

| Behavioral Control Factors | Yes | Independent Contractor Status | No | Employee Status |
|--|-----|--|----|---|
| 1 Will the individual decide how work is to be done without MTSU's direction or instruction? | | Determines own schedule, location, and tasks. | | Complies with instructions given by the university about when, where and how to work. |
| 2 Is the individual responsible for own training? | | Responsible for own training. | | MTSU will provide training either in class, by another worker, or by other means. |
| 3 Does the individual hire own employees? | | Can be performed by individual's subcontractor or employees. | | Must be performed by individual & university would hire, supervise, and pay assistants. |
| 4 Does the individual set own hours of work? | | Responsible for own schedule. | | MTSU sets the hours the individual must follow. |
| 5 Does the individual perform service off-site? | | Performs services at individual's place of business. | | Services must be performed at MTSU. |
| 6 Does the individual decide the order of sequence of services? | | Determines the order of sequence of services. | | MTSU determines the order of sequence of services. |
| 7 Can the individual determine whether oral or written interim reports required? | | May choose to provide interim reports. | | MTSU requires oral or written interim reports be submitted. |

| Financial Control Factors | Yes | Independent Contractor Status | No | Employee Status |
|---|-----|---|----|---|
| 8 Will the individual submit an invoice for commission or project? | | MTSU will pay invoices submitted on the project. | | MTSU pays on an hourly, weekly, or monthly basis. |
| 9 Will individual pay for own business and travel expenses? | | Responsible for all business expenses. | | MTSU pays for business and travel expenses. |
| 10 Does the individual furnish own tools, equipment, materials, and supplies? | | Individual furnishes tools, equipment, materials, and supplies. | | MTSU furnishes tools, equipment, materials, and supplies. |
| 11 Does the individual have an investment in own business? | | Individual invests in facilities used to perform services, such as office space and/or equipment. | | MTSU provides facilities and equipment. |
| 12 Will the individual recognize profit or loss based on good or bad decisions? | | Individual bears the risk of economic gain or loss as a result of the services provided. | | MTSU compensates regardless of performance of outcome. |

| Relationship Factors | Yes | Independent Contractor Status | No | Employee Status |
|---|-----|---|----|---|
| 13 Is the individual engaged for a specific project? | | A continuing relationship is not anticipated. Projects will be awarded only when the need arises, and will be based on bids and specifications. | | MTSU anticipates a continuing relationship. |
| 14 Does the individual work for other clients? | | Can perform services for multiple, unrelated clients at the same time. | | Works for only one client at a time. |
| 15 Does the individual advertise services? | | Advertises business in publication, yellow pages, website, etc. | | No advertising of services or business. |
| 16 Will the individual maintain independent activities? | | Maintains own infrastructure such as office space, email and server. | | MTSU will integrate individual into daily operations with access to MTSU email, software, or required attendance at meetings. |
| 17 Could the individual risk legal action if contract terms are not met? | | Individual must comply with contract terms or otherwise face legal repercussions. | | Right to immediate termination/resignation. |
| 18 Does the individual have professional liability insurance? | | Does have liability insurance (supply information to Procurement Services) | | Does not have liability insurance. |
| 19 Which statement best describes the service provided to MTSU? | | Teaching, lecturing, consulting, and advisory services. (One time) | | Teaching, lecturing, consulting, or advising on a continuous basis. |
| 20 Which statement best describes your current/past relationship with MTSU? | | Has never been employed by MTSU or affiliated entity. | | Has been employed by MTSU or affiliated entity. |

CONCLUSION:

(CHECK ONE)

Independent Contractor

Employee

The above questions are for guidance only. A determination of employee status must be made from a preponderance of the evidence. If after completing the questions you are unsure as to the appropriate classification, please contact _____ for assistance.