



## ELECTRONIC SIGNATURE PRACTICES

NEOGOV System ONLY

**TO:** All Employees and Town of Breckenridge Applicants for Employment  
**FROM:** Sherilyn Gourley, Human Resources Manager *Sherilyn Gourley*  
**DATE:** January 25, 2016  
**SUBJECT:** *Town of Breckenridge NEOGOV Electronic Signature Practices*

**Purpose:** This memorandum establishes practices related to the use of electronic signatures, specifically and solely in conjunction with the Town's NEOGOV software product for recruiting, on-boarding and performance systems.

### Background:

The Town of Breckenridge uses electronic signatures for the records generated during NEOGOV software system records such as applications, on-boarding checklists, forms, acknowledgments, performance review processes and other documents submitted via the Town's NEOGOV software product.

Electronic signatures are used for NEOGOV records as a means of attestation of receipt and entry of computer-generated documents and other Town documents, such as policies. Properly executed electronic signatures are considered legally binding as a means to identify the author of record entries, confirm content accuracy and completeness as intended by the author, and to ensure e-signature integrity is maintained for the life or retention requirements of the electronic record.

It is the practice of the organization to accept electronic signatures as defined within this memorandum for author validation of documentation, content accuracy and completeness with all the associated ethical, business, and legal implications. This process and system operates within a secured infrastructure, ensuring integrity of process and minimizing risk of unauthorized activity in the design, use, and access of the electronic record.

These practices apply to all Town employees and applicants for employment with the Town of Breckenridge who access the NEOGOV system

### Definitions:

- a) **Attestation:** the act of applying an electronic signature to the content, showing authorship and legal responsibility for a particular unit of information.
- b) **Authentication:** the security process of verifying a user's identity with the system that authorizes the individual to access the system (i.e., the sign-on process). Authentication shows authorship and assigns responsibility for an act, event, condition, opinion, or diagnosis.
- c) **Authorship:** attributing the origination or creation of a particular unit of information to a specific individual or entity acting at a particular time.
- d) **Electronic signature:** a generic, technology-neutral term for the various ways that an electronic record can be signed, including a digitized image of a signature, a name typed at the end of an e-mail message by the sender, a biometric identifier, a secret code or PIN, or a digital signature.

**The Practice:**

NEOGOV software includes electronic signature capability on forms and in approval processes where applicable. The software's functionality is designed to be compliant with generally accepted and standard electronic signature policies and practices including, but not limited to, those included in the Electronic Signatures in Global and National Commerce Act (S761, HR1320 IH, commonly known as ESign Act).

**Current NEOGOV practices include:**

- Employee Only Electronic Signatures may only be submitted by the person identified on the form or process, and may only be made from within a logged in session in which the user has provided credentials to prove their identity. This logged in session requires the use of a confidential password, known only to the user and adequately complex by established security practices.
- Verification of content accuracy and completeness of each entry or document is made by the author prior to attestation.
- Electronic Signatures capture the same information as the paper equivalent of the signature, including the verbiage used on the form surrounding the signature and date and time that the signature was made. This includes verbiage to acknowledge that the document to be signed has been read by the signatory where applicable.
- Electronic signatures are retained and kept logically associated with their parent records (e.g. application, onboarding form, or performance evaluation) for the duration of the parent record's lifetime (retention schedule).
- Once an entry has been electronically signed, the system prevents deletion or alteration of the entry and its related electronic signature for the life of the referenced documentation.
- To help further ensure the validity of such transaction, NEOGOV solutions also maintain an audit trail that shows who (by user account) completed the form, with an associated time stamp.

**Impact:**

- a. This memorandum establishes practices for the use of electronic signatures specific to the NEOGOV software uses.
- b. This practice does not alter the employee's status as an "at will" employee.

**Responsibilities:**

- a. Senior Leaders/Department Heads/Supervisors: Department Heads/Senior Leadership Team (SLT) members communicate Town practice and procedural requirements to employees.
- b. Employees: Employees comply with requirements related to system use.
- c. Human Resources (HR): HR staff updates and interprets the Town's employment practices, policies and requirements for departments, employees and applicants.

**Additional Information:**

Questions regarding this memorandum should be directed to Human Resources.

**References:**

- a) NEOGOV E-Signature Policy
- b) Public Law 106-229 Electronic Signatures in Global and National Commerce Act (S761, HR1320 IH, commonly known as ESign Act) <http://www.gpo.gov/fdsys/pkg/PLAW-106publ229/pdf/PLAW-106publ229.pdf>

## **NEOGOV E-Signature Policy**

NEOGOV software includes electronic signature capability on forms and in approval processes where applicable, including standard I-9 and W-4 forms. Our functionality is designed to be compliant with generally accepted and standard electronic signature policies and practices including, but not limited to, those included in the Electronic Signatures in Global and National Commerce Act (E-Sign Act)<sup>1</sup>, signed into law on June 30, 2000.

Current NEOGOV compliance guidelines include:

- Employee Only Electronic Signatures may only be submitted by the person identified on the form or process, and may only be made from within a logged in session in which the user has provided credentials to prove their identity.
- Electronic Signatures capture the same information as the paper equivalent of the signature, including the verbiage used on the form surrounding the signature and date and time that the signature was made. This includes verbiage to acknowledge that the attestation to be signed has been read by the signatory where applicable.
- Electronic Signatures are retained and kept logically associated with their parent records (e.g. an evaluation, or I-9 form) for duration of the parent records lifetime.

To help further ensure the validity of such transactions, NEOGOV solutions also maintain an audit trail that shows who (by user account) completed the form, with an associated time stamp.