

Public Sector Compensation Transparency Act: Exemption Application Form – Individuals

Calendar-year earnings threshold for 2021:

Government of Alberta employees	\$114,647	The Government of Alberta to disclose employees who earn a base salary or receive a severance that exceeds the annual threshold.
Public sector body employees or members	\$136,805	The public sector bodies to disclose: <ul style="list-style-type: none"> ○ employees whose compensation or severance exceeds the annual threshold ○ any compensation to their board members

1. Use this form if you are applying for an individual exemption under sections 6(2)(a) or (b) of the *Public Sector Compensation Transparency Act (PSCTA)*.

Name of Applicant	
Ministry or public sector body	
Attachments: (Check all that apply.) <ul style="list-style-type: none"> <input type="checkbox"/> Letter outlining a detailed description of the threat to personal safety that would flow from public disclosure of compensation information. (Applicant has read the exemption policy outlined on page 2.) <input type="checkbox"/> Police file number: _____ <input type="checkbox"/> Reports (e.g., Occupational Health and Safety report, Human Resources report, etc.) <input type="checkbox"/> Other (please specify): _____ 	
Date	Signature of applicant

The personal information that you provide on this form will be used to determine reasonable grounds for exemption, under section 6(2) of the *Public Sector Compensation Transparency Act* and related regulations.

This information is collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act* and is protected by the privacy provisions of that act. If you have any questions about the collection of this information, you can contact the assigned official for your department or public sector body.

FOR OFFICE USE ONLY:

Applicant's Unique Identifier (Min/PSB-Year-XXX): _____

Compensation Disclosure Exemption Form

2. What to include with your application form:

A letter outlining a detailed description of the threat to personal safety that would flow from public disclosure of compensation information. It is important to consider the following:

- a. What security or safety measures are you currently taking to prevent personal information from being disclosed on the internet, social media, or other open source websites?
- b. Are you aware of an individual or group that has previously obtained your personal information? If so, provide names, date, time, and the outcome of the data mining.
- c. Are you aware of individuals or groups conducting surveillance, harassment, or intimidation-type behaviour? Provide names/identification and the date and time. Provide all examples.
- d. Provide police file numbers, Occupational Health and Safety report(s), Human Resources report(s), or other related information.
- e. Provide any other information you believe is relevant to demonstrate how the disclosure of your salary/compensation will cause a threat to your safety and what the anticipated outcome is.

3. Submit this form and any attachments by mail or email to the assigned official.

For Government of Alberta employees

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For public sector bodies

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Exemption Policy

The statutory test is whether disclosure could unduly threaten the safety of the individual.

Under this statutory test, “reasonable expectation of probable harm” as a result of disclosure of information would need to provide contextual evidence:

- regarding a specific threat or harm
- establishing that disclosure of the information and the threat or harm are connected
- proving that there is a reasonable expectation that the threat or harm will take place if the information is disclosed

Your application must provide evidence and must demonstrate that there is a probability of harm from the disclosure of the individual’s information under the *Public Sector Compensation Transparency Act*; and the likelihood of harm must be genuine and conceivable.

These examples are not binding on the Deputy Minister of Justice and Deputy Solicitor General, who grants exemptions, and are for illustration only:

- the applicant has long-standing harassment, spousal abuse, or stalking issues
- the applicant has received specific and credible threats against their safety where the disclosure could be linked to the threat

Generally, exemptions are less likely to be granted when:

- a potential threat appears to be purely speculative
- it is unlikely that compensation disclosure will contribute to the inherent safety risks a person already faces in their position
- the applicant is merely opposed to the concept of compensation disclosure
- the applicant's name is already published on an employee list, particularly where the organization's salary ranges are also public or readily accessible
- the security concerns relate to the applicant's immediate or extended family who reside in another country, while the applicant resides and works in Alberta

The applicant must provide sufficient information to establish a threat that is logically connected with, and could flow from, disclosure of the salary/compensation. Such threats are those that would not ordinarily occur because of the nature of the applicant's employment with the Government of Alberta.

Common reasons for denial of an application:

Too vague to be evaluated.

The applicant states that disclosure will adversely affect them. However, the information supplied is too generic to identify a specific threat to their safety. Under the PSCTA, an applicant must provide reasons for seeking an exemption that are concrete and realistic, not vague or speculative.

Threat is not linked to the applicant's safety.

The applicant states that disclosure will adversely affect them by, for example, breaching their privacy or affecting their peer relationships. Non-safety-related concerns do not meet the statutory test for an exemption.

Threat to the applicant's safety is not connected to salary/compensation disclosure.

The applicant works in an environment where the level of risk is inherent with the position. The PSCTA does not protect against all or any possible threats to safety. The threat must be undue and logically associated with the disclosure of an individual's salary/compensation information.

Application deadline

Every year, November 1 is the deadline for that calendar year.

For example, if you want a disclosure exemption for your 2021 compensation, you must apply by November 1, 2021.