

### **Employee vs Independent Contractor Determination Worksheet**

Please use the following questions to help make the determination on whether an individual should be considered an employee or an independent contractor before you contract them for services.

<b>Part 1 – Current MSU Connections</b>	<b>YES</b>	<b>NO</b>
1. Is the individual a current student at Michigan State University?	Employee	Go to #2
2. Does the individual work at the University as an employee?	Employee	Go to #3
3. Did the individual previously work at the University, performing the same or similar services as those they will be providing?	Employee	Go to #4

#### **Part 2 – Types of Services Provided – Complete either section A, B or C.**

<b>A. Lecturer/Instructor</b>	<b>YES</b>	<b>NO</b>
4. Is the individual a “guest lecturer”, e.g. an individual who lectures at only one or two class sections?	Independent Contractor	Go to #5
5. Is the individual the primary instructor of a course (college credit, continuing education credit, or noncredit)?	Employee	Independent Contractor
<b>B. Researcher</b>	<b>YES</b>	<b>NO</b>
6. Will the individual be performing research for a University professor/doctor under an arrangement whereby the University professor/doctor serves in a supervisory capacity (i.e. working under the direction of the University professor/doctor)?	Employee	Go to #7
7. Will the individual serve in an advisory or consulting capacity with the University professor/doctor (i.e. working in a “collaboration between equals” arrangement)?	Independent Contractor	Employee
<b>C. Individuals not covered under Lecturer/Instructor or Researcher</b>	<b>YES</b>	<b>NO</b>
8. Does the individual routinely offer and/or provide the same or similar services to the general public as part of a continuing trade or business with the opportunity of profit or loss?	Independent Contractor	Go to #9
9. Will the individual be contracted for a specific period of time or to complete a specific result which also identifies the individual as an independent contractor for federal tax purposes?	Independent Contractor	Go to #10
10. Will the department provide this individual with specific instructions regarding performance of the required work rather than rely on the individual’s expertise?	Employee	Go to #11
11. Will the University set the number of hours and/or days of the week that the individual is required to work, as opposed to allowing the individual to set own work schedule?	Employee	Independent Contractor