

Subjects: Professional Emails

Occupation: Human Resources Department (HRD)

Data type: Professionals

Can I access the mailbox of an employee?

To perform a task, a department head needed to refer to an email that was sent by an employee. He was absent and did not take any steps to make his professional messages accessible, even though according to the internal working procedures, the information processed by an employee should be available in the shared folders.

The head of service asks the Human Resources Department (HRD) for the password of the employee. The HRD refuses to comply with his request.

The department head then tries to join the employee through an email that goes unanswered, and by telephone. The wife of the employee tells him that her husband is having an operation and that his condition is serious.

The head of service returns to the HRD explaining the situation as it is he is not able to do his job without this piece of information. The HRD maintains their refusal and told the head of service to await the return of his employee or to send a message to the addressee of the message.

Without the consent of its employees, the department head cannot have access to their email.

Recommendations

Guidelines must be developed for the use of the email. In the absence of clear rules, access to the mailbox of an employee is only possible for serious and objective reasons.

Basic principles

[Cst. 13 al. 1](#) ; [CP 143](#), [179^{novies}](#) et [321^{ter}](#) ; [CO 328](#) and [328b](#).

The right to respect privacy including correspondence, worker protection.

Resources