

DETERMINATION OF INDEPENDENT CONTRACTOR WORKSHEET

Complete only if contracting with an individual or sole proprietorship. If you are hiring an individual or sole proprietor, it is important to establish that the nature of the service does not constitute an employee/employer relationship. The following factors are critical and may be enough to establish independent contractor status.

If the answer to any of the following questions is "YES", you may need to consider hiring the individual as an employee. The more "YES" responses there are, the more likely it is that the individual should be hired as an employee. Fill in the form completely; no questions should be left unanswered.

When contracting with an individual or sole proprietorship, this form must be routed with the Agreement to the Procurement Office.

Payee Name _____	Individual
Address _____	Sole Proprietor
City, State, Zip _____	SSN _____

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| 1. Is the individual an employee of the State of West Virginia?..... | Yes | No |
| 2. Is the individual working exclusively for Fairmont State University?..... | Yes | No |
| 3. Are the services of the individual integrated into your organization?
EX: Are you hiring him/her to teach for credit?..... | Yes | No |
| 4. Are you providing any assistance to the individual such as
work space, supplies, equipment, etc.?..... | Yes | No |
| 5. Are you providing on-going training and direction concerning how
to complete the task? EX: are you giving more than general directions
and the task objective?..... | Yes | No |
| 6. Does the individual report to a FSU staff member who has the right
to change HOW or WHEN the individual does their work?..... | Yes | No |
| 7. Is there a regular or on-going relationship with the individual? Has
the individual received a payroll check in the past year for employment
in any university department?..... | Yes | No |
| 8. Is the individual using experience or expertise gained as a current
or previous FSU employee to provide the service?..... | Yes | No |
| 9. Can the individual quit prior to completion of the project without
incurring any legal liability?..... | Yes | No |

Prepared by: _____ Date: _____

Department Name: _____ Phone: _____

Department Signature _____ Date: _____