

STOCKTON UNIVERSITY

Independent Contractor Determination Checklist

In New Jersey, an independent contractor is an individual or firm who is contracted to work utilizing their own methods, and the means by which the work is accomplished is not controlled by the employer. An independent contractor is normally engaged in an established business, trade or profession. As such, an independent contractor is not an employee of the University and is treated differently with respect to tax withholdings, employee benefits, and payment methods.

It is permissible for an individual to be hired as an independent contractor only if all three of the following requirements are met:

- Minimal Direction: the worker is free from the employer's control or direction in the performance of this work;
- Established Business or Trade: the worker is normally engaged in an independently established business or trade, which derives income from a number of clients including the University; and
- Expertise: the work requires professional knowledge or professional expertise that is not generally available at the University.

This checklist will provide support for classifying an individual as an independent contractor and should be completed by the Department requesting payment. If all questions are answered "yes", the individual will likely be approved as an independent contractor. If there are any "no" answers, please provide explanation in the space provided at the bottom of this checklist. When an individual is approved as an independent contractor, payments will be processed through Accounts Payable. Misclassification of an individual as an independent contractor may result in taxes, interest, and penalties being assessed by the IRS. If this happens, the Department will be billed for their proportional share of these assessments.

1RWH 7KLV FKHFNOLVW PXVW ERFRP SCHWTFDC BQG DWX EPLW SHG FRQWUDFWRU WKH VHUFLFHV EHLQJ SURYLGHLDCQ EHG HWXRQHDG VXEPLVVLRQ Z

_____ Z# (If assigned) _____

All Providers Yes No

Behavioral Control Factors:	Yes	No
1. Does the individual make decisions as to wj ET q Q B932 Tw (43Tj 0.001 Tc-j ET q Q r e24 Tw 101s t)Tj n 01 T		

Financial Factors:		
8. Is the individual performing their services as a separate company with a Federal Tax ID?		
9. Does the individual receive payments on the basis of set deliverables?		
10. Does the individual furnish their own space, tools, and materials?		
11. Is the individual able to make a profit or potentially suffer a loss for this work?		
12. Will individual pay for own business and travel expense?		
13. Will the individual submit an invoice for commission or project?		
Relationship Factors:		
14. Does the individual provide similar services to other non-Stockton clients or advertise		
15. Would the department expect to hold payment or receive money back if goods or		

%ULHI GHVFULSWLRQ RI VHUYLFHV SURYLGHG

Department : _____ Representative Name: _____

Representative Signatu re: _____ Date: _____