

EMPLOYEE/INDEPENDENT CONTRACTOR CLASSIFICATION CHECKLIST

The information provided below will assist Lamar State College – Port Arthur (LSC-PA) in determining whether the individual performing the services will be classified for federal and FICA tax purposes as an employee of LCS-PA or as an independent contractor. Complete Section I, Section II, and Section III (if necessary).

I.

| | |
|-------------------------|------------------------------|
| Individual's Name _____ | Social Security Number _____ |
| Department _____ | Account Number _____ |
| Preparer Name _____ | Phone Number _____ |

II. Multiple Relationships with LSC-PA

- A. Does this individual currently work for LSC-PA as an employee? Yes() No()
- B. Is it currently expected that LSC-PA will hire this individual as an employee immediately following the termination of services? Yes() No()
- C. During the 12 months prior to the date on which services commence, did the individual have an official LSC-PA appointment (including temporary) and provide the same or similar services? Yes() No()

If the answer is “No” to all questions, proceed to the questions in Section III.
If the answer is “Yes” to any of the 3 questions, the individual should be classified as an employee.

III. Guidelines (Complete only one of III.A., IIIB., and IIIC.)

A. Teacher/Lecturer/Instructor

1. Is the individual a “guest lecturer” (e.g. an individual who lectures at only a few class sessions)? Yes() No()

If the answer to question 1 is “Yes”, then treat the individual as an independent contractor.

If the answer to question 1 is “No”, then proceed to question 2.

2. a. Is the individual teaching a course for which students will NOT receive credit toward a degree? Yes() No()

- b. Does the individual provide the same or similar services to other entities or to the general public as part of a trade or business? Yes() No()

If the answer to both questions 2.a and 2.b is “Yes” then treat the individual as an independent contractor.

If the answer to either of questions 2.a and 2.b is “No”, then go to question 3

3. In performing instructional duties, will the individual primarily use course materials that are created or selected by the individual? Yes() No()

If the answer to question 3 is “Yes”, then treat the individual as an independent contractor.

If the answer to question 3 is “No”, then treat the individual as an employee.

B. Researcher

Researchers hired to perform services for a college department are presumed to be employees of the college. If, however, the researcher is hired to perform research for a particular college employee, please indicate which one of the following relationships is applicable by placing a check mark in the appropriate blank:

- Relationship #1:** The individual will perform research for a college employee in an arrangement whereby the college employee serves in a supervisory capacity (i.e., the individual will be working under the direction of the college employee). Yes() No()

If the answer to question III.B.#1 is “Yes”, then treat as an employee

Relationship #2. The individual will serve in an advisory or consulting capacity with a college employee (i.e., the individual will be working “with” the college employee in a “collaboration between equals” type arrangement). Yes() No()

If the answer to question III.B.#2 is “Yes”, then treat as an independent contractor.

C. Individuals Not Covered Under Sections III.A. or III.B.

1. Does the individual provide the same or similar services to other entities or to the general public as part of a trade or business? Yes() No()

If the answer to question 1 is “Yes”, then treat as an independent contractor.

If the answer is “No”, then go to question 2.

2. Will the department provide the individual with specific instructions regarding performance of the required work rather than rely on the individual’s expertise? Yes() No()

If the answer to question 2 is “Yes”, then treat as employee

If the answer is “No”, then go to question 3.

3. Will LSC-PA set the number of hours and/or days of the week that the individual is required to work, as opposes to allowing the individual to set own work schedule? Yes() No()

If the answer to question 3 is “Yes” then treat as an employee.

If the answer is “No”, then treat as an independent contractor.

I certify the above information is accurate and complete.

Signature

Date