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Hon. Lorne Kusugak

Minister of Community & Government Services
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Minista Nunalingni Kavamatkunnilu Pivikhaqautikkut
Ministre des Services communautaires et gouvernementaux

VIA CANADA POST

January 25, 2013

Ms. Elaine Keenan Bengts
Nunavut Information and Privacy Commissioner
P.O. Box 262
Yellowknife, NT
X1A 2N2

RE: Review Recommendation 13-062 / Review File 12-172-5

Dear Commissioner:

With respect to the above noted matter, I am responding to your letter and recommendations dated, respectively, January 10, 2013 and January 7, 2013.

Your cover letter states that the requested records involve the "termination of his service contract with the Government of Nunavut (GN)" and that the GN made a "decision not to renew [the applicant's] contract last spring." As a matter of law, the GN had a contract with the applicant's employer, not the applicant.

When it received the applicant's initial request, the GN provided the applicant all records in its possession and redacted information in accordance with Nunavut's *Access to Information and Protection of Privacy Act*.

The GN accepts the recommendations made in your report. Following the report's numbering sequence, detailed responses are provided below.

Report recommendations and GN responses:

1. The first recommendation states that the "numbers [on page 32] do not relate to the value of any one contract, but are aggregate numbers for several or even perhaps

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all of the contracts. These numbers do not in any way reveal specific amounts paid out to specific individuals." The recommended information will be disclosed.

2. No action required by the second recommendation.

3. No action required by the third recommendation.

4. The fourth recommendation states that the "communication is not a personal communication, but a business communication between the GN and the third party in his capacity as an employee of the company doing business with the GN." That company was the applicant's employer. The recommended information will be disclosed.

5. The fifth recommendation is satisfied by action taken in item #4 above.

6. The sixth recommendation is satisfied by action taken in item #4 above.

7. The seventh recommendation does not identify specific records; nevertheless, the recommended information will be disclosed, i.e. e-mail message records bearing the "Subject" line "Sick," with the name of the person referred to in item #4 unredacted.

8. The eighth recommendation makes reference to page "21(a)." It is not known what the Commissioner is referring to when referring to page "21(a)"; therefore, no disclosure can be made. Additionally, the recommendation that the alleged redactions made on pages 100, 101, and 103 be disclosed cannot be done as no redactions were made. In other words, nothing in the "Subject" line of the e-mail messages found on pages 100, 101 and 103 was redacted.

9. The ninth recommendation is satisfied by action taken in item #8 above.

10. The tenth recommendation states that the "only thing that has been redacted from pages 27 and 45 is the name of the individual discussed in point #4 above." The recommended information will be disclosed. Additionally, the recommendation that the alleged redaction made on page 105 be disclosed cannot be done as no redaction was made. In other words, nothing in the "Subject" line of the e-mail message found on page 105 was redacted.

11. The eleventh recommendation states that the "only information redacted from pages 28, and 154-155 is the name of the individual referred to at point #4 of this report." The GN did not furnish a page 155, and therefore cannot comply with this recommendation. Additionally, the recommendation states that "on page 106, there is a line that appears underneath the "Subject" line that has been removed..." The recommendation that the alleged redaction made on page 106 be disclosed cannot be done as no redaction was made. In other words, nothing in the "Subject" line of the e-mail message found on page 106 was redacted. Otherwise, the recommended information will be disclosed.

12. The twelfth and final recommendation states that "the only information redacted from page 29 is the name of the individual referred to at point #4 of this report. In addition, on page 107, there is a line that appears underneath the 'Subject' line that has been removed..." Once again, the recommendation that the alleged redaction made on page 107 be disclosed cannot be done as no redactions were made. In other words, nothing in the "Subject" line of the e-mail message found on page 107 was redacted. Otherwise, the recommended information will be disclosed.

Per the direction contained in your letter, a copy of this letter will be provided to the applicant's agent.

Sincerely,

Hon. Lorne Kusugak
Minister of Community and Government Services
PO Box 1000 Stn. 700
Iqaluit, Nunavut X0A 0H0

Cc: [redacted]