

Princeton University Employee/Independent Contractor Determination Checklist

Before an individual is hired as an independent contractor, the following checklist should be completed to help determine whether an employer/employee relationship exists. The questions provided below will assist in determining whether the individual performing services will be classified as an employee of the University for federal, state and FICA tax purposes, or as an independent contractor. If you still have questions after completing this checklist, you may want to contact the Office of Human Resources (8-3300) or the Office of General Counsel (8-2500).

Please mark each as it applies.

1. Current Relationship with Princeton University	YES	NO
A. Does this individual currently work for Princeton University as an employee?	<input type="checkbox"/>	<input type="checkbox"/>
B. Does Princeton University desire to hire this individual as an employee immediately following the termination of his or her services as an independent contractor?	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>If the answer is "NO" to both questions, proceed to further questions.</i></p> <p><i>If the answer is "YES" to either of these questions, the individual should be classified as an employee and paid through Princeton payroll.</i></p>		
C. During the 12 months prior to the date on which the services commenced, was the individual on the Princeton payroll (regular or temporary appointment)?	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Proceed to Section 2; a "YES" here should be considered a factor weighing toward employee status.</i></p>		
2. Classification Guidelines (Complete only <u>one</u> section, A, B or C, depending on the services to be performed by the individual.)		
A. Lecturer/Instructor	YES	NO
1. Is the individual a "guest lecturer", e.g., an individual who lectures at only one or two class sessions?	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Go to #2
2. Is the individual the primary instructor in a department course being offered for academic credit toward a university degree?	<input type="checkbox"/> Treat as an Employee	<input type="checkbox"/> Go to #3
3. Is the individual responsible for the content of the lecture/presentation (as opposed to presenting materials that have been prepared/dictated by the University)?	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Treat as an Employee

B. Researcher	YES	NO
<p>Researchers hired to perform services for a university department are initially presumed to be employees of the university. Please complete the following questions:</p>		
<p>1. Will the individual perform work using University facilities (as opposed to facilities available to him/her outside of Princeton)?</p>	<input type="checkbox"/> Treat as Employee	<input type="checkbox"/> Go to #2
<p>2. Will the individual perform research for a university faculty member under an arrangement whereby the university faculty member serves in a supervisory capacity (i.e., the individual will be working under the direction of the University faculty member)?</p>	<input type="checkbox"/> Treat as Employee	<input type="checkbox"/> Go to #3
<p>3. Will the individual serve in an advisory or consulting capacity with a University faculty member or director in a "collaboration between equals" type arrangement?</p>	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Go to Section C
<p><i>If the answer is "NO" to all three of these questions, proceed to Section C.</i></p>		
C. Individuals Not Covered Under Sections 2A or 2B	YES	NO
<p>1. Does the individual routinely provide the same or similar services outside of Princeton to the general public as part of a continuing trade or business?</p>	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Go to #2
<p>2. Will the department provide the individual with specific instructions regarding performance of the required work rather than rely on the individual's expertise and/or provide significant supplies and equipment for the worker?</p>	<input type="checkbox"/> Treat as Employee	<input type="checkbox"/> Go to #3
<p>3. Will the university 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 and/or pay the individual an hourly rate similar to what other employees are paid on campus for similar work?</p>	<input type="checkbox"/> Treat as Employee	<input type="checkbox"/> Treat as Ind. Cont.
<p>4. Does the individual engage in entrepreneurial activities in an established business at risk for loss?</p>	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Treat as Employee
<p>5. Does the individual have his/her own insurance for work-related injuries?</p>	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Go to #6
<p>6. Does the individual provide similar services to other clients?</p>	<input type="checkbox"/> Treat as Ind. Cont.	<input type="checkbox"/> Treat as Employee

3. General Information

(Service Provider's Name) Please Print

(Social Security Number or Tax ID #)

(Service Provider's Mailing Address)

(City)

(State)

(Zip Code)

Specific service to be provided: _____

Location where services will be provided: _____

Start Date: _____ End Date: _____

Fee is based on: _____ Fixed Fee _____ Hourly Rate _____ Cost per unit _____ Other _____ Total Fee: \$ _____