

Response to Applicant

October 9, 2019



Section 40(1)

Dear :

Section 40(1)

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File HRS-49-2019]**

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On October 4, 2019 the Human Resource Secretariat (HRS) received your request for access to the following records:

*“Number of employees subject to the Correctional Officers' Collective Agreement required to complete a functional assessment while on sick leave for the years 2000-2019.*

*Number of other government employees subject to collective agreements required to complete a functional assessment while on sick leave for the years 2000-2019.*

*Please give breakdown by year.”*

In an email on October 4, 2019, you reduced the timeframe to the last 5 years, 2014-present.

Please note that paragraph 3(2)(a) of the *Access to Information and Protection of Privacy Act, 2015 (the Act)* states that the purpose of the Act is achieved by “*giving the public a right of access to records.*”

The Human Resource Secretariat (HRS) does not have a record of the number of the employees subject to the Correctional Officers' Collective Agreement required to complete a functional assessment while on sick leave nor does it have a record of the number of government employees subject to collective agreements required to complete a functional assessment while on sick leave as HRS does not track the number of employees required to complete a functional assessment.

The *Access to Information and Protection of Privacy Act* requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and*

*Protection of Privacy Act* (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone (709) 729-6158 or by e-mail at [kimberlyryan@gov.nl.ca](mailto:kimberlyryan@gov.nl.ca).

Sincerely,



Kimberly Ryan  
ATIPP Coordinator