



Reuter Insight

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Important Information About PIPEDA

PIPEDA (Personal Information Protection and Electronic Documents Act) governs how private companies, including insurance companies, collect, use and disclose personal information.

This may have an effect on employers when communicating and corresponding with insurance companies.

In the case of disabled employees, the disability claims department maintains a file for every disabled employee. At any time, the disabled employee can request a copy of the contents of that file and the insurance company is obligated to provide it to the employee. The contents of the file may include written advice from the employer, as well as transcripts. The file will also include the claims adjudicator's notes from any conversations with the employer, about the disabled employee. It should be noted that specific names and dates will be included in the transcripts and notes.

As a result, employers should ensure that any comments or information that they provide to claims adjudicators can be supported with documentation or other proof. These comments could include remarks about an employee's work habits, interrelations with other employees, and personal commentary.

Employers should be aware of the significance of PIPEDA as it relates to disabled employees and exercise caution when sharing information regarding disabled employees. Ensure that any information discussed can be supported, if challenged by the disabled employee.