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Attention: CNTL Owner Operators – Unifor Members

It has come to the Union's attention that the Company has been soliciting members to sign a form from a third party company named **First Advantage**.

The form is a "Motor Vehicle Record Check / Driver License Verification Consent Form." Once signed, this form permits First Advantage, whom CNTL has attained for the purposes of conducting background checks, to obtain, review and monitor your driver abstract on behalf of CNTL.

A driver's abstract includes your driver's licence, when your licence was first issued, a record of your basic driving history and any driving tickets or other offences you've received in the last five years.

Paragraph 2.06 of the Standard Contract between each CNTL Owner Operator (the Contractor) and CNTL (the Company), states:

The Contractor shall furnish the Company with particulars of the driving licenses, driving qualifications and driving record and such other information relevant thereto as the Company may from time to time require in respect of himself, or any other person he or she engages or employs to drive and operate the tractor, with the Company's consent. The Contractor agrees, upon request or notification of the Company, to discharge any driver or operator who is unsatisfactory or unacceptable to the Company and to replace him with a satisfactory substitute, if so required. The Company must be reasonable in their request.

The past practice to the above provisions had CNTL provide their own consent form to Owner Operators to complete, which would then permit CNTL, normally a Driver Manager, the right to access driver abstracts for the purposes of paragraph 2.06.

The Company is streamlining the process from their end. They will no longer collect this information. Instead, they will now access driver's abstracts through First Advantage. But First Advantage cannot collect information relative to a member's full motor vehicle record without first attaining the express written consent of an Owner Operator.

Consent to First Advantage

A number of members have contacted the Union expressing privacy concerns by providing First Advantage with the right to access your personal information.

The Union has researched First Advantage and offers the following information to our CNTL membership in making your decision on whether to refer consent to First Advantage.

First Advantage is a global company and portfolio of Symphony Technology Group (STG). They provide comprehensive screening, identity and information solutions to their customers.

First Advantage Canada is based in Toronto and offers Canadian businesses background screening solutions for all provinces and territories throughout Canada. They advertise that providing thorough research into the academic qualifications, criminal and credit histories, SIN validation check, Canadian terrorism listing search, driver's records and past work performance of potential job candidates, and offer employers requiring an integrated, streamlined approach to help reduce the time and cost associated with Canadian screening needs.

First Advantage Canada states that they act in full compliance with Canadian legislation, including the Personal Information Protection and Electronic Documents Act (PIPEDA). Under PIPEDA, personal information can only be used for the purposes for which it was collected and such purpose must be clearly noted to the individual. In the instant case, as this form states "Motor Vehicle Record Check / Driver License Verification Consent Form", that should be the only information that First Advantage has the right to obtain.

If any organization is going to use the information gathered for another purpose, consent must be obtained again from the individual – in this case, an Owner Operator – for that new purpose. Under PIPEDA, you have the right to access your personal information and to challenge its accuracy, if necessary.

First Advantage suggests that individuals should be assured that their personal information is protected by specific safeguards, including measures such as locked cabinets, computer passwords or encryption.

Clearly, it is up to each individual Owner Operator to determine if they wish to provide this information to First Advantage. Please be advised that despite the communications by some CNTL Driver Managers, **completing this form is not mandatory**.

If you choose not to permit consent to First Advantage, please understand that in order to be compliant with Paragraph 2.06 of the Standard Contract, you would have to provide a copy of your driver abstract by acquiring this information on your own through provincial motor vehicle registries.

Finally, if you have already completed a consent form to First Advantage, or, plan to do so, please be aware that **you may revoke your consent at any time** by advising CNTL. This is acknowledged in the "Consent" section of the First Advantage Privacy Policy.

If you have any concerns in this regard, please contact your Chief Shop Stewards or Local Chairpersons for assistance.

In Solidarity,



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Unifor National Council 4000

Cc: Barry Kennedy – President, Unifor National Council 4000
Unifor CNTL Chief Shop Stewards / Local Chairpersons