



Status Determination Worksheet

Independent Contractor vs. Employee

A work relationship between an organization and an individual is an employment relationship (employee/employer), unless an alternative relationship can be established and demonstrated, e.g., a “bona fide” independent contractor (IC). This document helps to highlight the main necessary characteristics of an independent contractor/organization relationship. You must be able to answer “yes” to each of the following questions to establish an independent contractor relationship.

Generally, jobs typically performed by employees should not be performed by an IC.

Established Business

Does the individual have an established business with a business license, availability for other clients, marketing materials, etc.? Please note that a business license is required for all bona fide independent contractors.

Economic Independence

Does the proposed project or work have a defined duration; does the individual have other revenue sources beyond this work; and the individual will **not** be on our employee benefits?

Behavioral Control

The individual has control of the work process (materials used, methods & tools applied, additional workers required, etc.) and how the work will be performed as long as the deliverable or assignment is completed on time and meets specifications.

Contractual Relationship

There will be a written agreement defining the deliverables, time frames, costs, and other requirements. Payment will be by invoice and all taxes are the sole responsibility of the individual.

If the answer is “NO” to any of these questions, the individual should be hired as a temporary or regular employee. If the answers are unclear or there are other considerations further consultation with Human Resources is required prior to proceeding with an IC relationship.