

PUBLIC POLICY: NUM. WIOA-04-2023**DATE:** 14 OF JUNE 2023**ASUNTO:** PUBLIC POLICY ON ACCEPTANCE OF ELECTRONIC SIGNATURES IN OFFICIAL DOCUMENTS RECEIVED IN THE LOCAL AREA OF LABOR DEVELOPMENT MANATI-DORADO.

I. INTRODUCTION

Under the administration of the then Governor of Puerto Rico, Hon. Ricardo A. Rosello Nevarez, the Puerto Rico Innovation and Technology Service (PRITS), attached to the Office of the Governor, was created by Executive Order OE-2017-015, as amended. The purpose was to establish and promote public policy on the elaboration, management, development, coordination and interagency integration of innovation and the technological and information infrastructure of the Government of Puerto Rico and promote the effective integration of technology into government management.

Technological advances have helped facilitate any type of transaction. With the global emergency caused by COVID-19, the Government of Puerto Rico allowed the intervention and signing of documents remotely. These electronic documents will be valid as long as they comply with the established regulations. Currently, government agencies and other private entities are evolving the standardization of electronic processes to make them easier, faster and safer.

II. PURPOSE

This Public Policy aims to maximize and improve the quality of services provided in the Manati/Dorado Local Labor Development Area. Offering cutting-edge alternatives that ensure the regulations and statutes, both federal and state, for the provision of services and, in turn, these have an impact on the benefit of both our service providers and our agency.

III. LEGAL BASIS

- Act No. 75 of 25 July 2019 - *Puerto Rico Innovation and Technology Service*;
- Act No. 148 of 8 August 2006 - *Electronic Transactions Act (LTE)*;

- Law No. 151 of 22 June 2004 -*E-Government Law (LGE)*;
- Title 21 Part II Subpart C: CFR 11.100, 11.200, 11.300;
- Title 49 Subtitle B; CFR 390.32;
- PRITS-002 - Guide for the Implementation of Electronic Signatures in Agencies (Circular Letter 2020-04) (Rev. 12-2020);
- Executive Order OE-2017-015.

IV. DEFINITIONS

Electronic signature: According to Act No. 148-2006, the Electronic Transactions Act, it is the totality of data in electronic form contained in a message, document or electronic transaction, or attached or logically associated with such message, document or transaction, which can be used to identify the signatory and indicate that the signatory approves the information contained in the message, document or transaction. The electronic signature can be a visual representation of a digitized handwritten signature, as well as a gesture of acceptance of conditions.

V. PUBLIC POLICY

The Manati/Dorado Local Workforce Development Area will accept as official the following documents received in PDF format with the electronic signature:

- Official Letters;
- Memoranda of Understanding (MOU);
- Infrastructure Agreements (AFI);
- Supplier Invoices, Professional Services and Supplier Services;
- Training Contracts, Professional Services Contracts, Federal Contracts, Collaborative Agreements, among others as applicable;
- Management Communications, Board of Directors of Mayors and Local Board;
- Local Board and Board of Mayors Votes;
- Any other documents that the Executive Director deems relevant.

The person or legal entity wishing to avail themselves of this Public Policy shall complete the following documents with the Department of Finance:

- 1) ***Selection of Documents with Electronic Signatures*** (refer to Annex A). This document will be completed and certified by the authorized representative of the Department of Finance.
- 2) ***Certification Use of Electronic Signatures*** (refer to Annex B).

In addition, the Department of Finance will create a Registry of Electronic Signatures and a file to maintain and confirm the veracity of the electronic signature and guarantee its identity associated with the person or legal entity.

For the electronic signature to be legally binding under state and federal laws, the following must be met:

- 1) Demonstrate intent to sign;
- 2) Identify and authenticate the handwritten signature;
- 3) Prior consent to do business electronically.

Therefore, the document identified as **Annex A**, will be used as a widely accepted mechanism for this purpose, which is to accept and integrate a standard consent clause in the document that indicates the following: *"The parties agree that the documents selected in the previous section may be signed electronically. The parties agree that the electronic signatures appearing on these documents are as valid as if they were signed in handwriting for purposes of validity, compulsory, consent, applicability and admissibility."* It is important to emphasize that the Department of Finance and Budget must validate the signature through certification. The document has to be correlated with the electronic signature in order to ensure that the document and the electronic signature are related and/or joined.

All persons signing the document must receive a copy of the signed document upon completion of the transaction. This requirement can be satisfied through downloading a copy of the document preferably in PDF format or any other electronic format that guarantees the integrity of the document.

However, the following documents are excluded from the electronic signature:

- Participant Payrolls

VI. WITHDRAWAL OF ELECTRONIC SIGNATURE

Any supplier, employer, among others who have taken advantage of the Electronic Signature and wish to withdraw it must:

- Submit a letter stating the reason for the withdrawal of the electronic signature fifteen (15) days before the date you want the withdrawal to the Director of Finance and Budget.
- The Director of Finance and Budget shall approve the request and inform the parties concerned including the applicant and maintain such documentation on file for these purposes.

VII. ACTION REQUIRED


The Executive Officer of the Local Board will be responsible for informing the Executive Director about the approval of this Public Policy. In turn, the Executive Director will be responsible for informing the administrative bodies of the Manati/Dorado Local Workforce Development Area of the details of this and its implementation.

VIII. APPROVAL AND VALIDITY

Public Policy WIOA-04-2023 of the Manatee-Dorado Local Workforce Development Area will be effective upon approval by the members of the Local Workforce Development Board and the Board of Directors of Mayors of the Manatee-Dorado Local Workforce Development Area.

In Vega Alta, Puerto Rico, today 14 of June 2023.


Agnelis Laureano Vega
Acting President
Local Workforce Development Board


Hon. Maria Vega Pagán
President
Board of Directors of Mayors

Note: In this document, the masculine gender will be used to refer to both genders in a way that facilitates the reading of this one. This style of writing is not intended to imply the supremacy of one gender over another.

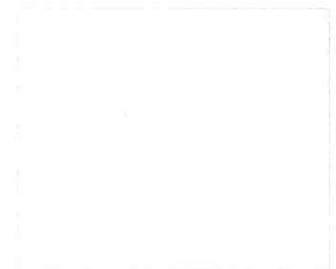
CERTIFICATION | ELECTRONIC SIGNATURE

I, _____, as an authorized representative of the entity _____ (Company/DBA/Agency), **I agree** to authorize the use of my electronic signature as an official substitute for my handwritten signature. The documents agreed in the Document Selection Sheet with Electronic Signature **Annex A**, will be sent to the Finance Department of Conexión Laboral Manati-Dorado, this will be sent in PDF format and I understand that the electronic signature that will appear in this will be valid as if it were signed in handwriting for purposes of validity, obligation, consent, applicability and admissibility in any Federal or State forum.

I certify that the information described herein is true and accurate;

In _____, Puerto Rico, today _____ of _____ 20_____.

Signature: _____



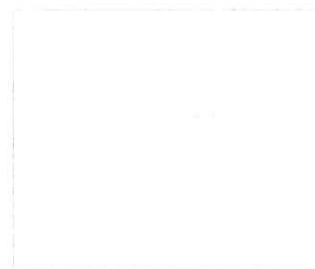
Selection of Documents with Electronic Signature

I, _____, as an authorized representative of the entity _____ (Company/DBA/Agency), **I agree** to authorize the use of my electronic signature as an official substitute for my handwritten signature on the following documents.

- | | |
|--------------------------|---------------------------------------|
| <input type="checkbox"/> | Official Letters |
| <input type="checkbox"/> | Memoranda of understanding (MOU) |
| <input type="checkbox"/> | Infrastructure Agreements (AFI) |
| <input type="checkbox"/> | Bills |
| <input type="checkbox"/> | Contracts |
| <input type="checkbox"/> | Communications |
| <input type="checkbox"/> | Local Board and Board of Mayors Votes |
| <input type="checkbox"/> | Other: _____ |

In _____, Puerto Rico, today _____ of _____ 20____.

Signature: _____



FOR OFFICIAL USE BY THE FINANCE DEPARTMENT OF THE LOCAL MANATI-DORADO WORKFORCE DEVELOPMENT AREA

I, _____ as _____, authorized representative of the Department of Finance and Budget, I certify that the signature of this document is correct and will be used only on the documents selected in this annex.

Signature: _____

Date: _____