

**SASKATCHEWAN
INFORMATION AND PRIVACY COMMISSIONER**

REVIEW REPORT 069/2014

Public Service Commission

Summary: The applicant requested a correction of her personal information on a Record of Employment (ROE) document issued by the Public Service Commission (PSC). She alleged that she had been working for the Government of Saskatchewan since 2000; however, in the “first day worked” field on the ROE, PSC marked January 6, 2007. PSC explained Service Canada requires that this field reflect the first day worked from the issuance of the last ROE. An ROE had been issued when the applicant changed positions within different ministries in early 2007. The Commissioner found that the applicant’s personal information was accurate pursuant to section 27 of *The Freedom of Information and Protection of Privacy Act* (FOIP) and no change was required. Even though the applicant requested a change and not that a notation be made pursuant to subsection 32(1) of FOIP, PSC made a notation within its electronic filing system that the change was requested.

I BACKGROUND

[1] The applicant made a request to my office on June 25, 2014 for a correction of personal information. She requested that the “first day worked” field of a Record of Employment (ROE) issued by the Public Service Commission (PSC) be corrected. My office provided notification to both PSC and the Applicant of our intention to undertake a review on July 25, 2014. PSC provided a submission, which was shared with the Applicant, and additional information at the request of my office.

II RECORDS AT ISSUE

- [2] The record in question is a two paged ROE issued for the applicant. This is a fillable form created by Service Canada, an agency of the Government of Canada. The employer must fill out this form for the purposes of employment insurance and other programs offered by the federal government. PSC created this ROE for the applicant. One of the fields is entitled "FIRST DAY WORKED". The applicant would like a correction to the date PSC entered.

III DISCUSSION OF THE ISSUES

- [3] PSC qualifies a government institution pursuant to section 2(1)(d)(ii) of *The Freedom of Information and Protection of Privacy Act* (FOIP) and Part I of the Appendix of the FOIP Regulations.

1. Is the personal information in question accurate?

- [4] Subsection 27 of FOIP states:

27 A government institution shall ensure that personal information being used by the government institution for an administrative purpose is as accurate and complete as is reasonably possible.

- [5] The "first day worked" indicated on the ROE is January 6, 2007. The applicant contends that she started working for the government of Saskatchewan in October 2000. Her letter states that she was working for the Ministry of Highways and changed to a position in the Ministry of Labour at the beginning of 2007. I note that the "EMPLYOER'S NAME" field on the ROE indicates the "Government of Saskatchewan".
- [6] The PSC does not deny that the applicant has worked for the Government of Saskatchewan since October 2000. However, its submission explains that Service Canada requires that date to reflect the first day of earnings or, if a previous ROE had

been issued, the first day of earnings since the last ROE. PSC indicated that an ROE had been issued prior to January 6, 2007.

[7] When asked why an ROE was issued, PSC explained that at that time each ministry had a separate staff administering payroll and human resources services. It was the practice of some of those ministries to issue an ROE when an employee left the ministry, even to go to a different one. Now that PSC has the Employee Service Centre, which is a centralized and standardized service for all Government of Saskatchewan employees, ROEs are no longer issued when an employee changes ministry.

[8] As such, PSC entered the correct date in the “first day worked” field.

2. Has PSC responded appropriately to the applicant’s request for correction?

[9] Subsection 32 of FOIP states:

32(1) An individual who is given access to a record that contains personal information with respect to himself or herself is entitled:

(a) to request correction of the personal information contained in the record if the person believes that there is an error or omission in it; or

(b) to require that a notation be made that a correction was requested but not made.

(2) Within 30 days after a request pursuant to clause (1)(a) is received, the head shall advise the individual in writing that:

(a) the correction has been made; or

(b) a notation pursuant to clause (1)(b) has been made.

...

[10] Within 30 days of the applicant’s request, in a letter dated June 18, 2014, PSC responded to the applicant indicating that the date inserted in the “first day worked” field was correct.

[11] The applicant did not request that a notation be made on the record as she is interested in the correction only. However, PSC has made a notation anyway. In its submission, PSC indicated that the ESC has an electronic Client Relationship Management system (CRM) and that the ROE is not a paper document. PSC has informed my office that the notation is obvious when this ROE is accessed in its CRM.

IV FINDINGS

[12] I find that the personal information in the “first day worked” field in the ROE is accurate.

[13] I find that PSC responded appropriately to the applicant pursuant to section 32 of FOIP.

V RECOMMENDATIONS

[14] I recommend that PSC take no further action.

Dated at Regina, in the Province of Saskatchewan, this 17th day of November, 2014.

Ronald J. Kruzeniski, Q.C.
Saskatchewan Information and Privacy
Commissioner