FAS Process for Requesting an Independent Contractor

Step 1:

Prepare a description of the work to be done and complete the Massachusetts and IRS Tests for IC Determinations.

Determinations require a thorough review of the work, the duration of the work and where the work will be performed. Please tell us if you have someone in mind and include their curriculum vitae or resume. Preparing this information will allow a preliminary determination to be made.

Step 2:

Review your description and the completed Massachusetts and IRS Tests for IC Determinations with your HR Consultant

Your HR Consultant can help you determine whether pursuing IC status is a viable path to take.

Step 3:

If there is agreement between you, your HR Consultant and the requestor that both the work and individual are eligible for IC status consideration, complete the IRS 23-Factor IC Questionnaire and submit it, along with the description of the work, the completed Massachusetts and IRS Tests for IC Determination, and, if you have someone in mind, their curriculum vitae/resume, to ic-request@fas.harvard.edu. The request will be tracked and forwarded to the IC Liaison for review.

Andrea Kelton-Harris (alharris@fas.harvard.edu) currently oversees the IC Process for FAS.

Step 4:
Your documentation will be reviewed and you will be updated via email on the status of your request by the IC Liaison within three business days of receipt.

The description of work and your completed Questionnaire will be fully reviewed. This review may or may not include referral to others such as Labor and Employee Relations or OGC. You will be notified via email if additional information or more time is required to make the determination.

**Step 5:**

You will be notified by email and a signed copy of the questionnaire will be sent to you if your request qualifies for IC status. Please prepare a contract, inform the IC of their status and forward a fully executed copy of the contract to IC-Request@fas.harvard.edu

**Step 6:**

_If the request does not qualify for IC status, please work with your HR Consultant and your Financial Analyst as needed to determine other possible classifications._

There are other options available if it is determined that your request does not meet IC requirements. These options include:

- Temporary employee
- Term employee
- Regular employee
- LTHT employee
- Vendor

Your HR Consultant and Financial Analyst will be able to guide you to the most appropriate determination.

Please see the attached Employment Options Chart for more information.