

WAYNE STATE UNIVERSITY

Personal Services Contract Checklist

Date:

Section 1. INDIVIDUAL/DEPARTMENT INFORMATION

Name of Individual:	Phone Number:		
Check one): <input type="checkbox"/> U.S. Citizen <input type="checkbox"/> Non-Resident Alien <input type="checkbox"/> Green Card Holder	Mailing Address:		
Department Name:	Campus Phone #:	Account/Index #:	
Department Contact Person (Print)	Contact E-Mail Address:		
Description of services to be provided:	Location where services will be provided:		
	Start Date:		End Date:
	Total Fee:		
	Fee Based on: <input type="checkbox"/> Fixed fee <input type="checkbox"/> Hourly Rate <input type="checkbox"/> Other, please explain:		

The information provided will assist the University in determining whether the individual performing the services will be classified for tax purposes as an employee of the University or as an Independent Contractor.

This form must be completely filled out and signed by a preparer and BAO, and must be signed by the authorized University official (or officer at same level as University official) who will sign the Personal Services Contract. Once HR Consultant and department determine Independent Contractor status, this checklist must be submitted with the proposed Personal Services Contract and associated Purchase Requisition via Wayne BUY for processing by Procurement and Strategic Sourcing.

Refer to [APPM Section 2.5](#) for details.

Section 2. GENERAL

- 1) Yes No Has the worker been or is the worker currently employed at the University? If yes, please provide the worker's Banner ID or Access ID here: _____

- 2) Yes No Is it expected that the University will hire the individual at the end of the independent contractor/consulting services?

- 3) Yes No During the 12 months prior to the date on which the independent contractor services commenced, did the individual have an official University appointment and provide the same or similar services?

- 4) Yes No Is the individual currently a student of the university or has he/she been a student within the past 4 months?

- 5) Yes No Is the worker required to comply with instructions from the University about when, where, **and** how the work is to be done? (All three factors must be met to check yes for this question.)

If the answer is 'Yes' to Questions 1-5, please **skip to Section 6**, complete that section, and forward to the HR Region email address assigned to your area for discussion. If answers are all 'No' to Questions 1-5, please complete all remaining sections and forward signed and completed documents to the HR Region email address assigned to your area.

Section 3. BEHAVIOR CONTROL

- 6) Yes No Does the worker receive initial and/or ongoing training from the University to perform the job? If no, how is the worker qualified to perform duties? Please explain.
- 7) Yes No Must the worker render the services personally?
- 8) Yes No Does the University hire, supervise, or pay another individual to assist the worker on the job?
- 9) Yes No Does or will the worker supervise any of the University's employees? If yes, please explain:
- 10) Who sets the worker's work schedule? Please explain
- 11) Yes No Is the work performed at the University or at a specific place designated by the University?
- 12) Yes No Does the University direct or control how the work must be done? If yes, please explain.
- 13) Yes No Is the worker required to do the most essential work without delegating or assigning it to others?
- 14) Yes No Is the worker required to have University approval to hire his or her own assistants?

Section 4. RELATIONSHIP WITH THE UNIVERSITY

- 15) Yes No Are the services provided by the worker an integral part of the University's, hiring departments', or division's operations? Please describe nature of services and explain.
- 16a) Yes No Is there a continuing relationship between the worker and the University? If yes, please explain the duration and nature of the relationship.
- 16b) Yes No Is the individual currently or has the individual been previously performing services for the University?
If yes, please provide Banner ID or Access ID
- 16c) Yes No If there is a continuous relationship, does the worker provide services to others outside of the University?
- 17) Yes No Must the worker submit regular oral or written status reports to the University (other than invoices)?
- 18) Yes No Is the worker subject to dismissal for reasons other than nonperformance of the contract?
- 19) Yes No Can the worker terminate the relationship with the University at will?
- 20) Yes No Is the work in question customarily or currently being performed by employees of the University?

21) Yes No Is it industry practice or custom in this particular area to perform these duties as an independent contractor? If yes, please explain:

22) Yes No Are the services an on-going recurring business activity without a definitive end? If yes, please explain why.

Section 5. FINANCIAL CONTROL

23) Yes No Is the worker required to devote his or her full time to the University?

24) Yes No Does the worker work exclusively for the University (as opposed to working for a number of companies or organizations)?

25) Yes No Does the worker make her/his services available to others?

If yes, through what means (website, business cards etc.)? Please explain.

26) Yes No Are business and travel expenses reimbursed?

27) Will the University supply tools, materials, and equipment to perform the work?, Please explain:

28) Yes No Is the University obligated to pay for the services even if the result is unsatisfactory?

29) What is the basis of pay (hourly, project based, fixed fee, other etc.) Please explain.

30) Who determines the rate of pay? Please explain.

31) Yes No Will the University receive an invoice from the party for the services rendered?

32) How will the worker be paid? Will they be submitting an invoice to be paid and if so how frequently?

33a) Yes No Does the worker exercise business skills, judgment and initiative in performing the job? (Technical skills are not always indicative of initiative or business skills.) If yes, please explain:

33b) Yes No Does the individual have an opportunity to make a profit or loss? I.e. Does the individual track their income and expenses attributable to their work?

Please discuss with individual and explain:

33c) Yes No Has the worker invested in his/her own equipment? I.e. Have they supplied relatively most of their own tools, materials and equipment to perform the work?

33d) Yes No Will the worker have unreimbursed expenses?

Add comments to support this request:

Section 6. AUTHORIZED SIGNATURES

I have read the above questions and the responses thereto are true to the best of my knowledge.

Note: This form may be signed by PDF digital signatures, facsimile signatures or other forms of electronic delivery of an image file reflecting the execution hereof, and, if so signed may be relied on as if the document was a manually signed original.

Approval requested by: <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> Signature or e-Signature of Preparer, a University employee who is most knowledgeable of the nature of work to be done and the related project. Typed Name: <div style="border: 1px solid black; width: 300px; height: 20px; display: inline-block;"></div>	Date: <div style="border: 1px solid black; width: 150px; height: 80px; margin-top: 5px;"></div>
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Signature or e-Signature of Business Affairs Officer (BAO): <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> Typed Name: <div style="border: 1px solid black; width: 300px; height: 20px; display: inline-block;"></div>	Date: <div style="border: 1px solid black; width: 150px; height: 80px; margin-top: 5px;"></div>
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Signature or e-Signature of University Official (or officer at same level as University Official)*: <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> Typed Name: <div style="border: 1px solid black; width: 300px; height: 20px; display: inline-block;"></div>	Date: <div style="border: 1px solid black; width: 150px; height: 80px; margin-top: 5px;"></div>
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This form must be completely filled out and signed by a preparer and BAO and must be signed by the authorized University official (or officer at same level as University official)* who will sign the Personal Services Contract.

* For authorized University Official signatures, refer to policy: [04-6 Contract Signatories](#)

Section 7. HUMAN RESOURCES DETERMINATION

Determination:

Independent Contractor

Employee

Reason(s) for determination:

Human Resource Consultant Signature or e-Signature:

Typed Name:

Date:

Once HR Consultant and department determine Independent Contractor status, this checklist must be submitted by the requesting unit with the proposed Personal Services Contract and associated Purchase Requisition via Wayne BUY for processing by Procurement and Strategic Sourcing.

If worker is determined to be an employee, HR Talent Management Coordinator or HR Consultant must be contacted for next steps.

FORM APPROVED
JK 02/09/2016
**OFFICE OF THE
GENERAL COUNSEL**