

Independent Contractor

(All Independent Contractors are required to complete the Independent Contractor Questionnaire, provide the following documents mentioned below, Sign or prepare the Independent Contractor Agreements)

Complete the independent contractor questionnaire

1. Do you have a fictitious or assumed business name?
2. How is your business structured (Sole Proprietorship/Partnership/Corporation/LLC)?
3. What is your business address and phone number?
4. How many people are employed by you, if any?
5. How many professional or business licenses do you hold?
6. Please provide the contact information for other companies that you have worked as an independent contractor.
7. How do you market your business (for example, Yellow Pages, Advertising)?
8. Do you have an office separate from your home?
9. Please provide a description of the business equipment and facilities you own.
10. Do you have business cards, professional stationery, and invoice forms?
11. Please list all of the types of insurance that you carry.

Please provide the following documents

- copies of the IC's business cards and stationery
- copies of any advertising that the IC has done, including advertising in the Yellow Pages
- a copy of the IC's White Pages business listing, if any
- if the IC is operating under a fictitious or assumed business name, please provide a copy of the fictitious or assumed business name statement or application
- copies of any business or professional licenses
- certificates showing that the IC has insurance, including general liability insurance (and workers' compensation insurance if the IC has employees)
- a copy of the invoice form that the IC uses to bill for services
- if the IC rents business space, a copy of the office lease
- if the IC has employees, a document containing the IC's unemployment insurance number and Employer Identification Number
- copies of IRS Form 1099-MISC that other hiring firms have issued to the IC, and
- if the IC is a sole proprietor and will agree to hand them over, copies of the IC's tax returns for the previous two years showing that the IC has filed a Schedule C, *Profit or Loss From a Business* (which will show that the IC has been operating as an independent business).

Once you are approved, you will need to complete the written agreement detailing the terms of the project.

Independent Contractor Agreements

A written independent contractor agreement should contain at least the following terms:

- a description of the services the IC will perform
- a description of how much you will pay the IC (usually either a fixed fee for a finished product or a sum based on unit of time -- for example, by the hour or by the week -- or the achievement of certain benchmarks)
- a description of how and when you will pay the IC
- an explanation of who will be responsible for expenses (true ICs usually pay their own expenses)
- an explanation of who will provide materials, equipment, and office space (ICs usually provide these things, but not always)
- a statement that you and the worker agree to an independent contractor relationship
- a statement that the IC has all of the permits and licenses that the state requires to do the work
- a statement that the IC will pay state and federal income taxes
- an acknowledgment by the IC that he or she is not entitled to any of the benefits you provide employees
- a statement by the IC that he or she carries liability insurance
- a description of the term of the agreement (for example, one week, one season, or until the project is completed)
- a description of the circumstances under which you or the IC can terminate the agreement, and
- an explanation of how you and the IC will resolve any disputes.

I have read and understood that this questionnaire explains the kind of information that establishes me that as an independent contractor, I am a separate business entity, not just an employee. I understand that I will assume any/all liability brought against Educare for Exceptional Children in connection of this project. I understand that Educare for Exceptional Children will have complete copyright ownership.

Signature: _____ Date: _____

