



# Employee Privacy Policy

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## PURPOSE

Effective January 1, 2004, the *Personal Information Protection Act* (“the Act”) regulates the way private sector organizations and businesses within Alberta collect, use and disclose personal information.

A requirement of the Act is that the Corporation develop, and have available on request, written policies summarizing the Corporation's practices and procedures with respect to personal information. This Employee Privacy Policy summarizes the Corporation's practices with respect to individual privacy and personal information concerning the Corporation's employees collected, used or disclosed by the Corporation in the course of its business.

All employees of the Corporation are expected to be familiar with the Corporation's practices and procedures with respect to individual privacy and personal information and to conduct themselves in accordance with such practices and procedures. This Employee Privacy Policy should be referred to as a general summary of such practices and procedures with respect to personal information, but the Corporation's employees should seek answers to any questions they may have from the Corporation's designated Privacy Officer, the manager of the Human Resources department (or equivalent) or, in that individual's absence, the Corporate Secretary, whose contact information is set out below. Employees may also be provided, from time to time, with specific policies and directions related to personal information which will be designed to achieve compliance with the requirements of this Policy and the Act.

## SCOPE

This Employee Privacy Policy applies to all employees (as defined below) of Savanna Energy Services Corp. and its Subsidiaries (as defined herein). Reference in this Policy to the Corporation means Savanna Energy Services Corp. and its Subsidiaries.

## DEFINITIONS

*Personal information* means information about an identifiable individual.

*Subsidiary* means a corporation, partnership or other person that is controlled by one or more of Savanna Energy Services Corp. and other Subsidiaries; for which purpose a corporation or similar entity shall be deemed to be controlled by those corporations, partnerships or other persons who own or effectively control, other than by way of security only, sufficient voting securities of the corporation or similar entity (whether directly through the ownership of securities of the corporation or similar entity or indirectly through the ownership of securities of the corporation or similar entity) to elect the majority of its board of directors; and a partnership or similar entity shall be deemed to be controlled by those corporations, partnerships or other persons that are able to determine policies or material decisions of that partnership or similar entity.

*An employee* is someone employed by the Corporation or someone who performs a service for the Corporation, including a volunteer, a student, a temporary employee and those in a contract or agency relationship with the Corporation. This definition will therefore include all full-time and part-time employees and independent contractors, where such contractors are individuals and not corporations or other legal entities.

*Employee personal information* refers to an employee's personal information reasonably required by the Corporation that is collected, used or disclosed for the purposes of establishing, managing or terminating an employment relationship, but does not include personal information not related to that relationship.

*Contact information* refers to an individual's name and position or title, business telephone number, business address, business e-mail, business fax number and other business contact information. Contact information may be made publicly accessible for the purposes of allowing other individuals, including personnel of companies that the Corporation deals with in the course of its business and the public, to contact individual employees in their capacity as employees of the Corporation for purposes of the business of the Corporation.

## **POLICY**

### **1.1. Collection, Use and Disclosure of Personal Information**

The law provides that the Corporation may collect, use, and disclose an individual's personal employee information without consent if the individual is an employee of the Corporation or if it is for the purpose of recruiting a potential employee, provided:

- the collection, use or disclosure is reasonable for the purposes for which it is being collected, used or disclosed;
- the information is related to the employment relationship with the Corporation; and
- the Corporation has, with current employees, provided notification to them before collecting, using or disclosing the information that the Corporation is doing so and the purposes for doing so.

Where practical, the Corporation will try to collect employee personal information directly from the person to whom the information pertains. Where necessary, the Corporation will collect personal information from other sources.

When collecting employee personal information from other sources, or when using or disclosing the personal information the Corporation has collected, the Corporation will, where required, first obtain the consent of the individual.

The *Act* provides that an individual is deemed to consent to the collection, use or disclosure of personal information about that individual for a particular purpose if the individual voluntarily provides the information for that purpose, and if it is reasonable that a person would voluntarily provide that information. The Corporation will rely on such deemed consent where reasonable to do so.

When the Corporation collects personal information about individuals directly from them, except when their consent to the collection is deemed or otherwise not required by law, the Corporation will tell individuals the purpose for which the information is collected, and the name of a person who can answer questions about the collection.

In addition to the circumstances outlined above, there are other times when the law permits the Corporation to collect, use or disclose personal information about an individual without their consent. Such circumstances include (but are not limited) to where:

- the collection, use or disclosure is clearly in the interests of the individual and consent cannot be obtained in a timely way;
- the collection, use or disclosure is reasonable for the purposes of an investigation or proceeding;
- the personal information is available to the public from a prescribed source; or
- the collection, use or disclosure is required or authorized by a statute or regulation of Alberta or Canada.

#### 2.1. Accuracy and Completeness

When the Corporation collects, uses or discloses employee personal information, the Corporation will make reasonable efforts to ensure that it is accurate, up to date and complete.

#### 3.1. Retention and Destruction

The *Act* allows the Corporation, for legal or business purposes, to retain personal information for as long as is reasonable. Upon expiry of an appropriate retention period, bearing in mind reasonable legal and business requirements, personal information will either be destroyed in a secure manner or made anonymous. Should any consent, where consent is required, to our collection, use, disclosure or retention of personal information be revoked, the law also allows the Corporation to continue to retain the information for as long as is reasonable for legal or business purposes. In the event that revocation of any required consent may have consequences to the individual concerned, the Corporation will advise the individual of the consequences of revoking their consent where it is reasonable in the circumstances to do so.

#### 4.1. Security of Personal Information

The Corporation recognizes its legal obligations to protect personal information during the course of carrying on business. The Corporation has therefore made, and will continue to make, reasonable arrangements to secure against the unauthorized access, collection, use, disclosure, copying, modification, disposal or destruction of personal information.

#### 5.1. Requests for Access to Personal Information

The law permits individuals, including employees, to submit written requests to the Corporation to provide them with:

- their personal information under our custody or control;
- information about the purposes for which their personal information under our custody or control has been and is being used by us; and
- the names of persons to whom, and the circumstances in which, their personal information has been and is being disclosed by the Corporation.

The Corporation will respond to requests in the time allowed by the *Act* and will make a reasonable effort to assist applicants and to respond as accurately and completely as reasonably possible. The Corporation is not permitted to charge fees for requests for employee personal information.

The ability of an employee or other individual to access his or her personal information under the control of Savanna is not absolute.

The law provides that Savanna is not permitted to disclose personal information where:

- the disclosure could reasonably be expected to threaten the safety or physical or mental health of an individual other than the individual who made the request;
- the disclosure would reveal personal information about another individual; or
- the disclosure would reveal the identity of an individual who has in confidence provided us with an opinion about another individual and the individual providing the opinion does not consent to the disclosure of his or her identity.

The law further provides that the Corporation may choose not to disclose personal information where:

- the personal information is protected by any legal privilege (our decision in that regard would be based on the rules concerning legal privilege);
- the disclosure of the information would reveal confidential commercial information and it is not unreasonable to withhold that information;
- the personal information was collected by the Corporation for an investigation or legal proceeding;
- the disclosure of the personal information might result in similar information no longer being provided to us when it is reasonable that it would be provided;
- the personal information was collected or created by a mediator or arbitrator in the conduct of a mediation or arbitration for which he or she was appointed to act
  - under an agreement,
  - under an enactment, or

- by a court; or
- the personal information relates to or may be used in the exercise of prosecutorial discretion.

The *Act* indicates that it is not to be applied so as to affect any legal privilege so communications between the Corporation and its legal counsel and other records and documents subject to legal privilege will generally not be subject to disclosure.

#### 6.1. Responses to Requests for Access to Personal Information

The Corporation's response to requests for access to personal information will be in writing, and will confirm whether the Corporation is providing all or part of the requested information, whether or not the Corporation is allowing access or providing copies, and, if access is being provided, when that will be given.

If access to information or copies are refused by the Corporation, we will provide written reasons for such refusal and the section of the *Act* on which that refusal is based, along with the name of person who can answer questions about the refusal, and particulars of how the requesting individual can ask the Information and Privacy Commissioner for Alberta to review our decision.

#### 7.1. Requests for Correction of Personal Information

The law permits individuals, including employees, to submit written requests to the Corporation to correct errors or omissions in their personal information that is in our custody or control. We reserve the right to require sufficient information and detail from the individual in question in order to properly locate the information and provide a response.

In the event that an individual alleges errors or omissions in the personal information in our custody or control, we will either:

- correct the personal information and, if reasonable to do so, send correction notifications to any other organizations to whom we disclosed the incorrect information; or
- decide not to correct the personal information but annotate the personal information that a correction was requested but not made.

Corrections or amendments will rarely, if ever, be made to opinions, including expert or professional opinions, as opposed to factual information.

#### 8.1. Amendment of Policy

We reserve the right to amend this Policy from time to time as required, subject to Board approval, and without notice, in order to better meet our obligations under the *Act*.

#### 9.1. Application

This Policy applies to all employees, past, present and prospective, with respect to whom personal information is collected, used or disclosed by the Corporation in the course of commercial activity, but excludes other individuals, who will be subject to the General Privacy Policy of the Corporation.

Personal information concerning employees collected, used or disclosed by individuals who may also be employees of the Corporation but who are doing so for personal or domestic reasons, and who are not acting on behalf of the Corporation or in the course of their employment, is not subject to the Act or this Policy.

#### 10.1. Contacting or Communicating with the Corporation

If you have any questions with respect to our policies concerning the handling of your personal information, or if you wish to request access to, or correction of, your personal information under our care and control, please contact our Privacy Officer, the manager of the Human Resources department or equivalent or, in that individual's absence, the Corporate Secretary, at:

#1800, 311 - 6<sup>th</sup> Avenue S.W. Calgary, Alberta T2P 3H2  
Phone (403) 503 - 9990 Fax (403) 267 - 6749

If you are dissatisfied with the manner in which the Corporation handles your personal information, you may contact our Privacy Officer in writing, setting out the reasons for your concern.

If you remain dissatisfied after our Privacy Officer has reviewed and responded to your concern, you have the right to contact the Office of the Information and Privacy Commissioner at:

410, 9925 - 109 Street Edmonton, AB T5K 2J8  
Telephone (780) 422-6860 Fax (780) 422-5682

This Employee Privacy Policy was approved by the Board of Directors of the Corporation on May 5, 2004 and may be amended at any time.

Dated for reference: February 25, 2008