

Policy

4-12 Use of Electronic Signatures

Purpose and scope

Federal and state laws authorize the acceptance of electronic signatures as legal and enforceable for most transactions. UTTC recognizes this general standard as well as the increased operational efficiency gained from conducting many business transactions by computer, over the internet, and by e-mail.

This policy does not mandate the use of an electronic signature or otherwise limit the right of a party to conduct a transaction on paper, nor does it apply to any situation where a written signature is required by law. The policy does not require a specific method for acceptance of an electronic signature, but authorizes each department or administrative office to implement the method that provides an appropriate level of authentication assurance to address the identified degree of risk in each transaction.

Definitions

- *Authentication means to identify the person providing the electronic signature and establishing that said individual is authorized to provide the electronic signature and has the intent to provide the electronic signature so to confirm that the signature is genuine, authentic and intentional.*
- *Electronic signature, or “e-signature,” is an electronic sound, symbol, or process, attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record. Examples can include a digitized image of a handwritten signature, a code or personal identification number (PIN), and a mouse click on an “I accept” or “I approve” button. An electronic signature must be attributable (or traceable) to a person who has the intent and authority to sign the record with the use of adequate security and authentication measures that are contained in the method of capturing the electronic transaction (e.g., use of PIN or unique log-in username and password), and the recipient of the transaction must be able to permanently retain an electronic record of the transaction at the time of receipt.*
- *Electronic record is any record created, used, or stored in a medium other than paper, including information processing systems, computer equipment and programs, electronic data interchanger, electronic mail, voice mail, text messages, and similar technologies. To the extent that facsimile, telex, and/or telecopying, and/or former hard copy documents are retained in electronic form, through a scanning process, they are also considered electronic records.*
- *Electronic transaction, or “e-transaction,” is a transaction conducted or performed, in whole or in part, by electronic means or electronic records. The information provided, sent, or delivered, in an electronic record must be capable of retention by the recipient at the time of receipt to qualify as an electronic transaction.*

Individuals are expected to take all precautions to safeguard their password and files to prevent unauthorized use. Sharing of passwords or other access tokens is prohibited. Individuals who falsify e-records, e-transactions or e-signatures are subject to corrective action, up to and including termination of employment. Further, violations of criminal law will be reported to the appropriate authorities for prosecution. Individuals are required to report any suspicious or fraudulent activities related to e-transactions, e-records or e-signatures immediately to the Human Resources Department.

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