



# **Roche E-Mail Directive**

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## Document Information

### General Information

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### Authors (Contributors to paper)

Name	Dept.
Patrick Kos	
Donna Chelel	Law Nutley
Rob Lulkin	PGI
Ralph Ehlers	PGI

### Supported by

Name	Dept.	Signature	Date
Dr. Gottlieb Keller	CL		
Kenneth Wilcox	PI		

### Review and Approval (as required)

Completed by	Members	Members cont'd	Date
Corporate Sustainability Committee, Working Team	Complete		
Corporate Sustainability Committee, Core Team	Pierre Jaccoud		
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### Use of the document

Internal use only	Intranet	Internet	...
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### Document History

Version	Reason for Change	Date effective
Draft	Legal retention and storage requirements, new services	Draft
0.1	E-Mail Policy, written and approved by Corporate Law	July 2004

1.0	E-Mail Directive, written and approved by Corporate Executive Committee	16 January 2007
1.1	E-Mail Directive, amendment of section "Prohibited Message Types"	12 March 2007
1.2	E-Mail Directive, amendment of section "Prohibited Message Types"	12 April 2007
1.3	E-Mail Directive, amendment of section "Prohibited Message Types"	13 July 2007
1.4	E-Mail Directive, amendment of section "Retention and Storage"	14 October 2007
1.5	E-Mail Directive, amendment of section "Retention and Storage"	11 March 2008
1.6	E-Mail Directive, amendment of section "Retention and Storage"	15 Sept 2009
1.7	E-Mail Directive, amendment of sections "Associated Documents" and "Retention and Storage"	21 Dec 2010
1.8	E-Mail Directive, amendment of section "Confidentiality, Privacy and Personal Use"	21 Feb 2012

# Global Roche Directive



Approved by the Corporate Executive Committee on 16 January 2007

## Roche E-Mail Directive

### Introduction

#### Scope & Application

This E-Mail Directive applies to all Roche E-Mail and other collaborative services for all companies of the Roche Group subject to local law requirements, which in case of conflict with the present E-Mail Directive shall prevail. The local Roche Company will make the necessary adoptions to this E-Mail Directive on a local level. The Directive is mandatory for all Roche employees and authorized third party users of Roche E-Mail and related collaborative services. Related collaborative services owned, operated or used by Roche include, but are not limited to, Instant Messaging, Public Folders, Data Conferencing, and Calendar functions. **Therefore, the rules in this Directive for E-Mail also pertain to related collaborative services, even if such services are not specifically mentioned.**

The Directive applies when accessing these services by any device or method from any location, including a Roche office / location or offsite, using remote, wireless and/or mobile access methods.

#### Purpose

The purpose of the E-Mail Directive is to:

- Communicate and explain the mandatory global rules and procedures that relate to the use and management of E-Mail and/or items in related collaboration services, including but not limited to their creation, usage, retention, and storage.
- Provide the basis for protecting the information assets owned and used by Roche from all threats – internal or external, deliberate or accidental.
- Meet regulatory and other legal requirements.

#### Associated Documents

The E-Mail Directive consists of provisions of this Directive as well as the relevant rules and practices included in the following associated documents:

- *Directive on the Use of Roche Electronic Communications Tools*, adopted by the Corporate Executive Committee on 11 September 2000:  
<http://groupnet.roche.com/cll/cll-directives.htm>
- *Roche Global Records Management Directive V1.0*, adopted by the General Counsel on 1. December 2009

<http://groupnet.roche.com/cll/cll-directives.htm>

## **Prohibited Message Types**

The following types of message are not to be created, sent, forwarded, replied to or stored using Roche E-Mail or related collaborative services, and should be immediately deleted if appropriate when received, or processed appropriately. Such messages may be escalated if necessary to the appropriate department such as Human Resources, Security, Law or Informatics:

- Messages with content that is offensive, discriminatory, harassing, derogatory, racist, defamatory, threatening, pornographic, solicits unlawful activities, or obscene.
- Messages that include content, copies, or file attachments of documents or computer software in violation of copyright laws.
- Messages intended to make money or gain favors in a non-Roche business related activity.
- Messages where the sender's identity has been altered or concealed.
- Chain messages, including those claiming to be for charity or good causes or promising personal gain.
- Messages that do not comply with an expressed request for confidentiality or other actions.
- Messages intended to grant official approval of legally binding offers in lieu of a separate signed document. Approved documents of a legally binding nature (offers, acceptance of offers, contracts, etc.) may be signed, scanned and attached to an E-Mail, however, an E-Mail itself may not replace the approval of the actual document. This does not apply to routine business transactions such as purchasing office supplies which should be handled in accordance with local rules for such business transactions.
- Messages that contain attachments that are likely to be involved in the delivery of viruses, and may therefore comprise system security and integrity.

## **Internet / Web Based E-Mail Accounts**

Confidentiality, security and integrity are not guaranteed on **non**-Roche managed Internet based systems such as Internet E-Mail or Instant Messaging Accounts. The following applies to the use of such non-Roche managed Internet based systems:

- The use and access of non-Roche managed Internet E-Mail from within the Roche Network or using Roche provided / managed devices is not allowed due to security, viruses, and the risk of exposing proprietary information. This includes mobile devices, laptops, and home devices while connected to the Roche network.
- Roche business related E-Mail should originate in and be processed via Roche managed E-Mail services only.
- Automatic forwarding of Roche E-Mail to outside non-Roche E-Mail addresses and systems is not allowed, except as subject to special arrangements and approval by the applicable senior Business and Informatics Management.

## **Confidentiality, Privacy and Personal Use**

Roche E-Mail and related collaborative systems are intended to be used for Roche business. E-Mail may be used for personal purposes provided such use does not violate Corporate Directives referred to in the "Associated Documents" section above, or:

- Interfere with the employee's or authorized third party user's job performance.
- Create or increase system security or integrity risk.
- Consume significant system resources that negatively affect system performance or add more than nominal cost.
- Interfere with the activities of other employees or authorized third party users.

Further, Roche E-Mail shall not be used to operate personal / non-Roche related businesses.

Roche E-Mail users shall mark all non-Roche business related messages (hereafter called private messages). Roche authorized administrators may process non-marked private messages as business messages with no privacy protection. Private messages should be deleted upon termination of employment by the user. Roche authorized administrators have unlimited access to messages remaining after termination of employment.

It is prohibited to access other users E-Mail without authorization.

Authorized Roche personnel and authorized third party staff are entitled to read all messages, including those marked as private if it is necessary to remedy a malfunction, maintain the system, secure data or for inspection / audit purposes. Information obtained in this manner may be accessible to authorized third parties only if confidentiality and privacy is assured and if such a disclosure is necessary for the completion of the intended task.

E-Mail data confidentiality and privacy is not unreservedly guaranteed. Confidentiality and privacy may be rescinded for individual users in accordance with applicable local legal requirements. It is the responsibility of the local management, in consultation with the local Legal function and / or Human Resources Manager and / or Data Protection Officer as applicable, to decide what measures must be taken with regards to data privacy and confidentiality.

## **Retention and Storage**

The Roche E-Mail system is primarily a system for communication and not a system to be used as a document storage system. As such, mailboxes are subject to size and other limitations. The following retention and storage rules apply for E-Mail messages including attachments:

- There are two general message types, 'Official Records' and 'Convenience Records'. Official Records are records that record business activities which the Company has determined are necessary to be retained for business purposes or are required by law to be kept, e.g. accounting, tax or regulatory records. For a particular transaction there is one single 'Official Record'. All messages that are not Official Records are termed Convenience Records.
- When users process messages they must determine which are Official Records and which are Convenience Records.

- Official Records must be processed according to applicable local company and/or departmental rules. Official Records must not be stored in the E-Mail system unless otherwise specifically directed by or approved by COREMAP, in alignment with the Legal Department. Copies of such Official Records may be stored in the E-Mail system subject to the rules regarding Convenience Records.
- Except for voice messages provided in E-Mail, new messages sent or received will be automatically assigned to a 90 day retention lifecycle. At the expiration of this lifecycle, messages will be automatically deleted with no prior notice and no recovery option. If necessary, messages can be retained beyond the 90 day default lifecycle. The user must mark such messages to be stored according to an extended lifecycle. Users can delete messages manually before 90 days if desired. Voice messages provided in E-Mail will be automatically assigned to a 15 day retention lifecycle and users may extend the retention lifecycle to 30 days. At the expiration of this lifecycle, messages will be automatically deleted with no prior notice and no recovery option.
- Messages marked for extended lifecycle will be automatically deleted after two conditions are met: (1) Three years default lifecycle retention and (2) non-access for 13 months. If both conditions are met, the message will be automatically deleted with no prior notice and no recovery option.
- Automatic deletion of e-mails not marked for extended lifecycle may be suspended for an individual user account under extenuating circumstances upon approval by local Senior Management and the Legal Department. Extenuating circumstances may include such things as extended leaves of absence or highly unusual business demands.
- Users are not allowed to select the extended lifecycle for private messages regardless of whether they designate such a message as private.
- Users are not allowed to store Convenience Records for arbitrary time outside of their mailboxes, e.g. in Personal Folders, file system shares, Public Folders, or other storage media, for the purpose of circumventing the retention lifecycles, unless specifically approved by the Legal Department.
- Users are not allowed to delete messages that are related to a “legal hold” as required by the Legal Department in connection with litigation in the US or another common law country.

## **Implementation / Sanction / Validity**

- Roche will hold employees and authorized third party users responsible for any damage caused by inappropriate use of Roche E-Mail and related collaborative services or violation of the E-Mail Directive and will undertake appropriate disciplinary action.
- The E-Mail Directive forms part of Roche's terms and conditions of employment and relates to permanent, temporary, or contract personnel at all levels within the Roche Group.
- All companies in the Roche Group must take the necessary technical and Organizational steps to guarantee compliance and are responsible for enforcing this Directive.
- Any employees who discover a violation of this Directive shall notify their immediate supervisor or any member of management.
- This Directive does not supersede the provisions of Roche IT Security policies or other related detailed regulations in force at departmental and other levels. Such regulations must always be observed.
- All Roche employees and authorized third party users accessing Roche owned and/or operated E-Mail systems must be informed of all Directive related implementation, enforcement, changes, and measures.

This Roche E-Mail Directive was approved by the Corporate Executive Committee as per 16 January 2007. The Directive will go into effect according to a separate roll-out plan.