

HR's Helpful Hints for the CSUBuy Procure to Pay P2P Implementation: Independent Contractors and Payment for Work Performed

The implementation of CSU Buy Procure to Pay (P2P) necessitates that Human Resources adjust our procedures regarding the approval of independent contractors. Prior to contacting your Procurement Specialist please make sure the individual you are attempting to engage meets the requirements of an Independent Contractor. The department will be required to complete 23 questions that will help Human Resources determine if the work can be conducted by an Independent Contractor or if they will need to be hired in another manner.

Please note that while the procedures for review and approval are changing, some fundamentals will remain the same:

- The individual is not to perform work until HR has determined and/or approved the appropriate course of action and the individual has been cleared to work.
- The independent contractor request process is not for use for:
 - Food vendors or food trucks
 - Vendors providing products, not services
 - Large scale service agreements (Shred-It, Microsoft, etc.)

To help identify the most appropriate course of action, please answer these questions in **successive order**, beginning with first question:

- 1. Is the individual currently employed by the CSU system as:**
 - (a) A faculty member**
 - (b) A staff member**
 - (c) An MPP**
 - (d) A retired annuitant**
 - (e) A student assistant?**

If **yes**, do not submit a request to pay via independent contractor in P2P. Please refer to the [Payment for Services](#) webpage to determine how to issue payment.

If **no**, move on to the next question.

- 2. Is the individual currently enrolled as a student in the CSU system?**

If **yes**, do not submit a request to pay via independent contractor in P2P. Please refer to the [Payment for Services](#) webpage to determine how to issue payment.

If **no**, move on to the next question.

3. Will the individual be serving as a guest speaker or lecturer?

If **yes**, submit a request through the P2P system.

If **no**, please move on to the next question.

4. Conduct a review to determine if the individual could meet the requirements of an independent contractor.

The individual is an independent contractor only if:

- a. The individual is free from our control and direction; **and**,
- b. The individual performs work that is outside our usual course of business; **and**,
- c. The individual customarily engages in this work outside of their relationship with CSUCI.

Clues that the individual may be an independent contractor:

The individual is free from our control and direction.	The individual performs work that is outside our usual course of business.	The individual customarily engages in this work outside of their relationship with CSUCI.
They set their schedule or hours of work. They could outsource work to another party or hire an assistant. We do not provide them with tools or supplies. They do not perform the work on campus. We do not require training to complete the work.	There is no union-represented classification which performs this work.	They have a business license to perform the work. They have other clients besides CSUCI. They are responsible for any expenses incurred to complete the work. The individual is the sole proprietor of their business. The individual owns and operates an incorporated business.

If the preliminary analysis demonstrates that the individual meets all three requirements to be an independent contractor:

- Submit a request through the P2P system.
- HR will review the request in P2P and make a formal determination as to whether the independent contractor designation is appropriate.

5. If the Independent Contractor designation is not appropriate, submit a scope of work to Human Resources for review.

If the preliminary analysis demonstrates that the individual meets all three requirements to be an independent contractor – **or** - if the submitted P2P independent contractor request is denied:

- Complete the [HR Scope of Work Intake](#) form so that HR can determine the next appropriate course of action.
- Include the following scope of work information: detailed description of work, dates of work (should be a future period), work schedule, and salary information.