

## NATIVELY ELECTRONIC DOCUMENTS

### What is the legal value of native electronic documents (that do not require signature by the parties)?

The majority of legislation generally recognizes the validity and probative value of documents that are natively electronic (i.e., created as electronic originals), subject to compliance requirements.

In the Netherlands, there is no restriction on employers retaining electronic copies of employee documents for recordkeeping



purposes. According to book 6 of the Dutch Civil Code, contracts in the Netherlands can be concluded in natively electronic form as long as agreements are accessible by all parties and the following can be sufficiently verified:

- the authenticity of the agreement;
- the time the agreement was finalized; and,
- the identity of the individuals involved.

In addition, according to book 7 of the Dutch Civil Code, payslips and employee contracts can be provided electronically. Note that payslips can only be provided to employees electronically with their explicit consent. When employee contracts are provided electronically, they must include electronic signatures which have been authenticated as sufficiently reliable.

Therefore, HR-related documents can generally be created directly in electronic form, without need for a paper original.

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PeopleDoc is on a mission to make the difficult job of HR easier. The PeopleDoc HR Service Delivery platform helps HR teams more easily answer employee requests on demand, automate employee processes, and manage compliance across multiple locations. PeopleDoc cloud solutions include case management, process automation and employee file management.

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