

# Mail Policy Considerations: Maintaining the Right to Open Employee Mail



Employees often have personal items mailed to them at work rather than home for a variety of reasons. Perhaps no one is around during the day to receive a package and they're concerned about it being left on their front step. Or maybe they're trying to surprise their spouse with a gift. Or, instead, they're trying to hide something from their spouse. Employees should be warned that they can't hide it from their employer, if they choose to have it sent to work.

The U.S. Postal Service (USPS) states on its website that mail is delivered to an organization if it is addressed to:

- the organization itself;
- an individual (by name or title) at the address of the organization; or
- a former official, employee, agent, etc., at the address of the organization.

This includes mail endorsed "personal" or "confidential" for a specific individual.

The USPS's responsibility for the mail ends when it is delivered to the organization. Then, how the mail is handled is up to company policy. If there are disputes, mail is delivered in accordance with the wishes of the company's president, chief executive officer, or equivalent officer.

## WHAT'S YOUR MAIL POLICY?

It is perfectly legal to have your Mailroom open all mail before sorting and delivering it. In those organizations, it should be easy to get employees to understand that they have no expectation of privacy and that they should not have anything personal sent to work that they don't want others to see.

Issues are more likely to arise in organizations where the mail is typically delivered unopened. You should still maintain the right to open employees' mail, if necessary. Be sure to explain this right to employees. Of course, this doesn't mean that managers should be allowed to do so on a whim. For employee morale reasons alone, your mail policy should prohibit managers from opening employees' personal mail without good reason.

There are other limits you may want to consider putting on the opening of employees' mail by others. One company that has administrative staff open all mail makes an exception for mail that comes from its testing facility, because it can contain confidential medical information. Any mail from the facility is delivered, unopened, to the Safety Director.

Consider making an exception for mail that comes from your payroll and benefits providers, or that is addressed to your payroll and benefits managers.