

NDSU departments should use this form to assist NDSU administration to determine appropriate worker classification (employment or independent contractor). Send to NDSU Accounting Office, Old Main 11, when completed.

Name: _____

Company Tax ID #: _____

Individual If current or past employee: EMPL ID#: _____

Initial Questions for Individuals:

1. Is this individual a former employee who will be working in a substantially similar capacity as in prior employment?

- Yes - Stop and pay as an employee No - Proceed with remainder of questions

2. Will this individual be performing services in substantially similar capacity or under similar direction and control as NDSU employees?

- Yes - Stop and pay as an employee No - Proceed with remainder of questions

3. Is this being paid with any grant funding? No Yes If yes, what is the grant number? _____

Indicate the time period during which services will be rendered: _____

How did individual obtain the job? Application Bid, etc

Description of planned services and work arrangement:

Contact information of person completing this form

Name: _____

Email: _____ Phone: _____

Part B: Control Analysis

Behavioral Control Factors

1. Does the individual hire own employees?
2. Does the individual set own hours of work?
3. Does the individual perform services off-site?
4. Can the individual determine whether oral or written interim reports are required?

Yes Independent Contractor Status

- Can be performed by individual's subcontractor or employees.
- Responsible for own schedule.
- Performs services at individual's place of business.
- May choose to provide interim reports.

No Employee Status

- Must be performed by individual.
- NDSU sets the hours.
- Performs services at NDSU.
- NDSU determines which reports are required.

Financial Control Factors

5. Will the individual submit an invoice for commission or project?
6. Will individual pay for own business and travel expense?
7. Does individual furnish own tools and materials?
8. Does the individual have an investment in own business?
9. Will the individual recognize profit or loss based on good or bad management decisions?

Yes Independent Contractor Status

- NDSU will pay invoices for this project
- Responsible for all business expenses.
- Individual furnishes tools, equipment, materials and supplies.
- Individual invests in facilities used to perform services, such as office space or equipment.
- Individual bears risk of economic gain or loss as a result of the individual's services.

No Employee Status

- NDSU pays on an hourly, weekly, or monthly basis.
- NDSU pays for business and travel expenses.
- NDSU furnishes tools, equipment, materials and supplies.
- Individual uses NDSU facilities and equipment
- NDSU compensates regardless of performance or outcome.

Relationship Factors

10. Is the individual engaged for a specific project?
11. Does the individual work for other clients?
12. Does the individual advertise services?
13. Will the individual maintain independent activities?
14. Could the individual risk legal action if contract terms are not met?
15. Does the individual have professional liability insurance?
16. Which statement best describes the service provided to NDSU?
17. Are the services integral to the functioning of NDSU?

Yes Independent Contractor Status

- A continuing relationship is not anticipated. Projects will be awarded only when the need arises, and will be based on bids and specifications.
- Can perform services for multiple unrelated clients at the same time
- Advertises business in publications, yellow pages, website, etc.
- Maintains own infrastructure such as office space, email and server
- Individual must comply with contract terms or otherwise face legal repercussions.
- Does have liability insurance (supply information below)
- Lecturing (one time), consulting or advisory services.
- Services are ancillary and uninvolved with the NDSU educational mission.

No Employee Status

- NDSU anticipates a continuing relationship.
- Works for only one client at a time.
- No advertising of services or business.
- NDSU will integrate individual into daily operations with access to NDSU email, software, or required attendance at meetings.
- Right to immediate termination/resignation.
- Does not have liability insurance
- Teaching, Lecturing or Consulting on a continuous basis.
- Services provided are a key aspect of the NDSU business process.

Summary of Control Analysis Answers:

	Yes	No
Behavior Control Factors:	_____	_____
Financial Control Factors:	_____	_____
Relationship Factors:	_____	_____