Worker Classification Examples

While examples may offer general guidance, no two scenarios are identical. Decisions will be made based on the specific facts and circumstances of each individual case, and similar situations may still result in different determinations depending on their unique context.

Scenario 1: A Unit is seeking a graphic designer to create a marketing flyer for a new program. The Unit finds someone with a graphic design business. The University will provide the graphic designer with a general idea of expectations and deadlines. The cost/price for the project is determined up front with the final payment made upon delivery of the final flyer.

Classification: Independent Contractor

Reason: The University is focused on the end-product: the flyer, not the details of how the contractor does their work

- The contractor owns a business in which they offer their services to the public
- They would use their own equipment
- The graphic designer can decide what time of day or night they work on the project
- The contractor has the right to hire their own workers if necessary

Scenario 2: A principal investigator brings an individual into the project to support ongoing research activities. The PI provides training on the required research methods and equipment and offers consistent guidance and direction throughout the course of the project.

Classification: Employee (Research Assistant, Research Technologist, etc.)

Reason: Research is a core component of the University's business

- Many of the University's research roles directly support a PI

The University has the right to manage how the work is completed

- The University/faculty member has the right to provide directions over how the work is done.
- The worker will complete defined tasks with defined hours of work and in the defined environment. In this case, University equipment will be used.

Scenario 3: An individual is hired to supervise and monitor summer enrichment program participants who are staying in the residence halls.

Classification: (Temporary) Employee

Reason: The University has the right to manage how the work is completed

- The worker will complete defined tasks within defined hours of work

Scenario 4: A department is developing a new initiative and needs external expertise to work through complex return-on-investment and scenario analysis. It will be a six-month project. During the project,

the worker will interview staff, conduct data analysis, and do external benchmarking. The individual will present a draft proposal for review and at the project's end will deliver a final presentation and recommendation.

Classification: Independent Contractor

Reason: The project is time-limited with a defined outcome. It requires independent judgement and expertise. The contractor can provide this same service to other customers, even while working with the University.

- The contractor has the right to hire their own workers if necessary and may own a business.
- They would use their own equipment.

Scenario 5: An individual is hired to assist an Instructor/Faculty member with reading and grading course assignments and running discussion sessions.

Classification: Employee (Teaching Assistant; Usually Temporary Employee)

Reason: Providing Teaching assistance (TA) is part of NU's core business. The individual will provide defined duties overseen by the University. The University has the right to manage how the work is completed.

- The University/faculty member has the right to provide directions over how the work is done.
- The worker will complete defined tasks with defined hours of work and in the defined environment

Scenario 6: Non-Employee research subjects, honoraria, student refunds, and prizes

Classification: These are neither employees nor contractors as no services are being provided; classification decision is **not** required for payment. Please follow appropriate payment vehicles.

Please note that honoraria are nominal/token payments in partial recognition of someone's actual worth. These are made to symbolize respect or confer distinction for recipient. These are not full payments for services.

- ***Honorariums:*** ***Honorariums & Awards***
- ***Student refunds:*** **Request a Refund**
- ***Awards/Prizes:*** ***Honorariums & Awards***
- ***Non-Employee Human Research Subjects:*** **Research Subject Fees**

Scenario 7*:* An academic department needs additional assistance to review student applications due to the high volume of applicants. The individual will perform their duties alongside NU staff who perform these duties.

Classification: Employee (Usually Temporary Employee or Term Appointment)

Reason: The individual will provide defined duties overseen by the University. The University has the right to manage how the work is completed

- Training will be provided to the individual
- Standards are defined for the reviews

The University has the right to manage how the work is completed

- The University/faculty member has the right to provide direction over how the work is done
- The worker will complete defined tasks with defined hours of work and in the defined environment. In

this case, University equipment will be used.

In addition, application reviews are an essential part of the University's core business and performed by existing University employees

Scenario 8: An individual is needed to provide administrative duties in an office when a staff member is on a two-week vacation, or during the office's busy season.

Classification: Temporary Employee

Reason: The University has the right to manage how the work is completed

- The worker will complete defined tasks with defined hours of work

Scenario 9: An individual records lectures intended for asynchronous consultation by students via an online platform

Classification: Adjunct faculty member

Reason: Teaching is a core business of the University and performed by existing University employees