To hire a consultant/outside contractors, under the Complex IC Agreements please take the following steps:

1. An independent contractor agreement needs to be put in place with UAS. UAS has to provide final approval on the contract for any services to commence. Templates for ***IC Agreements*** are on our website: IC Agreement or IC Agreement Over $25K

2. The scope of work has to be clearly defined on the contract, where the deliverables are ones that follow the criteria for an independent contractor. Make sure Independent Contractor fulfills the following criteria:

> **1.1 Independent Contractor vs. Employee**
>
> A worker is presumed to be an employee unless the CSU establishes each of the following requirements:
>
> 1. The worker is free from the employer's control and direction. This means that the hiring entity must not be able to control or direct what the worker does, either by contract or in actual practice; and
> 2. The worker performs a service that is either outside the usual course of the business for which such service is performed or that such service is performed outside of all the places of business of the enterprise for which such service is performed. For example, a campus cannot hire a faculty in counseling to work as an independent contractor for the purposes of conflict resolution or hire instructors to teach a certificate program as independent contractors. Nor can a campus hire an independent contractor to perform IT services that are already being performed by campus staff; and
> 3. The worker customarily engages in an independently established trade, occupation, profession, or business. Factors relevant to this determination include whether the business is incorporated or licensed, whether the services are advertised, and whether the contractor also offers services to the public or other potential customers.

3. If ever unsure, use ***UAS Independent Contractor Checklist*** to determine if someone should be considered an Independent Contractor: Independent Contractor Checklist

4. In addition, before commencing any business with a company contractor please ensure that contractor is in good with the Secretary of State. The company name can be searched in thru this website: CA Secretary of State Note that this only applies to companies, not individuals. If you need help with this section, please feel free to reach out to uasap@calstatela.edu for support.

5. If the services will be over $10K, then a ***Bidding/Soul Source Form*** needs to accompany the contract as well. Please ensure to provide proper documentation with form when selecting Bidding or Soul Source. See linked form: Soul Source/Bidding Form

6. Independent Contractors will also need to provide a ***Certificate of Liability Insurance*** for the attached requirements, or if the risk of them coming to campus is minimal, then a UAS Waiver of Liability can be signed instead. This is determined in a case-by-case scenario. See link to waiver: UAS Waiver of Liability

7. Once fully approved IC Agreement is received, please send payee a ***Payee Data Record Form*** to set up contractor in our UAS AP Payables system. This is to ensure that once contractor bills you, they can be paid in a timely manner. See attached guide and steps to send form. Here is the link to initiate the form: Payee Data Record Form

   If payee is not a US Citizen, it will need to be determined by OneStop Financial Office what tax forms will need to be completed in lieu of a Payee Data Record form. Most likely a W8 form needs to be completed, and they will need to go thru a Glacier process to determine if any withholding taxes need to be taken at point of payment.

8. Finally, once services are rendered, please have contractor/consultant send you an Invoice and submit with a UAS Check Payment Request Form, and copy of signed contract to uasap@calstatela.edu for payment processing. Link to form: UAS Payment Request Form

All of our UAS Forms are on the website: Financial Services | Cal State LA for your reference.