

# Loyola University Maryland Independent Contractor/Consultant Requisition Form

## Payee Information

Sole Proprietor \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

Federal Tax ID Number \_\_\_\_\_

Name (if individual) \_\_\_\_\_ Name of Company \_\_\_\_\_

Loyola University Maryland Campus \_\_\_\_\_ Department \_\_\_\_\_

If Foreign National, Country \_\_\_\_\_ Visa Type \_\_\_\_\_

## IRS Classification Factors

Before a worker is hired as an independent contractor/consultant, the following checklist must be completed to help determine whether an employer/employee relationship exists.

<b>Behavioral Control: (Check all that apply)</b>	Yes	Generally Indicates Employee Classification	No	Generally Indicates Independent Contractor Classification
1) Will you provide instruction about when, where, and how the work is to be done?		Complies with the unit's instructions.		Determines own schedule, location and tasks.
2) Will you provide training to the individual?		Trained by Loyola.		Responsible for own training.
3) Will you require the individual to perform the services personally?		Must be performed personally.		Can be performed by his/her employees or subcontractors.
4) Will Loyola establish the work hours?		Loyola sets the work hours.		Responsible for his/her own schedule.
5) Will the worker hire and/or supervise Loyola employees?		Hires and/or supervises Loyola employees.		Does not hire and/or supervise Loyola employees.
6) Will Loyola require the services full-time during the duration of the contract?		Loyola requires full-time commitment.		Can work for others during the period of the contract.
7) Will separation affect the operational performance of Loyola?		If separated from Loyola, operational performance is affected.		Is separable from Loyola without affecting operational performance.
8) Will the work be performed on Loyola's premises?		Performed on a Loyola premises.		Performed at the individual's place of business.

9) Will Loyola require progress reports on a regular basis?		Loyola requires reports.		Reports are not required unless stipulated in contract.
---	--	--------------------------	--	---

<b>Financial Control: (Check all that apply)</b>	Yes	Generally Indicates Employee Classification	No	Generally Indicates Independent Contractor Classification
10) Will the contract be based on hourly, weekly, or monthly rates?		Loyola pays on an hourly, weekly, or monthly basis.		Loyola pays per project.
11) Will Loyola pay the worker's business and/or traveling expenses?		Loyola pays the business and traveling expenses.		Responsible for all expenses and can maximize profit by managing costs.
12) Will Loyola furnish any of the following: office space, equipment, materials, tools, and/or supplies?		Loyola furnishes office space, equipment, materials, tools and/or supplies.		Individual furnishes everything.
13) Is the service provider's principle place of business a "home office"?		Works at home.		Rents office space at fair market value from an unrelated party and/or has employees as a workforce for his/her projects. Has significant investment in business.
14) Can the worker make a profit or suffer a loss from the services provided?		Cannot make a profit or suffer a loss from the services.		Makes a profit or suffers a loss based on services rendered.

<b>Relationship: (Check all that apply)</b>	Yes	Generally Indicates Employee Classification	No	Generally Indicates Independent Contractor Classification
15) Is the vendor allowed to work for other organizations at the same time he/she works for Loyola?		Works for only one firm at a time.		Performs services for multiple unrelated customers at the same time.
16) Does the service provider make his/her services known to the public primarily through word of mouth?		Makes his/her services known by word of mouth.		Advertises his/her business in publications, web, etc.
17) Does Loyola have the right to discharge the worker?		Loyola has the right to discharge.		Cannot be fired if he/she produces a result based on the specifications of the contract.
18) Does the individual have the right to end his/her relationship with Loyola at any time without incurring liability?		The individual can terminate at any time.		The service provider incurs liability for non-delivery.
19) Does Loyola anticipate a continuing relationship?		Loyola anticipates a continuing relationship.		A continuing relationship is not anticipated. Projects will be awarded only when the need arises, and will be based on bids and specifications.

20) Will you integrate the worker's services into your daily operations by providing email, an office, and requiring attendance at meetings?		Integrated into unit.		Independent of unit activities.
--	--	-----------------------	--	---------------------------------

<b>TOTAL:</b>				
---------------	--	--	--	--

**Scoring:**

If "Yes" responses equal 12 or more, service provider is an **employee**, pay through Payroll.

If "No" responses equal 12 or more, service provider is an **independent contractor**, complete the Loyola University Maryland Consultant Agreement, with Vice President approval, and send to Human Resources.

**Determination**

Hire worker as an employee

Hire worker as an independent contractor

**Evaluation of Classification Factors**

If you have determined that the worker is an independent contractor/consultant, please provide the justification for your conclusion based upon your responses above

---



---



---

**Scope of Work:**

Duties to be performed (Attach a separate sheet of paper if necessary):

---



---



---

Projected Start Date: \_\_\_\_\_ Projected End Date: \_\_\_\_\_

Amount to be paid: \_\_\_\_\_

---

**Departmental Authorization**

Prepared By \_\_\_\_\_

Date \_\_\_\_\_

---

**Human Resources Director Approval**