

## Data Request: BC Teachers' Federation Membership System

On November 2, 2007, we distributed @ Issue bulletin No. 2007-08 (available on our public website at <http://www.bcpsea.bc.ca/access/publications/aissue/2007/ai2007-08.pdf>) regarding the BC Teachers' Federation (BCTF) requests for information from districts for its new web-based membership system.

We understand that the BCTF and its local associations intend to contact payroll staff in each district to discuss the electronic conversion of the hard-copy payroll reports that the BCTF is currently receiving from each district on a monthly basis with the fees. The BCTF and its locals also intend to ask the payroll staff in each district to include district employee numbers and full time equivalent (FTE) counts (where available) if they are not already included.

We have advised the BCTF that it is our position that such requests should be made to the Secretary-Treasurer in each district. However, Superintendents and Secretary-Treasurers should be aware that such requests may be made directly to payroll staff. Given the *Freedom of Information and Protection of Privacy Act* (FIPPA) considerations set out in @ Issue No. 2007-08, it is important that Superintendents and Secretary-Treasurers are involved in decisions regarding the disclosure of employee personal information to the BCTF and its locals.

We also understand that the BCTF and its locals will require each member to sign a consent authorizing the BCTF and its local to collect personal information from the district. Following are some important points for districts to consider:

1. If a BCTF member has completed and signed the consent form, a district may disclose the information identified on the form to the BCTF.
2. However, unless otherwise provided for in a collective agreement or required by law, a district is not obliged to provide information to the BCTF, particularly if it does not have the information compiled in a format that can be disclosed (i.e., the district would have to create a document). Whether a district provides the information depends on the administrative ease of doing so.
3. Further, districts will have to ensure that, if the only authority for the disclosure of the personal information requested by the BCTF is the consent form, all employees have provided a signed consent before their information is disclosed. That is, if the information is being disclosed in electronic reports, districts must ensure that all employees included in the report have signed a consent form. If the collective agreement or the *Labour Relations Code* obligate a district to provide the personal information to the BCTF, a district will be required to do so regardless of whether the employee has signed a consent form (please refer to @ Issue No. 2007-08 for a detailed discussion of this issue).

If you have any questions regarding these issues, please contact your BCPSEA liaison.