



ADMINISTRATIVE REGULATION AND PROCEDURE

Title: EVALUATING USE OF INDEPENDENT
CONTRACTORS

Code: CC0508
Revised: 7/16/2018

Policy Reference: B0801, Procurement of Equipment, Supplies and Services

Independent contractor agreements are used with individuals performing services for the College in limited situations under defined conditions. Prior to engaging any independent contractor for services, **and prior** to performance of any work on behalf of the College, the requesting manager must complete the Contractor/Employment Checklist to determine whether a service provider will be retained classified as an independent contractor (IC) or employee.

If the Checklist indicates an IC situation, at least sixty (60) days in advance of the date on which the department anticipates receiving any services or work, the department manager shall submit the completed Checklist to Office of General Counsel. The Office of General Counsel will determine whether independent contractor status is appropriate.

Requestors should review and become familiar with the federal and state definitions of an Independent Contractor prior to contacting the Office of General Counsel.

Information may be found at:

http://dwd.wisconsin.gov/dwd/publications/wc/WKC_13486_P.pdf and
<http://www.irs.gov/businesses/small/article/0,,id=179115,00.html>.

If the Office of General Counsel determines the request meets requirements for classification as an Independent Contractor, contact the Purchasing Department to obtain the MATC Independent Contractor Agreement and W-9 forms. Complete and attach both forms to the approved Contractor/Employment Checklist and route to the Purchasing Department.

The department processing the IC Agreement must enter an EPR into the COSMO system.

The Checklist is valid for one (1) year and must be completed annually, generally when the contract is renewed. If an IC is performing work under more than one (1) contract, a separate Checklist should be completed when the new contract is entered unless the services being provided are identical to other services the IC provides.

If the Office of General Counsel determines that the request does not meet requirements for classification as Independent Contractor, it will work with the department to facilitate the hiring process.

Office of Responsibility: Office of General Counsel