

Independent Contractor vs Employee Comparison

This infographic gives a visual explanation to help determine if services should go through the hiring process as an employee, or contracted through a personal services agreement.

INDEPENDENT CONTRACTOR

EMPLOYEE

Control of Work

Independent Contractor is free from control/direction of the district.

- Indications that the individual is not under your control:**
- You're not concerned with the manner or technique in which the job is completed.
 - You do not supervise how the work is done.
 - You don't tell the individual the sequence of steps to follow or the method of work to follow.
 - You don't contract with multiple individuals to perform the same work, which would then require coordination between them.

District directs work details (when, how, where) of work performance.

Degree of Supervision

Individual sets own work schedule.

Is supervised by district staff. District may set number of hours individual is required to work.

District Business

Determines the methods by which work is performed based on their expertise.

Work is dictated by the district. Requires specific training and/or instructions from the district.

Service

Individual provides the same/similar service to the general public under a registered or licensed business name.

Service provided is based upon technical skill that is also currently performed by existing district employee.

Equipment

Individual provides their own tools and resources to perform tasks.

District provides tools, and resources for performance.

Personal Services Contract Process

Personal Services (Independent Contractor) -

Technical expertise provided by a consultant to accomplish a specific study, project task, presentation, or other work statement.

Examples - Meeting facilitation, consultations, strategic plan development, workshop presentation, trainings, programming

Employee Process

Employee - Daily work directed and supervised by the district, hired for a specific job description as outlined in the job application process.

Examples - Teachers, para-educators, maintenance, transportation, child nutrition, custodians, office staff, health professionals, professional-technical, and administrators.

1. COMPLETE PERSONAL SERVICES CONTRACT

A **Personal Services Contract** is required for individuals working as independent contractors. An independent contractor must have a business license (if grossing more than \$12,000 annually). Click check mark for link to Personal Services Contract.



1. COMPLETE APPLICATION FOR EMPLOYMENT

An **employee** is required to complete a Frontline Applitrack application to be considered for employment. Individual requirements and certifications apply as outlined in each job posting.



2. FORWARD SERVICES CONTRACT TO VENDOR FOR SIGNATURE

After completing details on page 1 of the services contract, please forward to contractor for their review and signature. Once the contractor has returned their signed portion, forward to **Budget Administrator** for their signature.

2. SUBMIT APPLICATION

Complete and submitted applications are processed by the Employment and Recruitment Specialist and the Substitute Services Specialist.

3. FINAL SIGNATURE - ASSOCIATE SUPERINTENDENT

After budget administrator signature, forward personal services contract to Cindi Blansfield, Associate Superintendent of Business & Operations, for final signature. A copy of the fully executed contract will be provided for your records.

3. QMLATIV - EMPLOYEE DISTINCTION

Employees are entered into Qmlativ as one of the following: Employee, Misc. Employee, or Substitute

4. ENTER A REQUISITION IN QMLATIV

Enter a purchase order for the cost of services provided, as outlined in the contract. **Attach a copy of the agreement to your requisition.** Once approved, the PO will be provided to the contractor.

4. FRONTLINE (ABSENCE MANAGEMENT)

Employees are entered into Frontline Absence Management. Absences are entered into Frontline and Substitutes are assigned jobs in Frontline.

5. INVOICING

For your convenience, an invoice template is provided in the personal services contract packet. All services will require an invoice for payment processing.

5. PAYMENT

Pay processes through Skyward contract lines, timesheets, or Frontline data pulls. All rates of pay are based on negotiated salary schedules.

For Help on the Contract Process, please reach out to the Purchasing Office.

For Help on the Employee Process, please reach out to the Human Resources Office.

NOTE

- If contractor grosses more than \$12,000 annually, an active business license must be on file with the Dept. of Revenue.
- When working with prior school district employees, retirement status must be verified using the **DRS Contractor or Third-Party Worker Retirement Status Verification Form**. Contact the Payroll Department for more information.
- Individuals under a personal services contract that work with students require fingerprinting through HR.