



**Checklist for Determining Workers' Status
Employee or Independent Contractor**

Purpose: This form will be used to determine if an individual should be classified as an independent contractor or as a SUNY Geneseo employee.

Section I: Proposed Individual to Perform Work

Name of Individual Who Will Perform Work	
Department	Name of Department Head/Supervisor

Section II: Nature of Work

Briefly describe the nature of the work that you propose the individual listed above perform for the College:

Section III: IRS 20-Factor Test Plus One

	<u>Yes</u>	<u>No</u>
1. Is this individual currently employed by the College, SUNY, the State of New York, Research Foundation, or a statewide elected office in any capacity? (If yes, this individual must be an employee.)	_____	_____
2. Is the individual required to comply with specific instructions on where, how, and when the work is to be done?	_____	_____
3. Will the individual be provided training to perform the job in a particular manner?	_____	_____
4. Are the services performed as an integral part of the College's operations?	_____	_____
5. Must the services be rendered personally?	_____	_____
6. Does the College hire, supervise and pay assistants to help the individual perform the work?	_____	_____
7. Is there a continuing relationship between the individual and the College?	_____	_____
8. Does the College set the work schedule?	_____	_____
9. Is the individual required to devote his/her full time to the College?	_____	_____

		<u>Yes</u>	<u>No</u>
10.	Is the work performed at the College's place of business or at specific places designated by the College?	_____	_____
11.	Does the College direct the sequence in which the work is performed?	_____	_____
12.	Are oral or written reports required to be submitted?	_____	_____
13.	Will the payments to the individual be made by the hour, week, or month rather than by the job or on a commission?	_____	_____
14.	Are travel and lodging expenses reimbursed?	_____	_____
15.	Does the College furnish the tools and materials?	_____	_____
16.	Does the individual have a significant investment in equipment or facilities used in performing their services?	_____	_____
17.	Does the individual stand to realize a profit or a loss as a result of the work?	_____	_____
18.	Does the individual work exclusively for the College?	_____	_____
19.	Does the individual work predominately for the College rather than making services available to the general public?	_____	_____
20.	Can the individual be discharged for reasons other than nonperformance or contract provisions?	_____	_____
21.	Can the individual terminate the relationship without liability?	_____	_____

CERTIFICATION: I certify that I have answered the questions above accurately, to the best of my knowledge. I understand that SUNY Geneseo could be held financially liable for any additional taxes, fees, and penalties that the IRS may assess due to misclassification of services.

_____	_____	_____
Department Authorization (Signature)	Name (Print)	Date

NOTE: Any individuals who are currently paid by New York State Funds or Research Foundation **cannot** be paid as an independent contractor.