

Did you know.....

...that all your paper or electronic communications are private and thus protected even if it has been produced during your work time using University resources (paper, email servers, etc.)? Article 8.5 of our Collective Agreement says specifically that “Employees have a right to privacy in their personal and professional communications and files, including but not limited to any communication on paper or in an electronic form.” This is important to know because the Union has found out that some of our members have received an application for access to their records under FOIPOP (Nova Scotia Freedom of Information and Protection of Privacy) seeking, among other things, email records pertaining to courses.

It is the joint position of SMUFU and CAUT that any formal or informal correspondence or email involving our union members should not be disclosed pursuant to the provisions of FOIPOP because the correspondence (including emails) is not within the custody or under the control of Employer (i.e. Saint Mary’s University) and as such cannot be disclosed by the University (Provision 5(1) of the FOIPOP Act).

The University is not required under the FOIPOP Act to notify the Union that a request to access a member’s correspondence has been issued. In order to protect your academic freedom and your rights to privacy, we strongly encourage you to communicate to the Union any FOIPOP request you might either have received in the recent past or might receive in the future.

SMUFU Executive