

Name of Campus Buyer Assigned to Your Department:

## INDEPENDENT CONTRACTOR PRE-HIRE WORKSHEET

### INFORMATION ABOUT THE INDIVIDUAL

Name of individual: \_\_\_\_\_

Name of company (if applicable): \_\_\_\_\_

Department: \_\_\_\_\_

### MULTIPLE RELATIONSHIPS WITH THE UNIVERSITY

1. Is this individual on record as a current employee?  
If no, is it expected that the University will hire this individual as an employee following the termination of this service?  Yes  No  
 Yes  No
2. Was the individual a University employee any time during the last two years and did he or she provide the same or similar services while an employee?  Yes  No

Additional Comments: \_\_\_\_\_

### IRS CLASSIFICATION FACTORS

The following checklist *must* be completed to determine whether an independent Contractor or an Employer/Employee relationship exists.

Behavioral Control: Right to direct and control details and means by which worker performs services.

1. **Instructions.** Will the University have the right to give the worker instructions about when, where, and how he or she is to do the job?  Yes  No
2. **Training.** Will the worker receive training from the University?  Yes  No

Financial Control: Right to direct and control economic aspects of the worker's activities.

3. **Payment of Expenses.** Will the University pay the worker's business or travel expenses?  Yes  No
4. **Services Available.** Does the worker make his or her services available to other employers?  Yes  No
5. **Manner of Payment at Set Intervals.**
  - a. Will the University pay the worker by the hour, week, or month?  Yes  No
  - b. Will the University pay the worker by commission or by the job?  Yes  No
6. **Realization of Profit or Loss.** Will the arrangement allow the worker to realize a profit or suffer a loss?  Yes  No

Relationship of Parties: Intent of parties concerning status and control of worker.

7. **Right to Terminate.** Does the University have the right to terminate the worker at any time without incurring liability?  Yes  No
8. **Regular Business Activity.** Is the work to be performed teaching or research?  Yes  No
9. **Written Contract.** Will a written contract be executed describing the scope of work, deliverables, and timeframe?  Yes  No
10. **Employee Benefits.** Will the worker receive any employee benefits?  Yes  No

Based on your responses to the questions, explain why you believe this is an employee or an independent contractor (For more information on status issues, go to BUS-77 <http://www.ucop.edu/ucophome/policies/bfb/bus77.pdf>, Section IV, "Determination of Employee/Independent Contractor Status")

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(Use separate sheet, if necessary).

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Prepared By (PRINT name & title) Signature

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Phone Number E-Mail Date

**THIS PORTION FOR CENTRAL PROCUREMENT USE ONLY**-----

**DETERMINATION** (to be completed by Campus Buyer ONLY)

Hire worker as an employee

Hire worker as an independent contractor

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Campus Buyer Signature Date