

INDEPENDENT CONTRACTOR/CONSULTANT QUESTIONNAIRE

Name of Independent Contractor/Consultant: _____

Are there any Old Westbury employees who perform essentially the same duties that are to be performed by this worker? Yes _____ No _____

Has this worker previously been paid to perform essentially these same tasks? Yes _____ No _____

If the answer to either of these questions is yes, then the worker in question is considered to be an employee, and the person certifying the status need not proceed with the rest of the questions. An employee appointment package should be prepared.

Are the duties to be performed on the College premises? Yes _____ No _____
If yes, where will this work be performed? _____

Is the worker required to follow your instructions, and do you control the means and methods of how the work is done? Yes _____ No _____

Do you provide training to the worker? Yes _____ No _____

Does the worker have set hours he/she is expected to work? Yes _____ No _____

Are regular reports from the worker required? Yes _____ No _____

Will the worker use supplies or equipment supplied by the college? Yes _____ No _____
If yes, who will supply the materials? _____

Are you planning to pay for the worker's travel and/or business expenses? Yes _____ No _____

If the answer is yes to more than two questions, the worker is probably an employee.

Comments:

Please attach any relevant documentation such as a business card, letterhead, advertising or other information that would support the independence of the worker.

Citizen Status Definitions

Resident Alien The term applied by the IRS to a noncitizen who either holds an Alien Registration Receipt Card (INS-551), commonly known as a "Green Card," representing approval from the U.S. Immigration and Naturalization Service to remain in the U.S. for an indefinite period of time, or meets the requirements of the substantial presence test for taxation and withholding purposes.

Nonresident Alien The term applied by the Internal Revenue Service (IRS) to a person in the U.S. who is neither an U.S. citizen nor a resident alien.

Visa Status

Nonresident aliens who have a visa must indicate the type of visa they hold. The visa type can be obtained from the visa or from the alien's Arrival/Departure Record (Form I-94). The visa type determines the payment the nonresident alien can receive.

NAFTA Status

Canadian and Mexican business persons can enter the U.S. under one of four categories covered under the North American Free Trade Agreement (NAFTA). Only two of the four categories apply to Research Foundation business. The alien must indicate that they are either a B-1 Temporary Business Visitor or a TN Professional.