



Request to Pay Independent Contractor Fee

SECTION A - Basic Information

FAMIS Dept Code Dept Contact Name

Phone or Email

Name of Individual to be Reimbursed

DBA name, if applicable

Amount submitted for payment/reimbursement

Justification for the amount of the payment (industry standard, negotiated rate, approved by sponsor, etc)

SECTION B - Nature of Service To Be Performed

Check One

Research Collaborator. Subject Matter experts and evaluators named in a sponsored research proposal.

Guest Lecturer or Guest Speaker. Must provide the below information

Title of Lecture	Date of Lecture	To Whom the Lecture was presented
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Contracted Services (only if under \$10,000).
 Contracted Services: Examples include entertainers, security, copy editors, website design, data processing and training services. If the amount is above the delegated purchasing limit in one fiscal year, please submit a non-catalog requisition in AggieBuy.

Specify service: _____

Professional Services (least common situation and only if under \$10,000).
 Must be within the scope of practice as defined by state law and the person is providing the service in connection with his or her professional employment/practice.

SECTION C - Employee vs. Independent Contractor

The information provided below will assist in determining whether the individual performing the services will be classified as an independent contractor or as an employee of TEES (complete I., II. and III.). These questions are intended as a guide in making this classification. Further evaluation may be requested based on specific individual circumstances.

I. Relationship with TEES	YES	NO
1. Does the Individual currently work for TEES or any A&M System member (TAMUS) as an employee?	—	—
2. Did the Individual work as an employee of TAMUS during the 12 months prior to the date of this contract?	—	—
3. Has an offer of employment/title been extended to the Individual? <i>If YES to questions 1, 2 or 3 above, classify as an employee.</i>	—	—
4. Has the Individual ever been a former TAMUS Employee? <i>If NO, skip question 5.</i>	—	—
5. If yes to question 4, are they eligible for rehire? <i>If NO, TEES cannot pay as IC. DO not enter in AggieBuy.</i>	—	—
6. Does the Individual currently work for another State of Texas Institution/Agency? <i>If YES, attach a completed/signed "The State of Texas Employee Statement" Form.</i>	—	—

II. Classifications Guidelines (Complete ONLY a, b or c below depending on the nature of service selected in Section B)

	YES	NO
a. Research Collaborator		
1. Will the Individual perform research under the supervision of TAMUS faculty / staff?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the individual serve in an advisory capacity with TAMUS faculty / staff? <i>If YES to question 1 and NO to question 2, classify as an employee.</i>	<input type="checkbox"/>	<input type="checkbox"/>
b. Guest Lecturer/Speaker		
1. Has the Individual been at the institution in this capacity fewer than 4 times in the past 12 months?	<input type="checkbox"/>	<input type="checkbox"/>
2. Has the Individual provided the same or similar services as an ongoing business to other unrelated entities in the past 12 months? <i>If NO to question 1 and NO to question 2 classify as an employee.</i>	<input type="checkbox"/>	<input type="checkbox"/>
c. Individuals Not Covered Under II. (a) or (b) above		
1. Has the Individual provided the same or similar services to other unrelated entities or to the general public as a trade or business during the last 12 months? <i>If NO, proceed to question 2. If YES, proceed to C.III.</i>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the department provide the Individual with specific instructions regarding performance of the required work rather than rely on the Individual's expertise? <i>If NO, proceed to question 3. If YES, classify as an employee.</i>	<input type="checkbox"/>	<input type="checkbox"/>
3. Can TEES set the number of hours and/or days of the week that the Individual is required to work, as opposed to allowing the Individual to set his/her own work schedule? <i>If YES to question 3, classify as an employee.</i>	<input type="checkbox"/>	<input type="checkbox"/>

III. Classification (Choose classification based on answers provided in C.I. and C.II.)

Check one:

Employee - Coordinate through HR & Payroll - Do NOT submit through AggieBuy for payment *If employee, you do not need to continue with this form.*

Independent Contractor (IC) - continue with this form and attach it to invoice in AggieBuy.

Please be advised that historically, a majority of IRS letter rulings and court cases in employee vs. independent contractor matters involving highly skilled professional workers have resulted in reclassifications to employees, often leading to a substantial financial impact on the paying institution. Therefore, your responses on this form indicating an independent contractor relationship could be subject to scrutiny by the IRS in the event of an audit. I understand this statement and want to continue to process as an independent contractor.

_ Yes _ No

Completed by: _____ Date: _____

(Signature)

(Printed name)

SECTION D - Citizenship Guidelines

	YES	NO
1. Is the IC a U.S. Citizen or legal resident alien? <i>If YES, done with this section. If NO, proceed to question 2.</i>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are the services being performed in the United States? <i>If YES to question 2 and NO to question 1, the IC needs to complete the Glacier tax software. Be sure the Glacier tax summary report and all documents required by the tax summary report are attached to the AggieBuy document prior to submission.</i>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION E - Vendor Certification *in lieu of an invoice*

If no invoice is submitted by the vendor, then they must sign this form as certification that the work has been performed.

I certify the described service was contracted for and the account is true, correct, and unpaid.

Independent Contractor Signature

Date