

### Independent Contractor or Employee Determination Form

This questionnaire is intended to help you determine Independent Contractor or Employee Classification. The following questions are designed to assist you in determining whether a sufficient level of control is present to establish an employee/employer relationship. These questions have been derived from specific "control" factors defined by the Internal Revenue Service. Determination of Independent Contractor or Employee Classification is made by the University Tax Director.

Instructions: As required under University Policy 20.1.17, this form must be completed for the engagement of professional service providers. The completed form (including all signatures must be attached to the requisition in RIAS or MarketPlace).

**NOTE:** If it has been determined that the individual has been designated as an employee, and then departments can reach out to their designated Human Resource Consultant at <http://uhr.rutgers.edu/hr-consultant-assignments>.

**To be completed by Service Provider**

<b>Name of Individual/Business</b>	<b>Explain in detail the nature of the service to be provided:</b>
<b>Street Address</b>	
<b>City, State and Zip Code</b> (Foreign entities, please complete <a href="#">Foreign Visitor Info Sheet</a> )	
<b>How many FT Employees:</b> (+5 FT employees, Supplier is not required to answer questions 1-18, but signature of attestation is required.)	

<b>1</b>	Are you a current employee or have you been a Rutgers employee during the past twelve (12) months?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>2</b>	Does Rutgers provide direction or have the right to control how the work is performed?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>3</b>	Is Rutgers requiring you to attend any training or employee orientation?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>4</b>	Does Rutgers hire, supervise and pay assistants to help you with the services provided?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>5</b>	Does Rutgers set your work schedule, i.e. the number of hours to be worked and when?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>6</b>	Does Rutgers provide you with office space, tools, materials and supplies necessary to complete the work?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>7</b>	Will the contract payment be based on an hourly, weekly, or monthly rate? If yes, how:	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>8</b>	Will you receive pension, healthcare, tuition, or other benefits from the State Health Benefits Program and/or Rutgers? If yes, what:	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>9</b>	Do you perform similar services for Rutgers on a continuous basis? If yes, indicate length of service:	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>10</b>	Do you market your services to the general public?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>11</b>	Are you free to provide services for entities other than Rutgers concurrently with this assignment?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>12</b>	Can Rutgers discharge you for reasons other than non-performance of the contract?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>13</b>	Do you bear all the expenses of the service engagement (i.e. travel and business expenses, etc.)	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>14</b>	Are you a current or former federal, state, and/or local elected or appointed government official? Former public officials are defined as those who have held office or other public positions within three years of their Rutgers employment or engagement.	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>15</b>	Will you be instructing a Non-Credit class?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>16</b>	Did you develop the course syllabus and materials?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>17</b>	Will the course be held on Rutgers' campus?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>18</b>	Provide your professional service website address:	
<b>19</b>	Provide the names of customers other than Rutgers (i.e. Client Name, Contact, Website, Email, Phone) as an attachment.	

**I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE ALL OF THE ABOVE QUESTIONS HAVE BEEN ANSWERED CORRECTLY.**

**SIGNATURE OF INDIVIDUAL OR COMPANY OFFICIAL AND TITLE**

**DATE**

By submitting this registration form, you certify that all information provided is accurate and reliable; your company is not suspended or debarred by the Federal Government or the State of New Jersey from participating in Federal or State funded projects; have not been sanctioned by or excluded from participation in any federal or state health care program, including Medicare and Medicaid; and that no conflict of interest exists or will exist as a result of your participation as a Rutgers supplier (Conflict of Interest: <https://purchasing.rutgers.edu/> )

## Independent Contractor or Employee Determination Form

Factors to be considered when engaging Instructors/Teachers/Lecturers/Trainers

Instructors/Teachers/ Lecturers/Trainers	<p>The factors listed below are required in order for Instructors/Teachers/Lecturers/Trainers to be classified as an Independent Contractor:</p> <ul style="list-style-type: none"><li>• The Instructor/Teacher/Lecturer/Trainer prepares the syllabus for each course;</li><li>• The Instructor/Teacher/Lecturer/Trainer prepares and provides any materials or supplies;</li><li>• The Instructor/Teacher/Lecturer/Trainer is not reimbursed for any travel expenses or overhead costs;</li><li>• The Instructor/Teacher/Lecturer/Trainer does not receive guidance or instructions on how the course must be taught or what materials are used to teach the course;</li><li>• The Instructor/Teacher/Lecturer/Trainer controls the manner and methods used to teach the course;</li><li>• The Instructor/Teacher/Lecturer/Trainer does not receive any Rutgers training;</li><li>• The Instructor/Teacher/Lecturer/Trainer does not attend Rutgers employee orientation;</li><li>• Pictures and personal information of the Instructor/Teacher/Lecturer/Trainer are not posted on the University's website or used by Rutgers for marketing purposes;</li><li>• The Instructor/Teacher/Lecturer/Trainer does not have an on-campus office (i.e. phone, email, etc.);</li><li>• The Instructor/Teacher/Lecturer/Trainer is permitted to work for other schools, colleges, or universities;</li><li>• The Instructor/Teacher/Lecturer/Trainer does not receive Rutgers employment policies;</li><li>• The Instructor/Teacher/Lecturer/Trainer is not eligible for and does not receive any benefits provided to employees;</li><li>• The Instructor/Teacher/Lecturer/Trainer is paid on a lump sum basis with deliverables and milestones;</li><li>• The Instructor/Teacher/Lecturer/Trainer instructs/teaches/lectures/trains non-credit courses.</li></ul>
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