



**WORKER CLASSIFICATION
RESPONSIBLE DEPARTMENT INTERVIEW**

Background: UCF does not have the ability to decide whether a worker is an employee or an independent contractor. Generally, Internal Revenue Code Sections 3401, 3121 & 3306 and related treasury regulations define employees as someone that an employer will have the right to direct and control not only the result to be accomplished by the work, but also the details and means by which that result is accomplished.

The following questionnaire will be used to document the facts and circumstances in which the worker will provide services for UCF and determine how to appropriately classify the worker. This questionnaire should be completed by someone from the department who is knowledgeable of the agreement, not by the individual who is being paid to perform the services.

In general, when payments are made to students for services performed, the student is treated as an employee unless there are extenuating circumstances.

If the individual is a current employee, the payment must go through payroll in accordance with Florida Statute §112.13(3).

NAME OF INDIVIDUAL COMPLETING FORM	
TITLE OF INDIVIDUAL COMPLETING FORM	
DATE	
NAME OF INDIVIDUAL PERFORMING WORK	
JOB TITLE IN QUESTION	
TOTAL AMOUNT TO BE PAID	

- PART ONE - GENERAL INFORMATION
Is the worker a UCF student?
Will the services be performed under a written agreement between UCF and the worker? If so, please attach a copy of such agreement.
What are the services to be performed?
Are there other workers who perform the same or similar services for UCF?
Are any of these workers currently being treated as employees? In the past?
What is the total number of workers who performed or are performing the same or similar services?
Are the services required to be performed under a federal, state or local law, statute or ordinance?

Is the position required under a law, statute or ordinance to be an elected or appointed position?
Was there ever a legal opinion rendered to UCF regarding the status of this worker? If so, by whom?
Will the worker be required to be bonded or licensed to perform the services?
Does the worker perform these services for others?
Does the worker have a place of business in a location that is separate from their home?
If the worker has a home office, do they see clients there? Do they have employees?
How did the worker obtain the position (i.e., application, advertised bid, agency, other (specify))?
How do the services to be performed relate to the overall operation of the University?
Did the worker perform services for UCF before getting this position? If "yes," what were the dates of the prior service? If "yes," explain the differences, if any, between the current and prior service.
Is the worker retired from public employment? If so, was he performing similar services?
If the worker will perform services on a part-time basis, is the worker employed otherwise in the private or public sector?

- PART TWO - BEHAVIORAL CONTROL
Will training be provided to the worker by UCF?
Is the position one that requires recurring training?
Will UCF provide job manuals, written procedures or other instructions demonstrating how the services are to be performed?
Will the worker have a fixed schedule or set hours of work?
How will the work hours be established and by whom?
Will the worker be required to wear any specific clothing to perform the services? If so, who will purchase the clothing?
Will any safety equipment be needed to perform the services? If so, who will purchase the safety equipment?
How will the worker receive work assignments?
Who determines the methods by which tasks will be assigned?
Who is the worker required to contact if problems or complaints arise and who is responsible for their resolution?

Who is responsible for supervision of the worker?
Will the worker be subject to an evaluation process?
Will the worker supervise any of UCF's employees?
Will UCF have the right to change the worker's method of work, or sequence of services performed?
What types of reports (written or oral) will be required from the worker? Attach examples.
Describe the worker's daily routine.
At what location(s) will worker perform services (i.e., UCF's premises, own shop or office, home, etc.)?
If the worker will perform services at multiple locations, what percentage of time will the worker provide services on-campus vs. off-campus?
Is the location required by UCF or could the worker perform the services elsewhere?
Describe any meetings the worker will attend and any penalties for not attending.
Will the worker be required to provide the services personally or could the worker send a substitute without UCF's knowledge or approval?
If substitutes could be hired, who will pay them?

- PART THREE - FINANCIAL CONTROL
Does the worker have significant investment in facilities other than a vehicle or tools?
List the supplies, equipment, materials, and property to be provided by each party:
• UCF
• Worker
• Other Party
What expenses will be incurred by the worker in the performance of services for UCF?
Specify which, if any, expenses will be reimbursed by UCF (i.e., travel, supplies, etc.).
Does UCF carry workmen's compensation insurance on the worker?
Will the worker provide proof of insurance to UCF? Which types?

Does the worker make his/her services available to the general public by listing in directories, advertising and / or maintaining an office or shop? If so, attach an example such as an advertisement.
Under whose name will the worker perform the services?
Does the work require a license, permit or union card?
Does UCF require the worker's full time service? If not, how many hours per week did the worker perform services for UCF?
What type of pay will the worker receive (i.e., salary, hourly, lump sum, etc.)?
How often will the worker be paid?
If the worker is not paid, not paid on time or there was a discrepancy in the amount of pay, how will these issues be resolved?
What business decisions could the worker make that will affect his or her profit or loss?
Does UCF expect to hire the individual after completion of their work as an independent contractor?
Does UCF have the right to withhold payment if UCF determines the work is unsatisfactory?

- PART FOUR - RELATIONSHIP OF THE PARTIES
Will any benefits be available to the worker (i.e., paid vacations, sick pay, pensions, bonuses, etc.)?
Can the relationship be terminated by either party without incurring liability or penalty? If "No," explain your answer.
Will the services of the worker be coordinated with the work of other UCF employees?
How will UCF represent the worker (i.e., employee, agent, representative, or contractor)?
Is the worker a former UCF employee? If so, why did the relationship end (i.e., contractual period expired, project completed, worker left, UCF terminated worker, etc.)?
If worker is a previous UCF employee, was either party still responsible for fulfilling obligations to the other (i.e., payment of back pay, provision of benefits, payment for expenses or materials, completion of unfinished work, etc.)?

- PART FIVE -

Additional comments or questions can be filled in below, by either the responsible department of the reviewer:

Responsible Department:

Reviewer:

I certify that the information provided on this form is true and accurate to the best of my knowledge.

Name of Person Completing Form

Signature of Person Completing Form

Date

- TO BE COMPLETED BY REVIEWERS ONLY -

Tax Department Reviewer:

Determination:

Rationale:

Authorized Tax Department Signature

Date

Human Resources Reviewer:

Determination:

Rationale:

Authorized Human Resources Department Signature

Date