



# Independent Contractor Questionnaire

The following questions have been developed in order to assist in determining whether an individual is performing work as an employee or as an independent contractor. It is hoped that the specific situations will be clear enough to clearly identify an individual as either an employee or an independent contractor. However, in borderline cases further examination will be required.

**Applicant's Name:** \_\_\_\_\_

- |    | <b>Yes</b>               | <b>No</b>                |  |
|----|--------------------------|--------------------------|--|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | Has the individual ever been employed by the District?   |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | Is the work to be done customarily performed by an employee?   |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | Does the District have the right to control/ supervise the work being done?  |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | Does the District establish where and when the individual will work?   |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | If the individual is or has been an employee, is the scope of work to be performed outside the normal duties performed in his/her job classification? <u>If the answer is yes, please provide a description of the duties to be performed.</u> |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | Is the nature of the contract to perform a specific task for a fixed price?  |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | Does the individual make his/her services available to the general public and does he/she have the right to engage in other jobs while performing services for the District?   |

Affirmative answers to questions 1 through 4 and negative answers to questions 5 through 7 will generally mean that there is an employer/employee relationship, that the individual will be treated as an employee and will have to go through the establish employment process.

Negative answers to questions 1 through 4 and affirmative answers to question 5 through 7 will generally mean that the individual is an independent contractor.

If the answers to question 1 through 4 are a combination of yes and no then a further evaluation will have to be made. Please provide additional information regarding the nature of the work, the current employment status, how the work is to be done, where it is to be done, method of payment and any other information that will assist in making the determination of whether or not the individual will be an employee or independent contractor.

**Additional Information:**

The questionnaire will be signed by the requesting manager and submitted with the requisition for services along with the District Contract for Services Form to the appropriate manager or administrator for approval. All documents will then be forwarded to the Vice Chancellor, Business Services for review and approval. If the individual is determined to be an independent contract, the documents will be forwarded to District's Business Services and a purchase order will be issued. If the individual is determined to be an employee, the forms will be returned and the appropriate personnel procedures followed.

**Submitted By:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Approved By:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Program Coordinator's Signature Administrator's Signature

**Business Services Review**

**Initial Review:** Independent Contract  Employee

**College:**  Chabot  Las Positas

*Reviewed by:* \_\_\_\_\_  
*Date Reviewed:* \_\_\_\_\_

**District:** *Reviewed by:* \_\_\_\_\_  
*Date Reviewed:* \_\_\_\_\_