



## Digital Contract Management in the Temporary Employment Industry

### USE CASE: XITRUST MOXIS & xIDENTITY

# MORE TIME FOR WORK

Among the key tasks of human resources service providers is the management of contracts. Wherever a job placement is made, a legal contract needs to be drafted for all the persons involved. This is a legally demanding task, which always has to take into account any amendments in legislation. For example, sweeping changes went into effect April 1, 2017 in Germany's Temporary Employment Act (AUG).

### Legal fundamentals

Generally speaking, according to the Employee Leasing Law, staffing agencies act as leasing firms and are therefore required to conclude a contract with employees for work performance rendered to third parties (lessees), requiring the written form. Up to now, it was not uncommon in the industry to complete the final contract only weeks after the assignment – and thus on the date when the employee started work for the client. This had mainly practical reasons. Providing personnel as quickly as possible took priority over the legal formalities. This has now fundamentally changed.

Because the leasing companies are now required by law to conclude the complete body of the contract prior to employment commencing – subject to stiff penalties for non-compliance. Thus, the practical challenge for personnel agencies is now to complete these contracts often in a very short time

### BENEFITS

- » Fulfilment of the corresponding law (AUG and §126a BGB)
- » Providing a continuously digital workflow
- » Significant process acceleration
- » Transparency for all parties involved

frame, i.e. with the signatures of all persons involved. That was precisely the reason for previous practices: Days and weeks went by until the very last binding signature was rendered. As long as a signature was provided by hand, there were often quite banal logistical reasons why the signature was held up: The body of the contract and the signatory were not located in the same place.

## Bearing a qualified signature

The new status quo can only be managed professionally with the electronic signature. Because only the electronic signature can be provided in parallel and independent of location. In this case, it takes mere minutes until the contract is legally signed. In case of the electronic signature, staffing service providers are to be guided by Section 126a German Civil Code:

„If electronic form is to replace the written form prescribed by statute, the issuer of the declaration must add his name to it and provide the electronic document with a qualified electronic signature in accordance with the Electronic Signature Act.“

## Digital identity in the video ID procedure, signature via phone

The qualified electronic signature (QES) required here by lawmakers is the basis for the solution from XiTrust Secure Technologies. The condition for a qualified electronic signature is a digital identity. For those who do not yet have a digital identity enabling them to bear a legal signature can be registered online via the service xIDENTITY.eu. In the video identification

procedure of XiTrust partner WebID Solutions, this process only takes a few minutes. All that is required for the face-to-face interview with trained call center agents are a valid ID, internet connection and a device with webcam. After successful identification and comparison of personal details, the xIDENTITY, i.e. the digital identity is activated for the applicant who can sign the contract with the personnel agency immediately via remote signature with the mobile phone. The certificate behind xIDENTITY is issued by an eIDAS-compliant Trust Center and is valid for five years.

## XiTrust MOXIS handles administration

Whereas the employee at this point has already fulfilled his contractual duty, the work has only just begun for the remaining contractual parties. Here, all contracts must not only be signed but also administered. The solution for this is called XiTrust MOXIS, the electronic signature folder from XiTrust. With MOXIS, any number of contracts can be signed simultaneously in batch mode (by means of remote signature), workflows can be pre-configured and directly launched from MS Word and other applications. The signed documents are automatically processed further.

On this page of the contractual partnership, documents are signed per qualified remote signature as well. The digital identity also required for employees of the personnel agency is also available through the described video ID procedure. As an alternative, a so-called registration officer (RO) can be trained in the company who is allowed to issue the digital identities on site.