

Response to Applicant - Partial Access Granted
Form 4B

March 4, 2020

[REDACTED]

Dear [REDACTED]

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: SNL-026-2020]

On February 26, 2020, Service NL received your request for access to the following records:

"And and all Request for Staffing Action (RSAs) concerning Patricia Hynes-Coates."

I am pleased to inform you that a decision has been made by the Deputy Minister for Service NL to provide access to some of the requested information as attached by email.

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.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). 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. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to 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 (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed 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 at 709-729-7437 or by e-mail at MeganDeVries@gov.nl.ca.

Sincerely,



Megan De Vries
ATIPP Coordinator
Service NL

Enclosures

Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

4

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).



Government of Newfoundland and Labrador
Human Resource Secretariat

All redactions on this page are captured under s. 40(1)

DOC-2019-01826

Request for Staffing Action

This form must be completed by the hiring department and emailed to the appropriate RSA submission address for the sector

I. Position Data

Classification Title: Word Processing Equipment Operator 1 PCN: 00004632 Pay Scale: CG-22
 Position Group: NAPE - General Service Funding: Permanent
 Division: Government Service Centre Department: Service NL
 Location: Mount Pearl Building: Motor Registration Building
 Reason for Staffing: [REDACTED] Request Date: Dec 2, 2019
 Requesting Director: Rick Curran Telephone: (709) 729-3767
 Direct Supervisor: Tammy McDonald Telephone: (709) 729-0248
 Comments: Please see rationale for comments

II. Type of Action (Please select only one action per RSA)

Recruitment Action

Payroll Action

Payroll Action Type: Hire - Temporary Employment (Public Hire, 13 Weeks)
 Permanent Incumbent: [REDACTED] N/A
 Is position vacant? Position Vacant (Nobody in role) Date vacated: [REDACTED] New Position
 If Vacant, what is name of previous incumbent? [REDACTED]
 If Not Vacant, what is name of temporary incumbent? _____
 If Not Vacant, what is status of temporary incumbent? _____
 If Not Vacant, date temporary incumbent started in position? _____
 Payroll Action Start Date: Dec 11, 2019 Payroll Action End Date: Mar 10, 2020

Student Hire

III. Funding Information

Funding Source: Departmental Salary Plan 100% Dept. Controller Initials: [Signature]
 This position is: Budgeted (allocated through budget process, vetted through estimates and listed in salary details)
 Budget Flex (funding source derived from vacancy of a budgeted position)

Accounting Flex Field:

Company	RC	Appropriation	Activity	Line	Tracking	Future	% of Total
0 1	2 3 3 5	1 6 0	7 0 3 0	0 1 1 0	0 0 0 0 0 0	0 0 0 0	

IV. Rationale for Staffing

Please provide a detailed explanation which includes rationale for staffing; how a short- or long-term vacancy will impact operations and why this position needs to be filled at this time; whether hard-to-fill (list the examples); and if there are no other similar positions or no ability to redistribute duties of this vacancy elsewhere (include any supporting metrics or transaction data).

s. 40(1)

Comments: To allow for the hiring of 13 week temporary position while the recruitment process of a Word Processing Equipment Operator 1 (WPEO-1) upon [REDACTED]

Rationale: One of the main goals of Service NL is to deliver efficient and effective service to our stakeholders. The WPEO-1 provides support to the operations staff in the Environmental Health Program. Currently this position is one of two which support the various program areas including direct client service responsibilities, interaction with the public on a daily basis by being the first point of contact with clients. This position supports the inspection activities in a very high paced environment and is responsible for direct support for up to six inspectors. Responsible for tracking of incoming referrals (35/week) and telephone calls (>150 calls/week) as well as receiving various applications for sewage disposal and food establishment licence (>600/year) at the front counter. The Government Service Centres (GSC) are striving to maintain a high level of client service to support Service NL in achieving its goals. The WPEO-1 position is a service support position that has a direct impact on service provided to the public. The WPEO-1 position is critical to the delivery of the program and by not filling it we will not be able to maintain our current service delivery standards. There are no temporary relief staff available to cover off the high volume workload. The position is critical to ensure continuous delivery of support to the Environmental Health program at the GSC. Therefore the hiring of a 13 week temporary position would enable Service NL to maintain its program delivery in the Environmental Health program area.

V. Authorization

Assistant Deputy Minister:

 Alan Doody (Name - Please Print)  (Signature) 5 Dec 2019 (Date)

Deputy Minister:

This request has been considered and approved in the context of our current HR Attrition Management Plan (employee count and fiscal targets).

 Jamie Chippett (Name - Please Print)  (Signature) 9 Dec 2019 (Date)

Minister:

 Sherry Gambin-Walsh (Name - Please Print)  (Signature) Dec 9, 2019 (Date)

After all approval signatures have been acquired, please email this document to the the RSA submission address for your sector. If you need to confirm the correct address, please call your Staffing Services Consultant.

FOR STRATEGIC STAFFING DIVISION USE ONLY

This request is now recommended for: Recruitment Action Payroll Action Student Hire

Date Logged in SSU: _____

SSU Tracking Code: _____

Date Submitted to SSD: _____

Successful Candidate: _____

Date Submitted to C&B: _____