

## Independent Contractor Classification Analysis For Individuals/Sole Proprietors

In determining if the service provider is an independent contractor or an employee, information that provides evidence of the degree of control and independence must be considered. Human Resources will determine the appropriate classification. Each situation is evaluated in whole, based on the factors specific to that situation. Please answer the following questions to assist Human Resources in making the appropriate determination prior to completing any additional paperwork and before any work is performed by the individual.

**Requestor:** \_\_\_\_\_

**Service Provider Name:** \_\_\_\_\_

**Description of Work to be Performed:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is the individual a PERA retiree and been an employee of CCCS or any of the system colleges in the last 6 months?	
Has this individual previously been paid as an employee of CCCS to perform essentially these same tasks?	
Is this individual currently employed at CCCS or any of our colleges in any capacity?	

If you answered yes to any question above, the individual is an employee. Please complete a Personnel Requisition and necessary supporting documentation and route for approvals. (In certain circumstances an MOU may be required.)

For all others please answer the following questions:

Does CCCS pay as an employee others who perform essentially the same duties that are to be performed by this individual?	
Is the individual registered with the Secretary of State's Office and/or the IRS to conduct business as an independent contractor?	
Does this individual make their services available to the public?	
Is the State this individual's only client?	
Does CCCS control when, where, and how the individual will work?	
Will CCCS provide training to the individual to complete the work?	
Is or has the work being performed become an integral part of the success or continued operations of CCCS?	
Does CCCS pay or otherwise control the activities of the workers who assist this individual in the performance of the work?	
Does the arrangement with this individual establish continuing or recurring work, even if the services are seasonal, part-time, or of short duration?	
Does CCCS establish the hours of work or otherwise prevent the individual from controlling their own time?	

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Does CCCS have control over the amount of time this individual spends working so as to restrict the individual from other gainful work?	
Does CCCS have the right to designate the place the work will be performed?	
Does CCCS have the right to require the work be performed in a particular order or sequence?	
Does CCCS reimburse the individual for business or travel expense?	
Will CCCS provide the tools and materials needed to perform the work?	
Can this individual terminate the relationship with CCCS without incurring any liability?	
Does this individual have the opportunity to realize a profit or loss for the work?	

**Human Resources determination:**

\_\_\_\_\_ **Contractor:** Please complete appropriate Purchase Requisition paperwork. A personal services review will also be required as part of the purchasing process.

\_\_\_\_\_ **Employee:** Please complete a Personnel Requisition and accompanying documentation. A background check will be required prior to start.

Human Resources Reviewer (sign and date): \_\_\_\_\_