

University of Kansas

Contractual Services Form

UKANS and KUCR

Instructions:

This form may be used to pay an individual (Supplier) who is to be paid a fee for a guest lecture, editing, proofreading, student performance, participation or general labor services, not exceeding \$5,000.00 annually. Other payments must be supported by a written contract, which has been reviewed and approved by KU General Counsel or KUCR, prior to the performance of services.

Payments must be paid as a single sum directly to the Supplier. This payment includes all agreed upon amounts for fees, and reimbursement of travel, lodging, meals, and other related expenses. Direct payment to travel agencies and lodging establishments on the Supplier's behalf are allowed.

Please complete the contractor decision tree form first (2nd page). Only complete the front if results indicate the Supplier is not treated as an employee. Please make sure the contractor decision form is attached to the contractual services form.

Note: No high school students may be hired as an independent contractor. If the person is under 18, contact KU Human Resources (785-864-4946) for guidance regarding employment for those under 18.

Supplier Information

Name _____ Email _____
FITC Supplier ID Number _____
Address (on [Form W-9](#)) _____
Remit (if different from above) _____

Purpose of Payment

Select Reason for Payment

Amount to Pay

Date(s) Service Provided

Certification and Authorization for Payment

Cost Center Fund CF1 Project

I certify the services described in the supplier's invoice or supporting documentation, have been satisfactorily performed, and payment is to be made from the funding shown above.

Authorized by Signature Date

The Department of Labor requires KU & KUCR to evaluate economic factors when determining if an individual is an independent contractor or an employee; therefore, the purpose of certain required questions is to evaluate these economic factors to determine if the individual(s) providing services is an independent contractor or an employee and guidance will be provided based on your responses.

INDEPENDENT CONTRACTOR DECISION TREE
This part is completed by department personnel only

PART I	Yes	No
1. Is the individual a high school student or under 18 years of age? If answer is "yes", stop. Contact Human Resources (864-4946) or hrdept@ku.edu for guidance.		
2. Is the individual a current employee of the University of Kansas, a Board of Regents Institution, or the State of Kansas? If answer is "yes", treat as employee.		
3. Is the individual a former employee of the University of Kansas, a Board of Regents Institution, or the State of Kansas? If answer is "yes", Contact Human Resources (864-4946) or hrdept@ku.edu for guidance on conditions to pay as independent contractor		
PART II If services provided by the individual are that of a teacher, lecturer, or instructor, continue with Part II, otherwise, skip to Part III & IV.	Yes	No
1. Is the individual teaching courses for which students receive credit toward a University degree? If answer is "yes", treat as employee. If answer is "no", go to question #2		
2. Is the individual a "guest lecturer" (e.g. an individual who lectures only for select number of class sessions)? If answer is "no" treat as employee. If answer is "yes", go to question #3		
3. In performing instruction duties, will the individual primarily use course materials that are created by or selected by the individual?		
PART III	Yes	No
1. Will the department rely upon an individual's specialized expertise rather than provide specific instructions and/or supervisory control regarding performance of the required work. The University will not maintain the authority to give the individual detailed directions on how to perform the task and instead will focus on the result. University will also not control individual's ability to set their schedule, ability to work for others, ability to select projects or control workload.		
2. Does the individual providing service have an opportunity for profit or loss depending upon managerial skills while performing service? Nonexclusive examples include individual determines or can meaningfully negotiate the charge or pay for the work provided; individual has ability to accept or decline jobs and chooses the order and/or time in which the jobs are performed; individual engages in marketing or other efforts to expand their business; individual makes decisions to hire others, purchase materials and equipment and/or rent space.		
3. Will the individual provide their own supplies/resources to perform negotiated work? KU support is incidental to work being performed – e.g. av equipment in classroom, printing of handouts, incidental usage of existing research lab supplies.		
4. Does the individual provide the same or similar services to other entities or to the general public as part of a trade or business?		
If the answer to questions 1-4 is "no", then treat as an employee. Otherwise continue to question 5.		
5. Will the individual perform the services on a continuing basis as part of the department's ongoing operations? If answer is "yes", treat as employee.		
6. Is the service being performed critical, necessary, or central to unit's mission? e.g. unit could not function without the service being performed. If answer is "yes", treat as employee.		
If the answer to questions 5-6 is "no", then treat as an independent contractor and complete .		

PART IV	Yes	No	Visa Type (F1, J1, etc.)	Country of Residence
1. Is the individual a foreign national? If “yes,” to engage with this supplier, please contact KUCR to initiate Glacier foreign national process. KUCR uses Glacier software system to work with individuals directly to collect required documentation, verify that individual has authority to work within US, and determine required tax withholding.				
2. Does the nature of the work require a written agreement between the individual/company and KUCR describing the scope of the project and the expected outcome, the time frame for performance, and the payment for the project? A written agreement may include but is not limited to: describing the scope of the project and the expected outcome, the time frame for performance, and the payment for the project. If answer is “yes”, contact KUCR at 864-3441 to review and approve the agreement. If “no”, return to front of form and continue.				
When Part IV is complete, return to front of form and continue.				