

## News

# Supreme Court of Canada Hears Case Involving the Intersection of Privacy and Labour Relations Rights

**Date:** November 20, 2013

The Supreme Court of Canada recently heard an appeal that involves the intersection of privacy rights with a union's duty of representation to its membership.

At issue was the request of the appellant that her employer not disclose her personal information to her union, to which she was obligated to pay dues but declined to join. After the appellant complained to the federal Privacy Commissioner, her employer ceased providing that information. It was then ordered to disclose the information after the union successfully argued before the Public Service Labour Relations Board that such non-disclosure interfered with its representational rights and that such use was consistent with the *Privacy Act*. That finding was upheld on judicial review.

The Supreme Court will now weigh in on this issue and provide clarification of the privacy rights of an employee vis-à-vis the representation rights of a union.

For a more detailed discussion of this case, see our Case in Point blog post entitled "[Privacy Rights and A Union's Duty to Represent its Membership](#)."