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Based on the initiative, the Office carried out an inspection, the subject of which was the processing of personal data of former employees of the company, with a focus on the transfer and use of electronic communications. According to the applicant's communication, the company does not cancel the e-mail address and mailbox after the termination of the employee's employment and continues to access his mailbox. With this action, he violates the privacy of former employees. The inspectors found that the use of the postal e-mail address and mailbox of the inspected person is governed by internal regulations. Furthermore, it was found that the company has set security measures related to the integrity of the e-mail server and individual mailboxes in accordance with Article 24 and Article 32 of Regulation (EU) 2016/679. The inspected person ensures the logging of all accesses to e-mail boxes and saves and documents any incidents. In the event of termination of employment, the email address is retained for three months, the former employee's access is canceled and an automatic reply is set to the sender of the message, containing information about account cancellation and a new contact. The inspectors did not prove to the inspected person a violation of the obligations imposed on him as a personal data administrator according to Article 30 and Article 32 of Regulation (EU) 2016/679. The office did not detect a violation of Regulation (EU) 2016/679 in connection with the processing of personal data in question. The inspection was conducted by inspector PaedR . Jana Rybínová.

Recommendation: Access by the employer to the e-mail mailboxes of former employees without their consent is usually not authorized access. In the event that the employee no longer works for the company, it is advisable to set up an automatic informative reply, or a request to send a message to another e-mail address.

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