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Worker Classification Questionnaire

Individuals who provide a service to the University must be classified as either an **Independent Contractor (IC)** or an **Employee.**

Completing the questions below will help the University to determine the worker's classification status.

NOTE: It is extremely important that the determination is made prior to the commencement of services.

Section I. Relationship with the University

A. Is this individual a University employee? University employees can only receive royalty payments or payments for clinical trial participation. All other payments should be processed through payroll or an exception obtained from the Treasurer's Office	☐ Yes ☐ No
B. Is it currently expected that the University would hire this individual as an employee immediately following the termination of his or her independent contractor services?	☐ Yes ☒ Treat as an Employee
C. During the 6 months prior to the date on which the independent contractor services commenced did the individual have an official University appointment (including temporary)? State statute prohibits payments to ex--employees for services for up to 6 months after being employed by the University.	☐ Yes ☐ No Treat as an Employee
D. Will the individual be teaching a course that is a degree prerequisite for students or provide credit for a University degree?	☐ Yes ☐ No Treat as an Employee
E. Will they perform research under the direct supervision of a university professor or employee?	☐ Yes ☒ o Treat as an Employee

If the answer was "Yes" to questions B, C, D, or E – <u>STOP</u>! The person must be compensated through payroll.

For all other answers, proceed to Section II.

Section II. Check all that apply.

- ☐ Guest speakers; guest artists and performers; professional models
- ☐ Athletic game officials; University Interscholastic League judges and assistants
- ☐ Rental services – facilities or equipment
- ☐ Financial and legal services provided by individuals who perform these services for the general public
- ☐ Medical services provided by individuals who perform these services for the general public
- ☐ Accreditation evaluation services
- ☐ Photography or graphic services
- ☐ Provision of goods/products only
- ☐ Royalties (Can be paid to University employees)
- ☐ Research Participants (Can be paid to University employees)
- ☐ Tuning/adjustment of university musical instruments

If any services are checked – Send a vendor creation invitation through the university's vendor portal

If nothing was checked, proceed to Section III below.

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Section III. Complete A. **OR** B. **OR** C. depending on the type of services to be performed and then proceed to

If you are instructed to "Treat as an Employee," **STOP**! These payments must be processed through payroll.

Call 865-974-3086 with any questions

A. Teacher/Lecturer/Instructor

1. Has or will the individual be engaged in this capacity fewer than 5 days in a 12 month period?	☐ Yes — Treat as IC ☐ No — Go to 2
2. Will they provide the same or similar services to other entities or to the general public as part of a trade or business?	☐ Yes — Treat as an IC ☐ No — Go to 3
3. In performing instructional duties, will the University have any control over the course materials that are used?	☐ Yes — Treat as an IC Employee ☐ No — Treat as

B. Researcher

Researchers hired to perform services for a University department are presumed to be employees of the University unless they are serving in an advisory capacity.

Will they serve in an advisory or consulting capacity with a university professor or employee?	☐ Yes — Treat as an IC ☐ No — Treat as an Employee

C. Individuals Not Covered Under Sections A. or B.

1. Do they provide the same or similar services to other entities or to the general public as part of a trade or business?	☐ Yes — Treat as an IC ☐ No — Go to 2
2. Will they provide their own tools/supplies/materials to perform the required work?	☐ Yes — Treat as an IC ☐ No — Treat as an Employee
3. Will they rely on their expertise rather than receive specific instructions from the department regarding performance of the required work?	☐ Yes — Treat as an IC ☐ No — Treat as an Employee
4. Can they set the number of hours and/or days of the week that they work as opposed to the University setting their work schedule?	☐ Yes — Treat as an IC ☐ No — Treat as an Employee