



Policy Memorandum 2020-09

Electronic Signature – Effective January 15, 2020

INTENDED AUDIENCE: All AAWDC staff

SUBJECT: Use of Electronic Signatures

LAST REVIEWED/UPDATED: N/A

RESPONSIBLE OFFICE: Office of Compliance

POLICY CONTACT: Compliance Manager

CANCELLATIONS

This policy supercedes and replaces any local conventions in effect by AAWDC initiative or functional offices.

STANDARD OPERATING PROCEDURES

None

FORMS

None

Approvals

President and CEO, AAWDC

Introduction

As part of its commitment to quality customer service and streamline workflow process, Anne Arundel Workforce Development Corporation (AAWDC) has adopted this policy to help participants, staff, and customers understand electronic signatures. This policy will define when an electronic signature may be used and how to ensure that the process is legally binding on all parties. Electronic signatures are covered by two federal laws:

- Electronic Signatures in Global and National Commerce Act (ESIGN Act)
- The Uniform Electronic Transactions Act (UETA)

Policy Statement

AAWDC allows electronic signatures in all transactions and customer interactions that are low-risk to the organization. Examples of low-risk transactions include, but are not limited to:

- Required Disclosure Forms
- Participant Intake Paperwork
- Training Contracts
- Contractor/Business Agreements

AAWDC reserves the right to use a traditional wet signature process in situations where the organization believes an electronic signature process poses an unacceptable risk.

Minimum Standards

An electronic signature process is valid if the following guidelines are followed:

1. There must be a clearly specified process on the form for indicating one's agreement to the displayed text. It is recommended that forms use a checkbox or typing one's initials for this purpose.
2. The process must be designed so that it clearly establishes intent to sign the document on the part of the signer. In other words, the wording and layout should be designed to provide clear indication to the signer that he/she is agreeing to the document.
3. The system must save the signature and attach it to (or associate it with) the stored record of the document.
4. The system that displays the document to be signed and captures the signature must be able to accurately record who signed the agreement and at what time.
5. Should a document be modified, a copy of the different versions of the document must be stored along with the date of the modification. All modifications should be signed electronically by the involved parties.