



Tigard-Tualatin School District
Determination of Independent Contractor

Name of Contractor: _____

Address: _____

Please answer the following questions in sections A, B, and C. For a contractor to be classified as an Independent Contractor, all answers in section A must be “Yes” and at least four of the six answers in Section B must be “Yes”.

Section A

(All answers must be “Yes” for contractor to be considered as an Independent Contractor)

1. Yes ___ No ___ Is the contractor free from direction and control by the District over the means and manner of providing the requested labor or services, subject only to the right of the District to specify the desired results?
2. Yes ___ No ___ Has the contractor obtained all assumed business registrations of professional occupation licenses required by state law or local government ordinances required to conduct the requested business activities?
3. Yes ___ No ___ Does the contractor furnish the tools or equipment necessary for performance of the contracted labor or services?
4. Yes ___ No ___ Does the contractor have the authority to hire and fire employees to perform the requested labor or services?
5. Yes ___ No ___ Will payment for the labor or services be made upon either completion of the performance of specific portions of the project, or on the basis of an annual or periodic retainer?
6. Yes ___ No ___ If the contractor performed labor or services as an independent contractor in the previous year, were federal and state income tax returns in the name of the business as part of the personal income tax return filed for that year?

(Determination of Independent Contractor cont'd)

Section B

(At least four of the six must be answered "Yes" for contractor to be considered as an Independent Contractor)

1. Yes ___ No ___ Will the labor and services be primarily carried out at a location separate from the contractor's residence or in a specific portion of the residence set aside as the location of the business?
2. Yes ___ No ___ Does the contractor commonly advertise or have business cards?
3. Yes ___ No ___ Is a telephone listing or service used for business separate from the contractor's personal residence listing or services?
4. Yes ___ No ___ Does the contractor perform labor or services only pursuant to written contracts?
5. Yes ___ No ___ Does the contractor perform labor or services for two or more different persons within a one-year period?
6. Yes ___ No ___ Does the contractor assume financial responsibility for services not provided by ownership of performance bonds, warranties, errors and omission insurance, or liability insurance?

Contractor meets the requirements to be treated as an Independent Contractor. YES NO
(circle appropriate answer)

Person Making Determination

Date

Section C (Additional Information)

1. Is contractor a member of Oregon PERS or a PERS retiree? Yes ___ No ___
If so, does Contractor need TTSD to report the contracted work to PERS? Yes ___ No ___
If a retiree, date of retirement: _____
2. Will contractor receive pay via a payroll check from a school district or other government in Oregon during the calendar year? Yes ___ No ___