

EAST CENTRAL COLLEGE Independent Contractor/Temporary Employee Analysis

This form is used to determine if the work to be performed is temporary employment or independent contractor. Please complete this form if you are considering employing/contracting an individual for a position that is not on the approved staffing plan.

Service Provider Information – Fill in all applicable information

Name of Individual: _____ Name of Corporation, LLC or partnership with EIN? _____

Brief description of services being requested: _____

- 1) Is this individual a current East Central College employee?
 Yes, Complete Section A No, Complete Section B
- 2) Is the individual a former employee and will the services be substantially similar in direction/control as when employed?
 Yes, Pay as employee No, Complete Section B
- 3) Has the individual worked as an independent contractor in the past and will the services be substantially similar in direction/control?
 Yes, Contact Human Resources No, Complete Section B

Section A Current Employee Status

Full-time, Department _____ Faculty Professional Staff Support Staff *
 *Full-time support staff employees will be eligible for overtime per Board Policy in compliance with FLSA.

Part-time, Department _____ Adjunct/GED Professional Staff Support Staff
 Part-time nonexempt employees are limited to a total of 19.75 hours per week and part-time exempt employees are limited to a total of 17 hours per week. Administration approval will be required to work additional hours. Enrollment into PSRS/PEERS may be required per Board Policy. Maximum number of hours to work in two positions is not to exceed 29 hours per week.

Continue to Section C for Employment and Payment Procedures

Section B Independent Contractor / Temporary Employee Analysis (Choose one answer for each question – either Yes or No)

Control Factors:	Yes	Independent Contractor Status	No	Employee Status
1. Can the individual hire his/her own employees for this project?	<input type="checkbox"/>	Can be performed by individual's subcontractors or employees. The individual has other employees.	<input type="checkbox"/>	Must be performed by individual. The individual does not have other employees.
2. Can the individual set their own hours of work?	<input type="checkbox"/>	Responsible for own schedule.	<input type="checkbox"/>	ECC sets the hours with input from the individual.
3. Is the individual engaged for a specific project, training, class?	<input type="checkbox"/>	A continuing relationship is not anticipated. Projects will be awarded only when the need arises, and will be based on bids and specifications.	<input type="checkbox"/>	A continuing relationship is a possibility
4. Does the individual perform services off-site?	<input type="checkbox"/>	Maintains own infrastructure such as office space, email and responsible for own business expenses.	<input type="checkbox"/>	ECC will/may add individual into daily operations with access to ECC email, software or required attendance at meetings.
5. Does the individual furnish their own tools and materials?	<input type="checkbox"/>	Individual furnishes tools, equipment, materials and supplies, or will invoice for supplies.	<input type="checkbox"/>	ECC provides facilities and equipment, furnishes tools, equipment, materials and supplies
6. Does the individual work for other clients?	<input type="checkbox"/>	Currently performs services for multiple unrelated customers.	<input type="checkbox"/>	Works only for one client at a time.
7. Will the individual decide how work is to be done?	<input type="checkbox"/>	Individual determines specific detailed tasks required for the work or project.	<input type="checkbox"/>	ECC determines specific detailed tasks, dates, times, for work or project.

Total _____

Total _____

Based on the above checklist and my knowledge of the proposed contract, it is my determination that the individual providing the services should be classified as:

Recommendation:

- Independent Contractor (Process through Accounts Payable)
 Temporary Employee (Process through Human Resources)

Determination:

- Independent Contractor (Process through Accounts Payable)
 Temporary Employee (Process through Human Resources)

Requestor: Name and Signature/Date _____

Human Resources Verification: Name and Signature/Date _____

Section C Temporary Employment Procedures - Human Resources

The temporary employment will be approved and classified according to board policy for temporary positions. An MOU may be issued outlining duties and expectations. The following information will be required by the requestor prior to the start date:

Position Information:

Name of Position: _____

Rate of Pay: Hourly _____ Salary _____

Budget Code: _____

Number of Hours: _____

Dates of employment: _____

Name of supervisor: _____

Employment Documentation:

The individual will be required to complete employment paperwork prior to the first day of employment.

- I-9 Form and accompanying identification – must be verified by Human Resources within three days of approved start date
- Tax Forms
- Direct Deposit Form, if required

Payment

Payment will be paid bi-weekly according to our payroll schedule and board policy and will be issued the payroll following signed receipt of the MOU.

The employee will be responsible for submitting the signed copy to the supervisor for processing.

- New Individuals hired in a nonexempt (hourly) position will need to complete timesheets for hours worked.
- New individuals hired in an exempt position (salary) will be paid through payroll according to the MOU.

Human Resources Confirmation

Is PSRS/PEERS enrollment required? Yes No
Is the employment subject to the 218 agreement? Yes No

Section D Independent Contractor Procedures - Purchasing/Accounts Payable

This individual will not be considered an employee. An MOU may be issued outlining services and the scope of work to be performed.

Documentation:

The individual will need to provide the following documentation in order to engage in services and receive payment.

- W-9
- College Invoice

Payment

Payment will be processed through Accounts Payable according to the current procedure. Individual will invoice the college for services rendered.

Individual will be responsible for submitting a signed copy of the MOU to the supervisor for processing. First payment will be issued within 30 days of receipt of invoice or as indicated on the MOU.

The individual will receive a 1099 issued by the college.

Reviewed by College Attorney 1-17-13