

Las Virgenes Unified School District
Independent Contractor Agreement – Internal Checklist

This form must be completed with all agreements whether a new agreement or addendum

Name of Independent Contractor (IC): _____

School: _____ Contact: _____ Date: _____

STEP 1 (Complete all questions in Step 1 & 2. Initial next to each question to indicate complete):

_____ Check Google Sheet titled “2023-2024 Independent Contractor Agreements” to see if the contractor has a current agreement, insurance, and clearance on file.

- **If yes, send ICA the Addendum Agreement. Original Term:** _____
- **If no, send ICA the full IC Services Agreement.**

_____ Verify the ABC checklist on page 3 to ensure the vendor qualifies as an independent contractor.

_____ Add a check mark for the insurance and safety & security sections of the agreement.

_____ Is contractor retired from CalSTRS/CalPERS? If yes, contact Accounting about earnings limitations.

STEP 2: Will the contractor be with students?

_____ Yes. If yes, he/she may need fingerprint and TB clearance. If unclear, check with HR.

A. If HR lets you know the vendor needs to be cleared, list the staff names on page 2 below.

B. Ask vendor to request fingerprint clearance forms for all their employees from HR. Vendor must use a local live scan facility. Cost is typically \$75.

C. The vendor’s staff can opt to meet with district nurses for TB clearance.

_____ No. If no, send the ICA Agreement, Insurance and W9 to Business Office.

*******SEND COMPLETED AGREEMENT, INSURANCE AND W-9 FORM TO BUSINESS OFFICE THREE WEEKS BEFORE THE SCHEDULED WORKDAY TO ALLOW ADEQUATE TIME TO PROCESS FINGERPRINTS/TB ASSESSMENT AND PROCESS PAPERWORK.*******

THE PURCHASE ORDER SHOULD NOT BE SUBMITTED UNTIL AFTER THE AGREEMENT IS FULLY SIGNED.

The invoice with an “ok to pay”, signed and dated by administrator should be sent to accounts payable after work is completed or periodically, as agreed upon by site.

When you receive the signed Independent/Contractor Services Agreement with the completed Internal Checklist signed by the District Office and the Agreement signed by Ryan, the vendor has been cleared. The vendor may NOT be on campus until their staff has been cleared by the District office.

For District Use Only:

Business Dept.

Is vendor an independent contractor? ___ Yes ___ No ___ Initial (Kelly, Julie, Ryan, Adrian)

Insurance Cleared? ___ Yes ___ Initial (Kelly, Ryan)

Does COI include Endorsement? ___ Yes ___ Initial (Kelly, Ryan)

DIR requirements met (see page 9 of IC Agreement) ___ Initial (Julie)

Human Resources Dept.

Is vendor a member, or retired from CalSTRS or CalPERS? ___ Yes ___ No ___ Initial (Hallie)

Fingerprints Cleared? ___ Yes ___ No ___ NA ___ Initial (Hallie)

TB Assessment? ___ Yes ___ No ___ NA ___ Initial (Hallie)

Vendor Name: _____

Dates on Campus: _____

Vendor Staff Names:

ABC Test for Classification of Independent Contractors

A worker is properly considered an independent contractor only if it is established that a worker satisfies the three independent conditions of the "ABC Test" for an independent contractor.

- A. The worker is free from the control and direction of the hirer in connection with the performance of the work, both under the contract for the performance of such work and in fact;
- B. That the worker performs work that is outside the usual course of the hiring entity's business; and
- C. That the worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the hiring entity

Failure to establish **all** of the above three factors results in a determination that a worker is an employee and thus not an independent contractor.