

BARTENDERS BENEVOLENT FUND

For the Community. By the Community.

PRIVACY POLICY

A policy governing the Code of Conduct
of the Bartenders Benevolent Fund (the “Corporation”)

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S.1 INTERPRETATIONS

In this Policy:

“Corporation” refers to the Bartenders Benevolent Fund and its legal status

“Privacy Policy” the Privacy Policy Statement and Procedures;

“Staff” refers to all employees, volunteers and partners of the Corporation

S.2 DEFINITIONS

1. CONFIDENTIAL INFORMATION

Refers to information that, if disclosed without authorization, could be prejudicial to the interests of the Bartender Benevolent Fund and would jeopardize the individual applicants, and that must or may be kept confidential under the Personal Information Protection and Electronic Documents Act (S.C. 2000, c. 5) and the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31. Confidential information includes but is not limited to the following:

- Any document which identifies a donor or a client by name.
- Any document which contains personal employee or volunteer information beyond the name, title, business address, business e-mail and business phone number(s).
- In-camera minutes, or other minutes marked ‘Confidential’, resulting from Board meetings
- Online app and chat discussions between volunteers and/or board of directors

2. PERSONAL INFORMATION

Refers to any information in any form (oral, digital or written) that pertains to an individual excluding information that is publicly available in its entirety. Personal Information will also include any publicly available information that is combined with non-publicly available information. Personal Information includes but is not limited to:

Name, home address, home phone number, home email address, identity verification information, Social Insurance Number, physical description, age, gender, salary, education, professional designation, personal hobbies and activities, medical history, employment history, credit history, contents of resume, references, interview notes, performance review notes and emergency contact information.

3. PROPRIETARY INFORMATION

Proprietary Information pertains to all confidential information associated to the Corporation including, but not limited to, forms pertaining to internal processes such as internal policy or processes, bank account information, funding application forms, internal memos or communication, and any other documentation, oral, physical or digital, that the Corporation wishes to keep confidential.

S.3 POLICY STATEMENT

The right to maintain all confidential information constitutes a proprietary right which the Bartenders Benevolent Fund is entitled to protect. The Corporation therefore recognizes the confidential nature of the proprietary and personal information in its care and is accountable for the compliance of itself and its Staff, including; directors, officers, management, employees, volunteers and representatives including consultants and independent contractors, in protecting this proprietary and personal Information.

The Bartenders Benevolent Fund is entrusted with information that is of a confidential nature. To be in compliance with privacy legislation, it is crucial that the Corporation maintains confidentiality and limits disclosure of such information. To ensure transparency and accountability to all hospitality professionals and industry applicants, volunteers and employees agree to the following conflict of interest and confidentiality policy:

1. The Bartenders Benevolent Fund is responsible in ensuring that all applicants and community members have a fair and equal voice through the process of applications and regardless of funding being approved or denied.
2. The Company and the Staff will at all times respect the confidentiality of the Personal Information placed in its care. The Company will endeavour to ensure that the policies affecting the collection, storage and disclosure of Personal Information reflect the confidential nature of the information.
3. The Company will comply with all applicable privacy legislation and regulations in force now and in the future related to protecting the confidentiality of Personal Information.

The Human Resources Policy explains the measures implemented in order to enforce this Privacy Policy, including procedures to protect and secure proprietary and personal information, procedures to receive, investigate and resolve complaints, procedures to ensure adequate training of the Staff

concerning the Company's privacy policies, and procedures to distribute new and current information pertaining to the Company's Privacy Policy.

S.4 USES FOR PERSONAL INFORMATION

1. Personal Information Will Be Collected And Used For Purposes Pertaining To The Confirmation Of Individual's Identification And Employment History, Including, But Not Limited To; Name, Email Address, Place Of Work, Work Address And Phone Number, For The Administration Of The Payment Of Any Awards, And For The Purpose Of Complying With All Applicable Labor And Taxation Legislation.
2. Personal Information Will Only Be Used For The Stated Purpose Or Purposes For Which It Was Originally Collected. The Purposes For Which Personal Information Is Being Collected Will Be Identified Orally Or In Writing To The Individual Before It Is Collected.
3. The Company May Use Personal Information For A Purpose Other Than The Originally Stated Purpose Where The New Purpose Is Required By Law Or Where The Company Has Obtained Consent In Writing From The Affected Individual For Each New Purpose.

S.5 CONFLICT OF INTEREST

Refers to a situation in which a volunteer has private interests that could compete with or that may be perceived to compete with their duties and responsibilities as a volunteer:

1. A conflict of interest can also be a situation where a volunteer can use their position for private gain or expectation of private gain, non-monetary, social capital or otherwise.
2. A conflict may also occur when the private interest benefits a volunteer's family, friends or organizations in which the employee or their family or friends have a financial interest.

S.6 KNOWLEDGE AND CONSENT

Knowledge and consent are required from the affected Individual for the collection, use and disclosure of all Personal Information subject to exceptions noted elsewhere in the Privacy Policy statement.

1. Consent will not be obtained through deception or misrepresentation.

2. Any use or disclosure of Personal Information will be within the reasonable expectations of the Individual.
3. Subject to legal and contractual obligations, an Individual may withdraw their consent on reasonable notice.

S.7 LEGISLATION AND REGULATION

Where the Company has Individuals living and working in different jurisdictions the specific rights and obligations of Individuals may vary between jurisdictions. Where this Privacy Policy provides greater rights and protections to the Individual than the available governing law, the terms of this Privacy Policy will prevail wherever allowed by law.

S.8 SCOPE AND APPLICATION

The rights and obligations described in this Privacy Policy will apply to all Individuals. The Company and the Staff must comply with the policies, procedures and practices described in the Privacy Policy.

S.9 COLLECTION OF PERSONAL INFORMATION

The type and amount of Personal Information collected by the Company will be limited to the minimum necessary to accomplish reasonable operational purposes. Personal Information will not be collected maliciously, indiscriminately or without a reasonable operational purpose. Personal Information will be collected using fair and lawful means.

S.10 ACCESS BY AUTHORIZED COMPANY REPRESENTATIVES

Personal Information will be released to internal recipients in accordance to the needs to the permitted purpose. In the course of normal and reasonable operational practices it is the policy of the Corporation to grant designated Corporation representatives access to Personal Information files. This access will not exceed that necessary to accomplish the specific operational function of the Corporation representative, nor the purpose for which the information was originally collected.

S.11 USE AND DISCLOSURE OF PERSONAL INFORMATION

The Company and the Staff will keep confidential all Personal Information in its control except where one or more of the following conditions apply:

4. where the Individual who is the subject of disclosure has provided written consent;
5. where the disclosure is in accord with the purposes for which the Personal Information was originally collected;
6. where the Company is permitted or required to do so by applicable legislation or regulation;
7. where the disclosure is required by authorized government representatives who are acting to enforce any federal, provincial or territorial law or carrying out an investigation relating to the enforcement of any federal, provincial or territorial law or gathering information for the purpose of enforcing any federal, provincial or territorial law;
8. where the Company is required to comply with valid court orders, warrants or subpoenas or other valid legal processes and
9. in an emergency to protect the physical safety of any person or group of persons.

S.12 RETENTION AND DISPOSAL OF PERSONAL INFORMATION

1. Any Personal Information collected by the Company will be retained by the Company during the period of active engagement with the Individual as well as during the post-engagement period only as long as the Personal Information is required to serve its original purpose or as directed by applicable legislation or regulation.
2. Personal Information that is no longer needed for its stated purpose will be destroyed, erased or made anonymous.
3. The Company will ensure that all practices and procedures relating to the disposal of Personal Information will respect the fundamental policy of confidentiality. All Personal Information disposal procedures, including the disposal of computerized data storage devices, will ensure the complete destruction of Personal Information so that there will be no risk of subsequent unauthorized disclosure of Personal Information.

S.13 DECEASED INDIVIDUALS

The rights and protections of the Company's Privacy Policies will extend to deceased Individuals.

S.14 SECURITY

1. The Company will take and enforce all reasonable security measures appropriate for the sensitivity of the information to ensure that all Personal Information for every Individual is

protected against any form of unauthorized use including but not limited to accidental or malicious disclosure, unauthorized access, unauthorized modification, unauthorized duplication or theft.

2. Methods of security will include but not be limited to the following:
 - a. physical security including locked filing cabinets and secure-access offices;
 - b. organizational security including security clearances and access limited to a “need-to-know” basis and
 - c. technological security including passwords and encryption.
3. The Company will educate and inform all Staff regarding the Privacy Policy and related procedures and on the importance of confidentiality of Personal Information and will monitor compliance with the Privacy Policy and may observe and investigate the information management practices of all Staff having care of Personal Information.

S.15 KNOWLEDGE OF UNAUTHORIZED DISCLOSURE

Responsibility for the security of Personal Information is a responsibility that the Company holds in very serious regard. Any Staff having knowledge of an impending unauthorized disclosure, whether intentional or unintentional, and who fail to act to prevent the unauthorized breach will be subject to sanction as described in the Enforcement section of this document including the immediate dismissal of the offending Staff.

S.16 ENFORCEMENT

All Staff having care over Personal Information must comply with the policies, procedures and practices described in the Privacy Policy. Any breach of any term or condition of this Privacy Policy, whether intentional or unintentional, including but not limited to the unauthorized disclosure of Personal Information is grounds for disciplinary action up to and including the immediate dismissal of any and all responsible Staff. Any breach of any term or condition of this Privacy Policy, whether intentional or unintentional, is grounds for dismissal with cause. Further information on disciplinary procedure and due process can be found in the *Human Resources Policy*.

S.17 COMPLIANCE WITH PRIVACY POLICY

The Corporation will make all reasonable efforts to investigate and respond to compliance challenges relating to this Privacy Policy. Where a challenge is well founded the Corporation will take action to correct any outstanding problems up to and including amending the Privacy Policy and related procedures.

S.18 ARBITRATION

In the event a dispute arises out of or in connection with this Privacy Policy, the parties will first attempt to resolve the dispute through friendly consultation.

If the dispute is not resolved within a reasonable period then any or all outstanding issues may be submitted to final and binding arbitration in accordance with the laws of the corresponding Province. The arbitrator's award will be final, and judgment may be entered upon it by any court having jurisdiction within Canada.