

**Subjects:** Professional Emails

**Occupation:** Employee

**Data type:** Professionals

## Can my employer access my email during my absence?

An employee has communicated his work email address to many private contacts and uses this address as his primary address. Thus, he receives a large number of emails, both professional and private.

Following an accident, the employee is absent for a long period.

His employer wants to access his email to manage routine business. He contacted the employee, but he does not want his employer to see his private emails and refused to give his the access codes.

A solution must be found that is acceptable to all parties.

The employer has no right to access the employee's private e-mails, but he should have used his business address for professional purposes only.

### Recommendations

A guideline on the management of incoming and outgoing mail must exist in an organization to avoid this kind of conflict, while protecting the privacy of the employee. In case of a problem, the FDPIC should appoint a substitute and set up personalized access to avoid the substitute having access to private messages.

### Basic principles

[Cst. 13 al. 1](#) ; [CP 143](#), [179<sup>novies</sup>](#) and [321<sup>ter</sup>](#) ; [CO 328](#) and [328b](#)

The right to respect privacy including correspondence, worker protection, transparency of data collection (recognisable purpose and to be used for this purpose only)

### Resources