



**McMaster University Faculty Association**

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## **MUFA Confidentiality Policy – Short Form**

MUFA is committed to protecting the privacy and confidentiality of personal information it gathers, uses and retains from members. MUFA is also committed to protecting the privacy and confidentiality of personal information it gathers from staff, elected officers and others who hold MUFA related roles.

MUFA's Confidentiality Policy is available on request. The following is a summary of key principles and commitments.

### **Collection of Member Personal Information**

- “Personal Information” means information concerning an identifiable individual, such as their home address, home email address, home telephone number, social insurance number, family status, national or ethnic origin, membership in an equity group, or medical information. It does not include aggregate information about members that does not reveal information that may be attributed to a specific identifiable person.
- MUFA requires member personal information to carry out its representational services; to communicate and engage members in Association business; and to advance MUFA's purpose of representing and protecting the interests of all faculty members and senior academic librarians of McMaster University, consistent with MUFA's Constitution.
- MUFA will only collect member personal information for a legitimate purpose. The Association may collect personal information about members from the Administration, directly from a member, or from a third party.
- When collecting personal information from a member directly, MUFA will obtain their consent before collecting their personal information. This consent may be express or implied. Where a member provides personal information to MUFA in the course of seeking services or support from MUFA, they shall be deemed to consent to the collection and use of such information.
- Members may refuse to give consent or may withdraw their consent by providing written notice to MUFA. Where consent is refused or withdrawn, it is done so on the understanding that this may impact the representational services that the Association is able to provide, up to and including the withdrawal of representational services.

### **Confidentiality of Member Personal Information**

- MUFA is committed to taking reasonable steps to protect the personal information that it collects, and to limit the use of such information in order to respect the privacy of its members.

- MUFA staff, elected officers and volunteers will maintain confidentiality over the information disclosed by members who seek MUFA's assistance, consistent with the terms of MUFA's Confidentiality Policy. This does not mean, however, that such information will remain confidential solely between the member and the MUFA representative contacted. Information, in part or in its entirety, may be shared with others within the Executive and MUFA staff, and with legal counsel, on a strictly need to know basis, as appropriate to the circumstances, and in order to further the interests of the member and/or the membership as a whole.

### **Confidentiality Obligations of MUFA officers, staff and volunteers**

- The Association will implement all reasonable measures to keep communications with members, and all relevant documentation, confidential. To this end, MUFA implements reasonable measures to protect the confidentiality of records, electronic or hard copy, containing confidential member information, including in the storage, transmission and disposal of documents. MUFA will only retain records containing member personal information so long as it is reasonably necessary to do so, taking into account all relevant circumstances including the purposes for which the information was obtained, and MUFA's legitimate interests as a professional association.
- While all member information is treated confidentially, MUFA recognizes that certain information is particularly sensitive, including information related to tenure and promotion and to medical accommodation and benefits. Records related to these matters will be treated with particular sensitivity and access to such records will be strictly limited.
- MUFA staff and officers must keep information confidential both during and after employment, elected service or volunteer service. Staff, elected officers and volunteers are expected to return materials containing privileged or confidential information at the time of separation from employment or expiration of service.
- Information may also be shared with the Administration, without identifying the members involved, in order to address a broader problem, for example where MUFA identifies an emerging pattern or trend developing which, in its view, the Administration should address.

### **Conflict of Interest and Confidentiality Screens**

- In cases that involve two or more MUFA members whose interests may be adverse, MUFA will seek to assign each member a different grievance officer or external counsel as it deems appropriate. (However, MUFA is not obligated to provide all MUFA members with financial support for legal counsel.) The persons assigned shall not disclose any confidential member information to each other related to the dispute. In such cases, however, MUFA may appoint another officer, such as the MUFA President and/or the Chair of the SEG, to act as a liaison. This liaison(s) shall be authorized to speak to and receive information from all parties involved, in order to ensure that MUFA can make informed decisions about how to proceed.

### **Limits to Confidentiality**

- In rare circumstances a member may make inappropriate or abusive comments, and/or utter threats of harm to themselves or others. Should a member threaten violence, the Association

must balance confidentiality with the importance of protecting the safety of others. In some circumstances, the Association may be required to report threats of workplace violence or harassment. The question of whether it is appropriate or necessary to disclose or report a workplace threat will depend on the circumstances of each particular case.

A full copy of MUFA's Confidentiality Policy is available on request

***Approved by the MUFA Executive  
July 8, 2021***