

CONTRACTOR PRE-HIRE WORKSHEET

INFORMATION ABOUT INDIVIDUAL

Individual Sole Proprietor Corporation

Social Security Number _____

Federal ID Number _____

Name _____

Name of Company _____

Department _____

If Foreign National – Country _____ Visa Type _____

MULTIPLE RELATIONSHIPS WITH THE UNIVERSITY

1. Is this individual on record as a current employee? Yes No
 If NO, is it expected that the University will hire this individual as an employee following the termination of this service? Yes No
2. Was the individual a University employee any time during the last year and did he/she provide the same or similar services while an employee? Yes No

IRS CLASSIFICATION FACTORS

Before a worker is hired as an independent contractor, the following checklist must be completed to help determine whether an employer/employee relationship exists.

Yes = No =
Employee Contractor

Behavioral Control: Right to direct and control details and means by which worker performs services.

1. **Instructions.** Will the University have the right to give the worker instructions about when, where, and how he or she is to do the job?
2. **Training.** Will the worker receive training from the University?
3. **Significant Investment.** Has the worker failed to invest in facilities (such as an office) used to perform services?
4. **Payment of Expenses.** Will the University pay the worker's business or travel expenses?
5. **Services Available.** Does the worker not make his or her services available to other employers?
6. **Payment by Hour, Week, Month.** Will the University pay the worker by the hour, week, or month rather than by commission or by the job?
7. **Realization of Profit or Loss.** Will the arrangement prevent the worker from realizing a profit or suffering a loss?

Yes = Employee No = Contractor

Relationship of Parties: Intent of parties concerning status and control of worker.

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|---|--------------------------|--------------------------|
| 8. Written Contract. Will a written contract not be executed describing the worker as an independent contractor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Employee Benefits. Will the worker receive any employee benefits? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Right to Terminate. Could the University terminate the worker at any time without incurring liability? | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Regular Business Activity. Is the work to be performed part of the regular business of the University, such as teaching or research? | <input type="checkbox"/> | <input type="checkbox"/> |

EVALUATION OF CLASSIFICATION FACTORS

(use separate sheet if necessary)

Areas that support Employee status 	Areas that support Contractor status
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DETERMINATION

Hire worker as an Employee Hire worker as an Independent Contractor

Department Authorization _____

Prepared by _____ Date _____

See Business & Finance Bulletin BUS77, Independent Contractor Guidelines, for more information on applying the classification factors, or contact Contracts and Procurement:

Contracts & Property Office: 805-893-5836