# EMPLOYEE vs. INDEPENDENT CONTRACTOR DETERMINATION

**SECTION A:** The Department will answer questions 1 – 6:

1. Name of the Proposed Contractor:

2. Business name and location:

3. Explain the job duties and provide description of work:

4. Account Manager name:

5. Department:

6. Administrative contact & phone:

**SECTION B:** The Department will answer questions 1 – 6:

1. Will the Account Manager have a supervisory role with the worker? __YES__ __NO__

2. Does Texas State have employees who can or do perform this work? __YES__ __NO__

3. Will the worker need university office space, equipment, access to university services, or paid parking? __YES__ __NO__

4. Will this work be funded by a university sponsored program or grant? __YES__ __NO__

5. Will the work performance have a beginning and ending date? __YES__ __NO__
   If so, enter the dates: (format: MMDDYY – MMDDYY)
   Beg Date: __________
   End Date: __________

6. Estimate the total expected payments to this contractor for the fiscal year: __________

**ACCOUNT MANAGER SIGNATURE:** __________

**DATE:** __________

**SECTION C:** The proposed contractor will answer questions 1 -5 and sign:

1. Will you require job training or supervision by university personnel to perform this work? __YES__ __NO__

2. Do you have your own business and offer these services to the general public? __YES__ __NO__

3. Are you employed full time elsewhere? Name of Employer, (or N/A) __________

4. Are you a current or former employee (within past 12 months) at Texas State University? __YES__ __NO__

5. Are you related to someone at Texas State University? __YES__ __NO__
   If so, enter name & department, (or enter N/A)
   Name of relative: __________
   Department: __________

**PROPOSED CONTRACTOR SIGNATURE:** __________

**DATE:** __________

Are you a U.S. Citizen or U.S. Permanent Resident? __YES__ __NO__

If no, then what is your Country of Citizenship: __________

Current U.S. Visa Status: __________

If “No”, the Department should contact the Nonresident Tax Specialist for payment guidance at [taxspecialist@txstate.edu](mailto:taxspecialist@txstate.edu) or 245-2543.

**Payroll and Tax Compliance:** Complete below and email form approval or denial to Account Manager.

<table>
<thead>
<tr>
<th>SAP Employee Verification</th>
<th>Yes</th>
<th>No – Not a Texas State Employee</th>
<th>Approval</th>
<th>Yes</th>
<th>No</th>
<th>Initials</th>
<th>Date</th>
</tr>
</thead>
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