

North Carolina School of Science and Mathematics Independent Contractor/Temporary Appointment Classification Documentation

When services are to be rendered for the North Carolina School of Science and Mathematics, this checklist will help determine classification as an employee or independent contractor for federal, state and FICA tax purposes.

Directions: When an external service is needed, this checklist should be completed by a departmental representative knowledgeable about the services to be rendered and responsible for initiating payment. Answer each question until a determination of “IC” (independent contractor) or “employee” is reached, then stop. For an independent contractor, initiate approval of the service via the Request for Personal/Consultant Services process. For an employee, initiate approval of the service via the Temporary Appointment process. Further information is available in the NCSSM Business Office Policies and Procedures Manual and Human Resources Policies and Procedures Manual.

Notes: Current employees of NCSSM may seek additional work with the school via the Additional Employment process. A current employee can never provide additional services to the school as an independent contractor. Employees of the State of North Carolina, including employees of a constituent institution of the University of North Carolina, may be considered employees of NCSSM even though the services rendered to the School qualify for independent contractor classification. In such cases, departments should contact Human Resources to apply the Dual Employment Policy and determine which service contracting process is appropriate.

Section I. Service Overview			
Business or Individual Name	Taxpayer Identification (4 digits only)		
Proposed Service	xxx-xx-__ __ __ __		
Requesting Department	Form Preparer	Date	
Residency status for tax purposes (check one): U.S. Citizen Resident Alien Non-Resident Alien			
Section II. Multiple Relationships with the School (answer all 5 questions)			
1. Does this individual currently perform similar work for the School as an employee?	Yes	No	
2. Is it currently expected or desired that the School will hire this individual as an employee immediately following the termination of his/her independent contractor services?	Yes	No	
3. During the 12 months prior to the date on which the independent contractor service commenced, did the individual have an official School appointment (including temporary) <u>and</u> provide the same or similar services?	Yes	No	
4. Does the School pay as employees others who perform essentially the same duties that are to be performed by this individual? Examples: performing duties of a vacant position, former employee continues to perform duty after recent separation.	Yes	No	
5. Does the individual only provide services to the School and not offer his/her services to the general public as part of a trade or business?	Yes	No	
<i>If the answer is “yes” to any of the five questions, the individual should be classified as an employee and paid via the Temporary Appointment process. Circle Employee here and STOP. Do not complete Section III. If the answer is “no” to all questions, proceed to the questions in Section III.</i>			Employee

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Section III. Classification Guidelines

*Complete only section A, B, or C depending on the services to be performed by the individual. Answer each question until a determination of Independent Contractor or Employee is reached. Circle the determination and **STOP**.*

A. Predetermined Functions

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|----|--|-----------------|------------------|
| 1. | Is the individual a booking agent, certified police officer, single musical or artistic performer? | Yes
IC | No
Go to A.2. |
| 2. | Is the individual a coach, substitute teacher, or filling a position which is vacant or on leave? | Yes
Employee | No
Go to B. |

B. Guest Lecturer / Speaker

- | | | | |
|----|--|-------------------|------------------|
| | | Yes
Go to B.1. | No
Go to C. |
| 1. | Is the individual a "guest lecturer" or "guest speaker" who lectures only at a few class sessions? | Yes
IC | No
Go to B.2. |
| 2. | Is the individual the primary instructor in a course being offered for academic credit toward graduation? | Yes
Go to B.3. | No
IC |
| 3. | Is the individual responsible for the content of the lecture or presentation, including creating and selecting course materials (as opposed to presenting materials that have been prepared/dictated by the School)? | Yes
IC | No
Employee |

C. Individuals not covered by Sections III.A. or III.B.

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|----|--|-------------------|------------------|
| 1. | Will the department control the manner in which the work is performed by providing the individual with specific instructions regarding performance of the required work (rather than rely on the individual's expertise) and/or provide equipment, tools or materials for the individual? | Yes
Employee | No
Go to C.2. |
| 2. | Will the department set the number of hours and/or days of the week that the individual is required to work (as opposed to allowing the individual to set own work schedule)? Note: Individuals working full-time are considered employees even if they set their own schedule. | Yes
Employee | No
Go to C.3. |
| 3. | Does the individual engage in entrepreneurial activities in an established business at risk for profit or loss? Note: Check yes if the individual supplied an EIN, TIN, or ITIN (not a SSN). Check yes if the individual produces business cards, letterhead, curriculum vitae, list of clients, advertising, employs assistants, or other evidence that the individual works for multiple unrelated persons or firms or the individual makes his or services available to the general public on a regular and consistent basis. Attach documentation. | Yes
Go to C.4. | No
Employee |
| 4. | Will the department pay the individual's expenses or travel costs? | Yes
Employee | No
Go to C.5. |
| 5. | Does the individual have his/her own insurance for work-related injuries? | Yes
IC | No
Go to C.6. |
| 6. | Can the individual hire, supervise and pay assistants to complete this job? | Yes
IC | No
Employee |