



Personnel and Administrative Policy and Procedure

SUBJECT: Notary Services	EFFECTIVE DATE: November 15, 2007 REVIEWED: May 2011 REVISED:
CATEGORY: 600 POLICY NUMBER: 600.4	CROSS REFERENCE: Attachments: Notary Services Agreement, Journal Retention Agreement, Notary Public Journal Location Form

Purpose: To provide guidelines to employees whom the City has asked to become notaries to conduct City business.

Objective: To meet the business needs of the City for notary services.

Scope: All employees that hold a notary seal as part of their employment with the City.

Policy: When the City requires an employee to become a notary, the City will pay the costs related to being a notary. This includes, but is not limited to, the application fee and the notary seal. Employees who become City notaries will only use their notary authority for city-related business during City business hours. As allowed by Oregon law, the City of Milwaukie provides notary services for those documents that pertain to City business.

The employee must enter into a Notary Services Agreement and Journal Retention Agreement with the City whereby the employee agrees to leave the journal with the City upon separation from City employment. The employee may retain the notary seal. All seals are to be destroyed at the expiration of the notary commission.

Per OAR 160-100-0210, The Secretary of State notaries should not collect account numbers (such as driver license numbers, Social Security Numbers and credit account numbers). When noting information about ID card, all that is recorded is:

*The issuer of the information;

*the type of document; and

*the expiration date

Example: State of Oregon Driver License, expiration 9/07/2013

When someone requests a copy or verification of a prior notary where personal identifying information was obtained, only the last 4 digits of an account number should be given unless it is for court purposes.

Procedures

- The City determines a need for an employee to become a certified notary.
- **The City will be responsible for the costs of associated with the employee becoming a notary.**
- Upon becoming a notary the employee enters into a Notary Services Agreement and Journal Retention Agreement with the employee. These documents are maintained in the employees personnel file.
- During the employee's tenure, the notary journal will be located at the City and the employee will be available during work hours to notarize documents as outlined during this policy.
- Upon separation from the City, the employee leaves the journal with the City, but may retain his or her seal.
- When the commission expires, the seal is destroyed.

Responsibilities

Departments:

- Each department of the City that requires notarization of forms shall have a notary on staff. The department shall pay the related costs, which include, but are not limited to, certifications and renewals.
- Notify Human Resources when an employee has obtained a notary seal through the City.

Notary:

- Each notary is solely responsible for updating his/her commission information and renewals with the Oregon Secretary of State.
- Follow the State rules and regulations regarding the appropriate use of the notary seal. The notary has the sole responsibility to refuse a notarization if the person does not provide appropriate documentation or is otherwise not in conformance with the State or City's regulations on the use of notary seals.
- Enter into a Notary Services Agreement and a Journal Retention Agreement regarding the notary journal being retained by the City upon separation from the City for any reason. Relinquish the journal to the City upon departure.
- Properly destroy the seal at the expiration of the commission.

Human Resources

- When notified that an employee has obtained a notary seal through the City, enter a signed Notary Services Agreement and Journal Retention Agreement with the employee and maintain the information in the employee's personnel file.
- Ensure the return of the journal and signed Notary Public Journal Location Form prior to the employee's departure.
- Retain departed employee's journal per State Retention guidelines.

Complete and Return to HR

NOTARY SERVICES AGREEMENT

I, _____, have received,

(Print Name)

read, understand and agree to comply with the provisions and terms of the Notary Services Policy and Procedures including that the City will retain all rights to the notary journal both during and post my employment with the City .

Employee Signature

Date

JOURNAL RETENTION AGREEMENT

Date

To Whom It May Concern:

The notary public named here, (insert name) has entered into an agreement with her/his employer, the City of Milwaukie, for the City's retention and disposal of notary journal for a period of at least seven (7) years (OAR 160-100-0360). Said journal was used in conjunction with employment with the City. Entries are from (start date) to (date of last entry). Commission number is (Insert commission number.) Agreement entered into (insert date).

Notary seal is (enter retained by employee's name, City or destroyed.)

Employee's Signature

Employer's Signature
City Recorder

Submit this form
No fee

STATE OF OREGON
Corporation Division – Notary
255 Capitol Street NE, Suite 151
Salem, OR 97310-1327
503-986-2593
FAX 503-986-2300
FilingInOregon.com/notary

THIS SPACE FOR OFFICE USE ONLY

NOTARY PUBLIC JOURNAL LOCATION

PLEASE TYPE OR WRITE LEGIBLY IN BLACK INK. READ INSTRUCTIONS BEFORE FILLING OUT FORM.

If you have decided to let your commission expire, please complete this form. Oregon Administrative Rules require that you file the location of your journal storage for the seven-year period following expiration of your commission if you are not re-applying. That information is required to be filed with the Secretary of State within 30 days following the date of your commission expiration. For your convenience, we have provided this form to complete that requirement. In addition, you are required to destroy your official notary seal and/or official seal embosser.

Notary Commission No:

Commission Expiration:

Notary Commission Name:

Termination (i.e., resignation, expiration). Explain:

Your Mailing Address (Include city, state, zip):

Daytime phone number and extension:

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Home phone number:

()

Message phone number:

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Journal storage address:

Describe exact location of journal at storage address:

THE OFFICIAL NOTARY SEAL NEEDS TO BE DESTROYED UPON EXPIRATION OF YOUR COMMISSION

Signature

Date

If you have chosen to leave your journal with your employer, you must have a letter of retention agreement with that employer.

Employer - ORS 194.154 and 194.335
160-100-360

A notary public who has entered into an agreement with his/her employer relating to the employer's retention and disposal of the notary public's notarial records following termination of employment pursuant to ORS 194.152(3) shall retain a written copy of the agreement, which may be examined by the Secretary of State upon request. The agreement shall contain at least the following information:

- (1) Date agreement was entered into;
- (2) Names of parties to agreement;
- (3) Terms of agreement, including retention of records by the employer for a period not less than seven years after termination of the notary's commission;
- (4) Signatures of all parties to agreement.