

SO.....YOU THINK YOU NEED AN INDEPENDENT CONTRACTOR?

If your department is in need of services which will be provided by an incorporated business and payment will be issued directly to the company, it is not necessary to have an Independent Contractor Agreement. Contact the Purchasing Department if you have any questions about their procedures for obtaining Purchase Orders.

An Independent Contractor can be described as an **individual** engaged in a specialized occupation who contracts to perform a time limited project or service outside Kettering's core business using their own methods, and is not subject to Kettering's behavioral or financial control. This would include an individual who is operating a business under an assumed name, such as John Smith doing business as Acme Services.

If you found the above less than crystal clear, the reality is that Independent Contractor status can only be determined **after** fact intensive inquiries and will ultimately depend on the circumstances of each case. So, before you proceed, you can pre-empt future problems by answering the following questions:

	Yes	No
Do you retain the right to control working hours?	<input type="checkbox"/>	<input type="checkbox"/>
Do you control how a particular task is performed?	<input type="checkbox"/>	<input type="checkbox"/>
Is the worker on site?	<input type="checkbox"/>	<input type="checkbox"/>
Is the employer providing office space and/or office supplies?	<input type="checkbox"/>	<input type="checkbox"/>
Are you supplying the worker with support staff?	<input type="checkbox"/>	<input type="checkbox"/>
Is the worker working full time for you?	<input type="checkbox"/>	<input type="checkbox"/>
Is the worker paid by the hour, week or month (as opposed to by the project)?	<input type="checkbox"/>	<input type="checkbox"/>
Do you reimburse business expenses?	<input type="checkbox"/>	<input type="checkbox"/>
Are you providing the worker with identification, parking privileges and other "perks" identical to regular employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does the worker attend regular staff meetings?	<input type="checkbox"/>	<input type="checkbox"/>
Does the individual work on projects alongside regular employees?	<input type="checkbox"/>	<input type="checkbox"/>

If you answered "yes" to three or more questions, you should think about reconfiguring the working agreement. "Yes" responses are indicative of an employer/employee relationship.



and call your H.R. professional.

If you answered "no" to eight or more questions, you will need an Independent Contractor Agreement. Please click on the following link to review a Sample Agreement with completion guidance: [SAMPLE ICA.pdf](#)

Now that you are ready to complete the Independent Contractor Agreement, click on the following link: [ICA rev 2007.doc](#)

Once the document is completed, print two copies of the Agreement, have BOTH signed and dated by your Department's Vice President and the Independent Contractor. Forward BOTH signed originals to H.R. for signature. You will receive a fully signed original for your records, at which time you should provide a copy of the signed document to the Independent Contractor.

If you have any questions, please contact the Human Resources Department at ext. 9891.