

Suggested Documentation for Independent Contractors

It is strongly suggested that you provide thorough documentation to support your determination of independent contractor status, in order that you may best defend your assessment against a government audit, public enforcement action, or private lawsuit.

You may, for example, wish to record and document:

- The nature of the service provided.
- The worker's:
 - Employer Identification Number (EIN).
 - Business address, if any.
 - Print or electronic advertisements.
 - Business cards, stationery, billheads.
 - Website URL.
- Copies of:
 - Invoices from the worker.
 - Checks payable to the worker's business.
 - Proof of liability, compensation, or disability insurance premiums paid by the worker.
 - Paychecks issued by the worker to assistants or other workers.
- Contracts or other documents that:
 - Allocate to the worker the responsibility or authority to decide when, where, and how his or her services are to be performed.
 - Indicate both parties believe they were in an independent contractor relationship.
 - Stipulate that the worker was hired for a specific project or period.
 - Provide that the worker was paid a flat fee, or time and materials.
- The location where services are performed, if other than your business.
- Evidence that:
 - The worker is licensed or bonded.
 - The worker concurrently provides services for businesses other than yours.
 - The investment made by your business is minor or relatively small compared to the investment made by the worker to perform the service.