



EMPLOYEE / INDEPENDENT CONTRACTOR CLASSIFICATION CHECKLIST

The information provided below will assist the University in determining whether the individual performing the services will be classified for federal and FICA tax purposes as an employee of the University or as an independent contractor. Requestor Must Complete Section I, II, III (if necessary) and IV. Approving Authority is required to sign below. Fully completed & executed form shall be forwarded to HR for verification in Section II. HR will forward to Procurement Services for final processing.

I. Identification Information

Individual's Name: _____ Last 4 digits of Social Security: _____
School and/or Department: _____ Banner T Number: _____
Preparer's Name: _____ Printed Name _____ Signature and Date Required _____ Phone Number: _____

II. HR Verification is required prior to processing.

Multiple Relationships with the University

- A. Does this individual currently work for the University as an employee? YES NO
B. Is it currently expected that the University will hire this individual as an employee immediately following the termination of services? YES NO
C. During the 12 months prior to the date on which services commence, did the individual have an official University appointment (including temporary) and provide the same or similar services? YES NO
If the answer is "No" to all questions, proceed to the questions in Section III. A, B or C whichever is applicable
If the answer is "Yes" to any of the 3 questions, the individual should be classified as an employee.

HR Verification Required: Initials _____ (Return to the requestor if "Yes" to any of the 3 questions)

III. Classification Guidelines (complete only one of III A, B, or C)

A. Teacher/Lecturer/Instructor

- 1. Is the individual a "guest lecturer" (e.g. an individual who lectures at only a few class sessions-less than year)? YES NO
If the answer to question 1 is "Yes", then treat the individual as an independent contractor.
If the answer to question 1 is "No", then proceed to question 2.
2. Is the individual teaching a course of which students will receive credit toward a University degree? YES NO
If the answer to question 2 is "Yes", then treat the individual as an employee.
If the answer question 2 is "No", proceed to question 3.
3. Has the individual provided the same or similar services to other unrelated entities in the last 12 months? YES NO
4. Does the University have any control over course materials that are used by the individual? YES NO
If the answer to question 3 is "Yes" and the answer to question 4 is "No", treat the individual as an independent contractor. Otherwise, treat the individual as an employee.

B. Researcher

Researchers hired to perform services for a University department are presumed to be employees of the University. If, however, the researcher is hired to perform research for a particular University employee, please indicate which one of the following relationships is applicable by placing a check mark in the appropriate blank:

Relationship #1: The individual will perform research for a University employee in an arrangement whereby the University employee serves in a supervisory capacity (i.e. the individual will be working under the direction of the University employee.) YES NO
If the answer to question III.B. #1 is "Yes", then treat as an employee.

Relationship #2: The individual will serve in an advisory or consulting capacity with a University employee (i.e., the individual will be working "with" the University employee in a "collaboration between equals" type arrangement.) YES NO
If the answer to question III.B #2 is "Yes", then treat as an independent contractor.



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III. Classification Guidelines (complete only one of III A, B, or C) continued

C. Individuals Not Covered Under Sections III.A. or III.B.

- | | | |
|---|-----|----|
| 1. Has the individual provided the same or similar services within the past year to other entities, or to the general public as part of a trade or business? | YES | NO |
| 2. Will the University 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 own work schedule? | YES | NO |
| 3. Will the department provide the individual with specific instructions regarding performance of the required work rather than rely on the individual's expertise? | YES | NO |

*If the answer to question 1 is "Yes", and the answer to questions 2 and 3 are "No", then treat the individual as independent contractor.
If the answer to questions 2 or 3 is "Yes", then treat the individual as an employee.*

IV. Criminal Background Check

All employees and independent contractors **MUST** have a criminal background check through Human Resources prior to work commencing.

Please have the approved Independent Contractor complete the attached Authorization to Conduct a Criminal Background Check form and submit the completed form along with the Employee/Independent Contractor Classification Checklist to Human Resources

Authorized Signature Date

Printed Name

For Procurement Services Use Only

DETERMINATION: ___ EMPLOYEE ___ INDEPENDENT CONTRACTOR ___



TEXAS SOUTHERN UNIVERSITY
 Division of Administration & Finance
 Human Resources & Payroll

RESET

AUTHORIZATION TO CONDUCT A CRIMINAL BACKGROUND CHECK

A criminal background investigation is required for Texas Southern University positions designated as "security sensitive." This investigation into official public records will determine the existence or non-existence of a record of criminal charges. Employment in a job that is designated security sensitive is contingent upon satisfactory completion of the criminal background investigation. Applicants who decline to submit to a criminal background investigation or fail to provide required information will be denied employment for a security sensitive position. An employee may be terminated if information on this form has been falsified or if the nature of the criminal history record prohibits employment in the employee's current position.

Please Print Clearly or Type

Name (Last, First, M.I.) _____ Date of Birth (M/D/Y) _____

Other Names Used _____

Social Security Number _____ Has this number been issued in the last 90 days?

Yes No (If you do not have SS #, attach a copy of your passport.)

Driver's License Number _____ State Issued _____

Have you ever been convicted of a criminal offense? (If yes, please provide a brief justification on page 3.)

Yes No If yes, where? (City, County, State) _____ Date _____

Email Address _____ Telephone Number _____

Residence History: Provide complete addresses for U.S. residences during the last ten (10) years.

Date: From: _____ To: _____

Street Address, Apartment Number, City, County, State and Zip Code

Date: From: _____ To: _____

Street Address, Apartment Number, City, County, State and Zip Code

Date: From: _____ To: _____

Street Address, Apartment Number, City, County, State and Zip Code

Date: From: _____ To: _____

Street Address, Apartment Number, City, County, State and Zip Code

If necessary, please include dates and complete addresses in the same format as above:

TEXAS SOUTHERN UNIVERSITY MAINTAINS THE RIGHT TO CONDUCT, EITHER THROUGH UNIVERSITY EMPLOYEES OR THROUGH A THIRD PARTY, A BACKGROUND INVESTIGATION OF ANY EMPLOYEE OR JOB APPLICANT. NONE OF THE INFORMATION PROVIDED ON THIS FORM WILL BE USED TO DISCRIMINATE AGAINST ANY APPLICANT OR EMPLOYEE ON THE BASIS OF RACE, SEX, AGE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, OR VETERAN STATUS.

BY SIGNING THIS FORM, YOU AUTHORIZE THE UNIVERSITY AND/OR ITS DESIGNATED THIRD PARTY TO CONDUCT A BACKGROUND INVESTIGATION, WHICH MAY BE DEEMED APPROPRIATE OR DESIRABLE. IN ADDITION, YOU ACKNOWLEDGE YOUR AWARENESS OF THE FACT THAT ANY FALSE OR MISLEADING STATEMENT, OMISSION OR FAILURE TO DISCLOSE INFORMATION MAY DISQUALIFY YOU FOR EMPLOYMENT OR IF EMPLOYED, MAY RESULT IN DISMISSAL. A CRIMINAL HISTORY MAY DISQUALIFY YOU FOR EMPLOYMENT AT TEXAS SOUTHERN UNIVERSITY. I DO HEREBY RELEASE ALL AGENTS, SERVANTS, AND EMPLOYEES OF TEXAS SOUTHERN UNIVERSITY, THE PERSON IN CHARGE OF SUCH LAW ENFORCEMENT AGENCY OR DEPARTMENT AND ALL MEMBERS OF SUCH LAW ENFORCEMENT AGENCY OR DEPARTMENT FROM ALL LIABILITY RESULTING FROM THE FURNISHING OF THIS INFORMATION TO TEXAS SOUTHERN UNIVERSITY.

Applicant/Employee Signature _____

Date _____

HUMAN RESOURCES ONLY

CRIMINAL HISTORY

CLEAR

Submitted by _____ Signature _____

Title _____ Phone Number/Ext. _____

HUMAN RESOURCES USE ONLY

Job Title: _____

Position Request Number: _____

Department: _____

Contact: _____

Received Date: _____

The Texas Public Information Act, with a few exceptions, gives you the right to be informed about the information that Texas Southern University collects about you. It also gives you the right to request a copy of that information, and to have Texas Southern University correct any of that information that is wrong. You may request to receive and review any of that information, or request corrections to it, by contacting the Office of General Counsel, 3100 Cleburne Avenue, Houston, Texas 77004.

Disclosure of your Social Security number ("SSN") is requested from you in order for Texas Southern University to complete a background check. No statute or other authority requires that you disclose your SSN for that purpose. Failure to provide your SSN, however, may result in dismissal or ineligibility to be hired into the security sensitive position. Further disclosure of your SSN is governed by the Public Information Act (Chapter 552 of the Texas Government Code) and other applicable law.



Criminal Offense Justification