HUMAN RESOURCE SERVICES
NORTHERN ILLINOIS UNIVERSITY

Independent Contractor Questionnaire

This questionnaire must be completed **before** any service is performed to determine if an individual is eligible to be an independent contractor. Results of the evaluation of information contained on this questionnaire should be kept as a source document to verify any independent contractor relationship. If it is determined that the individual qualifies as an independent contractor, please complete the **Certified Work Statement** signed by the Independent Contractor after the work has been completed. The **Certified Work Statement** must be submitted to Procurement/Accounting Office with the requisition/check request for the contracted services.

If it is determined that the individual should be paid as an employee, please prepare the required paperwork to have the individual employed in a position and processed through the appropriate HRS Payroll procedures. If necessary, please contact Human Resource Services (HRS) for clarification of these employment protocols.

A) Please begin by providing the following information concerning the individual providing the service to be rendered.

(The social security number is required for the furtherance of operations and business of the University which includes but is not limited to the provision of proper identification.)

Name of individual/business: _____

Social Security Number or Federal Identification Number: _____

Business License Number: _____

Description of Services to be Performed: _____

_____

_____

Amount/Time Period of Services: _____

B) Please answer the following questions to assist in determining independent contractor or employee status.

1) Is this individual currently employed by Northern Illinois University? **YES** ☐ **NO** ☐
2) If the individual was previously an employee of the University, were the work requirements of the old position similar to the new position? **YES** ☐ **NO** ☐

If the answer is **"YES"** to either of the questions above, this individual must be paid as an employee through the HRS Payroll process. Please submit the appropriate forms to HRS to facilitate the payment for these services at the next available payroll cycle.

If the answer to all of the questions above is **"No"**, continue with the survey below.

C) Below is a series of questions and brief explanations, as suggested by the IRS (Form SS-8, Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding, http://www.irs.gov/pub/irs-pdf/fss8.pdf**), to further assist in determining whether the individual is an employee or an independent contractor. If the majority of answers to questions 1-20 are yes, then the relationship is that of an employer-employee rather than an independent contractor and the payment must be processed through the appropriate HRS Payroll procedures.**

1) Instructions

Will you instruct the individual (or have the right to instruct) on when, where, and how the work will be done? YES ☐ NO ☐

An employee must comply with instructions about when, where, and how to work. Even if no instructions are given, the control factor is present if the employer has the right to give instructions.

2) Training

Will you train or provide training to the individual on performing services in a particular manner? YES ☐ NO ☐

An employee is trained to perform services in a particular manner. Independent contractors ordinarily use their own methods and receive no training from the purchaser of their services.

3) Integration

Are the services this individual will be providing a part of the business operations? YES ☐ NO ☐

An employee's services are integrated into the business operations because the services are important to the success or continuation of the business. This shows that the employee is subject to direction and control.

4) Services Rendered Personally

Will the individual be personally performing the services? YES ☐ NO ☐

An employee renders services personally. This shows that the employer is interested in the methods as well as the results.

5) Hiring Assistant

Will you be hiring, supervising, and paying others to assist the individual? YES ☐ NO ☐

An employee works for an employer who hires, supervises and pays assistants. An independent contractor hires, supervises, and pays assistants under a contract that requires him/her to provide materials and labor, and to be responsible only for the result.

6) Continuing Relationship

Will this be an ongoing relationship? YES ☐ NO ☐

An employee has a continuing relationship with an employer. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals.

7) Set hours of work

Will you be setting the individual's hours of work? YES ☐ NO ☐

An employee has set hours of work established by an employer. An independent contractor is the master of his/her own time.

8) Full-time work

Will the individual be working only for you? YES ☐ NO ☐

An employee normally works full time for an employer. An independent contractor can work when and for whom he/she chooses.

9) Work Done on Premises

Will the individual work on the premises or at a location you designate? YES ☐ NO ☐

An employee works on the premises of an employer, or works on a route or at a location designated by an employer.

10) Order or Sequence Set

Will you define the order or sequencing of the work? YES ☐ NO ☐

An employee must perform services in the order or sequence set by an employer. This shows that the employee is subject to direction and control.

11) Reports

Will the individual be asked or required to submit a report to you describing his/her actions? YES ☐ NO ☐

An employee submits reports to an employer. This shows that the employee must account to the employer for his/her actions.

12) Payments

Will you be paying the individual by the hour, week or month? YES ☐ NO ☐

An employee is paid by the hour, week or month. An independent contractor is paid by the job or on a straight commission.

13) Expenses

Will you be paying any expenses for the individual? YES ☐ NO ☐

An employee's business and travel expenses are paid by an employer. This shows the employee is subject to regulation and control.

14) Tools and Materials

Will you be furnishing the individual with tools, materials, equipment, etc? YES ☐ NO ☐

An employee is furnished significant tools, materials, and other equipment by an employer.

15) Investment

Will the University provide the space/facilities to be used in performing these services? YES ☐ NO ☐

An independent contractor has a significant investment in the facilities he/she uses in performing services for someone else.

16) Profit and Loss

Is the University the only party to realize a profit or loss associated with the service to be provided? YES ☐ NO ☐

Independent contractor can make a profit or suffer a loss.

17) Works for More Than One Person or Firm

Does the contractor provide services to only NIU? YES ☐ NO ☐

Independent contractor provides his/her services to two or more unrelated persons or firms at the same time.

18) Offers Services to General Public

Is the general public limited in their access to the services provided? YES ☐ NO ☐

An independent contractor makes his/her services available to the general public.

19) Right to Fire

Can you discharge the individual? YES ☐ NO ☐

An employee can be fired by an employer. An independent contractor cannot be fired so long as he/she produces a result that meets the specifications of the contract.

20) Right to Quit

Can the individual terminate the relationship at any time without penalty? YES ☐ NO ☐

An employee can quit his/her job at any time without incurring liability. An independent contractor usually agrees to complete a specific job and is responsible for its satisfactory completion, or is legally obligated to make good for failure to complete it.

If the majority of answers to questions 1-20 are yes, then the relationship is that of an employer-employee rather than an independent contractor and the payment must be processed through the appropriate HRS Payroll procedures.

Signature of Individual Completing Form: _____

Title of Individual Completing Form: _____

Date: _____

Department: _____

Account/Budget: _____