Subjects: Professional Emails
Occupation: Employee
Data type: Professionals

May I access the email in-box of an employee?

A department head wanted to access the e-mail in-box of an employee.
The employee had been absent for a long time and did not take any steps to make his professional messages available.
This was an urgent matter and nobody had the password to access the employee's work station.
The department head addressed the computer department who refused to give him access.
The department head had no access to the email because, according to the internal working procedures, the information processed by the employee was available in the shared folders.

Recommendations
Guidelines should be developed concerning the use of email. In the absence of clear rules, access to the in-box of an employee is only possible for serious and objective reasons.

Basic principles
Cst. 13 al. 1 ; CP 143, 179novies and 321ter ; 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