the-workplace-takeaways-for-employers/>

MLT Aikins Law Firm *“Thinking of surveilling your employees? Here are some tips”* June 11 2023. <https://www.mltaikins.com/labour-employment/thinking-of-surveilling-your-employees-here-are-some-tips/>

HRReporter *“Privacy commissioner releases new guidance for workplaces”* May 31 2023. <https://www.hrreporter.com/focus-areas/employment-law/privacy-commissioner-releases-new-guidance-for-workplaces/376377>

Human Resources Director *“Employee privacy top of mind in new government guidelines”*. June 8 2023. <https://www.hcamag.com/ca/specialization/employment-law/employee-privacy-top-of-mind-in-new-government-guidelines/448679>