

Sample Scenario for Independent Contractor Process

In this scenario, you are George Washington and you work for the VSU department "GOVT." You need to get an independent contractor (Abraham Lincoln) approved to be a paid guest lecturer/speaker as part of your department's yearly lecture series "How to Fill Out Forms." Abraham will be speaking on 12/02/2022. You are filling out the forms on 11/01/2022 in order to have time for processing (the forms must be submitted a *minimum* of 30 days before the service date). All the sections that you fill out are highlighted on the sample forms so you can see where you would enter the information.

Please use the two sample documents provided with this scenario and the PowerPoint provided on the HR website to see an in-depth step-by-step example of how to complete the two required forms. If you need a quick set of instructions/guidelines or an overview, see the Steps for Hiring and Independent Contractor handout also provided on the HR website.

For the Determination of Status (DOS) form:

Section I-List the independent contractor (Abraham Lincoln), the requesting department (GOVT), the form preparer (George Washington), and the phone number of your department (000-000-0000). *Make sure to put the *legal name* so it matches the background check if one is needed (Abraham Lincoln and not Abe Lincoln).

Section II-Fill out if Abraham is currently working for VSU, if he will be hired by VSU after his contract is up, if he has worked for VSU in the same calendar year as the service date, if he is retired from a TRS/ERS GA affiliate, if he is a student or will be a student at the time of service, etc. Abraham is a self-employed freelance lecturer who has never worked for a GA retirement affiliate and is not a student, so you would check **No** for all boxes after verifying this information with Abraham.

Section III-Determine Abraham's classification. He is a freelance guest lecturer, so select *only* Section A Teacher/Lecturer/Instructor/Speaker. Check **Yes** for question 1 since he only lectures for one/a few sessions. Skip all the other questions in Section 3 and leave them blank since they do not apply (and skip Section B as well).

Section IV-Answer if this is a Position of Trust (which is described on the back of the DOS form). This situation is not a Position of Trust, so check **No** for this question. There are no minors involved in the yearly lecture series which is a public event, so you do not contact Minors on Campus.

Section V-Have your Budget Manager (Alexander Hamilton) approve and sign the form before submitting it to HR. Leave the bottom boxes blank for HR to process/sign.

For the Monetary Service Agreement (MSA) form:

If you have any questions on how to fill out the MSA form, please contact Procurement at 229-333-5708 since this is their form. The MSA form *must be completely filled out* before it is sent to HR.

Fill out the top section with the supplier's (Abraham Lincoln) information, the service dates, and the service fee. *The e-mail on this form is the e-mail used for the background check if one is needed, so please make sure it is correct.* Abraham will only be working one day (02/02/2022), and he will be paid one set fee (\$250) for the day.

Part 2-Fill in your department's (GOVT) information. The primary contact person is the person who filled out the form and is contracting Abraham (George Washington). When filling out the form electronically you *must have auto resize text activated* or the form will cut off your budget string and Procurement will not be able to read it.

- In Adobe, this feature is under Tools→ Forms & Signatures→ Prepare Form. Then right-click the text field and select Properties→ Appearance→ Font Size→ Auto. This only has to be done once and then this form will always auto-size whenever you download it again in the future.

Part 3-Answer the project questions. The Budget Manager has approved everything, you know what Abraham will be doing, there are no additional documents, and Abraham will be interacting with employees because he will be answering questions, teaching, role-playing, etc. Therefore, you select **Yes** for all five questions in Part 3.

Part 4-Fill in sub-sections I, II, and V which pertain to the Scope of Work and Payment Terms. You will fill in that Abraham is a guest lecturer and detail his job duties. There is no additional payment information so you fill in N/A for the remaining sections.

Part 5-Obtain the necessary signatures for the supplier (Abraham Lincoln), the requestor (George Washington), and the Budget Manager (Alexander Hamilton). *The same person cannot sign as both the requestor and the budget manager and the budget manager listed on the MSA must be the same budget manager listed on the DOS.*

You will then submit both of these forms to HR through the independent contractor alias e-mail vsuindependentcontractor@valdosta.edu as pdf attachments (*not through DocuSign*).

Valdosta State University

Determination of Status Form (DOS)-Employee vs Independent Contractor

The information provided below will assist HR in determining whether the individual performing the services will be classified for federal, state, and FICA tax purposes as an employee of the University or as an independent contractor. Complete all sections (I, II, III, IV, and V).
Note: This form is only to be used for contractors who are being paid via their social security number (SSN). If the contractor is being paid through their taxpayer identification number (TIN), please contact Procurement for assistance.

Instructions: Requesting departments must receive approval from both Human Resources and Procurement BEFORE work is started by an individual. Once this form is processed, a representative from Human Resources will contact you with further directions. Please send the completed form as a PDF attachment via e-mail to vsuindependentcontractor@valdosta.edu for review (do not submit via DocuSign nor email directly to an employee).

I. Abraham Lincoln GOVT George Washington 000-000-0000
Individual's Legal Name Requesting Department Form Preparer Preparer Phone Number

II. Multiple Relationships with the University (must be verified with the individual)

- | | YES | NO |
|--|-----------------------------|-------------------------------------|
| 1. Does the individual currently work for VSU as an employee? | 1. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Does the individual currently work for another OneUSG institution as an employee? | 2. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Has the individual worked as an employee (including either temporarily or as a student assistant) at a OneUSG institution (including VSU) in the same calendar year (Jan-Dec) as the date of service? | 3. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is it currently expected that VSU will hire this individual as an employee immediately following the termination of a personal service agreement? | 4. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Is the individual a current student at VSU, or will they be a student at the time of service? | 5. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Is the individual retired from a Georgia Teachers/Employees' Retirement System (TRS/ERS) affiliate (Georgia state government/agency, school system, College/University)? | 6. <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If the answer to any of the above questions is "Yes," DO NOT USE THIS FORM. Contact HR to determine the correct form needed.
If the answer to all questions is "No," proceed to Section III.

III. Classification (choose A or B)

A. Teacher/Lecturer/Instructor/Speaker

YES NO

1. Is the individual a "guest lecturer" (e.g. an individual who lectures only a few sessions)?
If the answer is "Yes," proceed to Section IV.
If the answer is "No," proceed answer questions 2 and 3.
2. Is the individual teaching a course for which students will NOT receive credit toward a degree?
3. Does the individual provide the same or similar services to other entities or the general public as part of a trade or business?
If the answer to both questions 2 and 3 is "Yes," proceed to section IV. If the answer to either 2 or 3 is "No," answer question 4.
4. In performing instructional duties, will the individual primarily use course materials that are created or selected by the individual?
If the answer is "Yes," proceed to Section IV.
If the answer is "No," DO NOT USE THIS FORM.

B. Miscellaneous Individual

YES NO

1. Does this 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 is "Yes," proceed to Section IV.
If the answer is "No," answer question 2.
2. Will the department establish project goals, direct the work, provide specific instructions and/or serve in a supervisory capacity regarding the performance of the required work?
If the answer is "Yes," DO NOT USE THIS FORM.
If the answer is "No," answer question 3.
3. 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 their own work schedule?
If the answer is "Yes," DO NOT USE THIS FORM.
If the answer is "No," proceed to Section IV.

IV. Position Description Question

YES NO

1. Is the individual working in a Position of Trust?
Refer to description on back of form to determine if a Position of Trust.
Note: If the contractor has access to or is working with minors (who are not VSU students), then it is mandatory that you contact Minors on Campus.

V. Signatures

Alexander Hamilton
Budget Manager Name Print

A Hamilton
Signature

11/01/2022
Date

HR/Procurement Name Print

Signature

Date

HR/Procurement ONLY:

Background Check	_____
Completed	Date
Human Resources	_____
Approved	Date

Valdosta State University
Independent Contractor Positions of Trust

Per the University System of Georgia Board of Regents Human Resources Administrative Practices Manual:

“Positions of Trust are sensitive positions that involve responsibilities demanding a significant degree of public trust with significant risk for causing damage or realizing personal gain. Elements considered in the determination of whether to require a background check may include, but are not limited to:

- Access to children, including contractors working with children under the age of eighteen (18), including within a child care center, or working with diminished capacity adults
 - **VSU students are NOT considered minors**
 - **If the contractor has access to or is working with minors (who are not VSU students), then it is mandatory that you contact Minors on Campus**
- Relationships with students where exceptional trust and responsibility are involved, such as counselors, health care providers, coaches, and residence life personnel
- Operating vehicles and machinery, or handling toxic materials/equipment which can cause harm if misused
 - **This includes driving any vehicle including golf carts on behalf of the university**
- Decision making authority, or direct access or responsibility for University funds or financial resources, including cash, checks, credit/debit cards, University property, disbursements or receipts
 - **This includes handling either physical or electronic currency**
- Responsibility for or access to confidential information or sensitive personal information, such as employment, health, donor, financial, or other records
- Responsibility for the safety and security of persons and property, including but not limited to police personnel, security, guard forces, or other security or risk management personnel
- Access to master control and key systems for University buildings, residences, and facilities
 - **This includes if the contractor will need key access or physical keys**
- Requirement for a professional license or certification, the absence of which would expose the University to legal liability
- Responsibility for or access to University information technology systems and/or computer networks
- A requirement of a position regulated by a Federal or State “law, contract, or grant”

Valdosta State University **Monetary** Service Agreement Form

Instructions: This form is for any anticipated supplier provided service under \$25,000 per service or that is otherwise exempt from State bidding requirements. This form may be used in lieu of any supplier provided contract or agreement, with the understanding that the State of Georgia, the Board of Regents of the University System of Georgia, and Valdosta State University's terms and conditions supersede the supplier's provided contract/agreement terms and conditions. For any individuals, please complete this form, as well as the [Determination of Status Form](#), and send both documents to vsuindependentcontractor@valdosta.edu.

NOTE: If vendor will be interacting with minors on campus; vendor must complete a [Minors on Campus Registration form](#).

A. Supplier's Full Legal Name	Abraham Lincoln	F. Service Start Date	12/02/2022
B. Supplier Email	alincoln@gmail.com	G. Service End Date	12/02/2022
C. Supplier Contact Phone	111-111-1111	H. Service Fee	\$ 250.00

PART 2: DEPARTMENT INFORMATION

A. End User Department	GOVT
B. Budget Manager Name	Alexander Hamilton
C. Primary Contact Name	George Washington
D: Primary Contact Email	gWASHINGTON@valdosta.edu
E. Project Manager Phone	222-222-2222
F. VSU Budget Chart String	10000-0000000-11100-11000

PART 3: PROJECT QUESTIONS.

	Y/N
1. Is the project's initial term fully funded?	Yes
2. Does the Scope of Work fully detail the anticipated project?	Yes
3. Are all project documents attached? (SOW, Quote, etc.)	Yes
4. Is this vendor be processing credit card data on behalf of VSU?	Yes
5. Will vendor regularly interact with minors, students, employees, monies, sensitive/confidential data or facilities? (for example, an HVAC repair crew with extended access to a building for more than 5 business days)	Yes

PART 4: AGREEMENT.

This Service Agreement, (the "Agreement") is made between The Board of Regents of the University System of Georgia by and on behalf of Valdosta State University, located at 1500 North Patterson Street, Valdosta, Georgia ("VSU") and the above-named Supplier.

In consideration of the mutual agreements and promises stated in this Agreement, and for other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

I. Supplier will provide the following detailed Scope of Work (describe fully):

Abraham Lincoln will be a guest lecturer for GOVT on 12/02/2022 for our yearly series "How to Fill Out Forms." He will be teaching employees how to fill out forms, give demonstrations, and answer a Q&A at the end. Will be an interactive lecture with role playing scenarios.

II. VSU will:

- a. Pay Supplier the Fee for Supplier's Services Rendered in accordance with the terms and conditions of this Agreement.
- b. Provide access to those VSU facilities and/or properties reasonably necessary for Supplier to carry out Supplier's responsibilities under this Agreement.
- c. *Any additional responsibilities that VSU commits to (must be approved by Procurement prior to this form being signed by either party):*

N/A

III. Independent Contractor Status.

The parties to this Agreement are independent contractors, and not employer/employee, agent/principle, partners, or joint venturers.

IV. Terms & Conditions.

This Agreement is governed by VSU's Standard Purchase Order Terms and Conditions, which are published at the following URL: <http://www.valdosta.edu/administration/finance-admin/financial-services/procurement/terms-and-conditions.pdf> and which are incorporated herein by reference. This Agreement is likewise subject to all federal and state laws, Board of Regents policies, and VSU policies.

Valdosta State University **Monetary** Service Agreement Form

V. **Payment Terms:** VSU will remit payment to Supplier within thirty (30) calendar days after VSU’s receipt and acceptance of an undisputed invoice; unless alternate Payment Terms are expressly agreed upon below.

a. *Alternate Payment Terms (must be approved by Procurement prior to this form being signed by either party):*

N/A

VI. END USER DEPARTMENT: ADDITIONAL DOCUMENTS AND SUBMISSION INSTRUCTIONS

In order to process and issue a Purchase Order using the Valdosta State University Monetary Service Agreement Form, the following additional documents, if applicable, need to be attached to the Requester’s requisition in ePro along with the complete and signed Service Agreement document:

- 1) **CONTRACTOR AFFIDAVIT:** This is a state law requirement that the University cannot waive. Supplier must provide a signed and notarized Contractor Affidavit form for any service that exceeds \$2,499 and involves the physical performance of services. However, if a Supplier has no employees and no intention to hire employees to fulfill the requested services outlined in this Service Agreement, a copy of the front and back of the Supplier’s driver’s license or government issued photo ID may be submitted in lieu of the Contractor Affidavit. The Contractor Affidavit may be accessed at the following link: http://www.audits.ga.gov/NALGAD/section_3_affidavits.html

- 2) **DETERMINATION OF STATUS FORM:** VSU Human Resources (HR) must determine whether a Supplier that consists of a single individual (rather than a business entity) is eligible for independent contractor status. Therefore, for any Monetary Service Agreement with an individual Supplier, the requesting Department must complete and submit a [Determination of Status Form \(DOS\)](#) along with this completed Monetary Service Agreement Form to Human Resources at vsuindependentcontractor@valdosta.edu. Upon receipt of a written, approved, determination of status from HR, the Department may proceed with submitting an eProcurement requisition. The Determination of Status Form may be accessed at the following link: <https://www.valdosta.edu/administration/finance-admin/human-resources/documents/independent-contractor-questionnaire.pdf>

PART 5: SIGNATURES.

CERTIFICATION: By signing below, both parties attest that they are in agreement with the terms of this Agreement and all State of Georgia and VSU Terms & Conditions, and Supplier certifies that it can furnish the services and materials designated above.

Approvers	Printed Name	Signature	Date
1. Supplier:	Abraham Lincoln		11/1/22
2. Requestor:	George Washington		11/1/22
3. Budget Manager:	Alexander Hamilton		11/1/22
*** FOR HR/PROCUREMENT INTERNAL USE ONLY ***			
4. Human Resources	_____	_____	_____
5. CUPO (as necessary)	_____	_____	_____
6. LEGAL (as necessary)	_____	_____	_____