

Employee/Independent Contractor Questionnaire

Name of Independent Contractor: _____

Project Title and Description of Work:

Project Begin Date: _____ Project End Date: _____

The common law factor and control test is used as a primary vehicle in making employee/independent contractor determination. Evidence of the individual's classification must be documented in order to support the final determination. Please answer the following questions truthfully and to the best of your knowledge. The final determination will be based on the majority of answers, not on one or two answers only. Submit with Independent Contractor Status Form to Human Resource Department

Common Law Factor	Y e s	N o	Characteristics that Lead to Employee Classifications	Characteristics that Lead to Independent Contractor/Consultant Classification
Current Relationship with Mott Community College				
1. Does MCC pay as employees others who perform essentially the same duties that are to be performed by this individual?				
2. Does this individual currently work for MCC as an employee?				
3. During the 12 months prior to the date on which the services commence, was the individual on the MCC payroll (regular or temporary)?				
4. Does MCC desire to hire this individual as an employee immediately following the termination of his or her services as an independent contractor?				
5. Does this individual currently work as an independent contractor or consultant for MCC? And/or has this individual ever worked as an independent contractor or consultant for MCC within the past 12 months?				
Behavioral Control				
6. Will the individual be trained by Mott Community College			Trained by Mott Community College	Responsible for own training
7. Is the individual instructed about when, where and how work is to be done?			Complies with department's work instructions	Determines when, where and how work is performed
8. Will the individual have control over hiring and supervising assistants?			Cannot hire assistants to perform their work	May hire assistants to perform their work and pay out of contract proceeds
9. Will the individual perform the services personally?			Render services personally	May use own employees or subcontractors

10. Will the individual be required to provide regular progress reports			Regular progress reports may be required	Progress reports required only if part of contract agreement
11. Will the individual perform the services in a prescribed sequence?			Must follow prescribed sequence	Sets own pattern or sequence
12. Will the individual devote a set amount of time to performing services?			Only works for Mott Community College	Free to work for other employers
13. Will Mott Community College supply the worker with any tools or materials?			Tools and materials supplied by Mott Community College	Provides own tools and materials
14. Does the individual have set hours?			Hours specified by Mott Community College	Sets own hours
15. Will the individual perform services on Mott Community College's campus?			Provides services on campus	May choose where to perform work
Financial Control				
16. Could the individual realize a profit or loss as a result of the work to be performed?			Cannot realize a profit or loss	Can realize a profit or loss
17. Does the individual have a significant investment in tools or other types of instruments?			No investment in work facilities	Significant investment in work facilities
18. Does the individual make his or her services available to the general public?			Services are not offered to the general public	Advertises services to the general public (e.g., business cards,, phone book listing, etc.)
19. Does the individual perform his or her services for more than one business?			Works for only one business at a time	May work for several businesses at the same time
20. Is the individual paid by the hour, week, month or assignment?			Paid on a consistent and regular basis	Paid based on work assigned in accordance with contract
21. Will the individual be reimbursed for business expenses?			Reimbursed for business expenses	Pays own business expenses
Relationship of the Business and Worker				
22. Will the individual's services be integrated into Mott Community College's educational or other activities?			Services are fully integrated into Mott Community College's business	Services are not fully integrated into Mott Community College's business
23. Is there a written contract that set forth the terms and conditions of the services?			No contract	Contract exists
24. Does the individual earn employee benefits from Mott Community College			Earns Mott Community College employee benefits	Does not earn Mott Community College employee benefits
25. Is the individual incorporated?			Not incorporated	Incorporated
26. Does the individual have a continuing relationship with Mott Community College			Ongoing relationship	Temporary relationship
27. Can the individual be terminated at Mott Community College's discretion?			Generally employed at will, may be terminated at Mott Community College's discretion	Generally terminated only for material breach of contract
28. Can the individual end his or her relationship with Mott Community College at any time?			May quit job without obligation	Cannot quit until job is completed