**Employee/Supplier Determination Questionnaire**

To be completed by Manager of Department/School and approved by Human Resources ***prior to entering into any contract/working relationship***. Completed questionnaires must be signed by the individual worker, the Manager and the Human Resources Consultant and submitted to Human Resources.

|  |  |
| --- | --- |
| **Worker/Supplier Information** | **Manager Information** |
| **Worker Name and/or Business Name** |  | **Manager Name** |  |
| **Address** |  | **Department** |  |
| **Phone** |  | **Phone** |  |
| **BIN/GST/HST #** |  |  |  |
| **E-mail** |  | **E-mail** |  |
| **Signature** |  | **Signature** |  |
| **Human Resources (HR) Consultant Name:** | **Signature** |  |
| **Date:** |
| **This questionnaire is valid until:(5 years from signature date above)** |
| **Based on information provided below, the HR Consultant has determined the employment status to be:** | **Employee \_\_\_\_\_\_ (follow hire process)Supplier \_\_\_\_\_\_ (follow purchasing process)** |

**Important: If employment status is Supplier and the College can be at risk based on the actions of the supplier, the supplier must carry and provide proof of adequate insurance and WSIB coverage as per Fleming’s requirements for vendors/suppliers.**

|  |  |
| --- | --- |
| **Timeframe for work** |  |
| **Description of work to be completed** |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **Yes** | **No** |
| **1.** | **Is the worker legally entitled to work in Canada?** |  |  |
| **2.** | **Is the worker currently an employee of Fleming College or have they been employed by Fleming in the past 12 months?** |  |  |
| **3.** | **Will the worker be given a workstation, dedicated phone extension and Fleming e-mail address?** |  |  |
| **If the answer to 2 or 3 is “Yes”, the worker is considered an employee. Please work with your HR Consultant to follow the hire/re-hire process.** |

**The next section examines the College’s control over the worker, not the control over the end result of the product or service and considers whether the worker can accept or refuse work.**

|  |  | **College** | **Worker** | **N/A** |
| --- | --- | --- | --- | --- |
| **1.** | **Who is responsible for setting the outcomes or scope of work?** |  |  |  |
| **2.** | **Who decides amount and method of payment for the work?** |  |  |  |
| **3.** | **Who determines hours of work?** |  |  |  |
| **4.** | **Who provides the workspace and is responsible for the costs to maintain it?** |  |  |  |
| **5.** | **Who assigns the tasks?** |  |  |  |
| **6.** | **Who supervises the tasks?** |  |  |  |
| **7.** | **Who is responsible for training?** |  |  |  |
| **8.** | **Who hires any additional resources required to do the work?** |  |  |  |
| **9.** | **Who covers the office expenses?** |  |  |  |
| **10.**  | **Who absorbs all risk of financial loss, or reward of profit associated with the work being performed?** |  |  |  |
| **If one or more of the above responses are listed as “College”, this constitutes an employer/employee relationship. Please work with your HR Consultant to follow the hire/re-hire process.** |

**Original kept centrally in Human Resources**

**Purchasing copied if determination is Supplier and value is over $5,000**

**Accounts Payable copied if determination is Supplier and value is $5,000 or less**

All personal information collected by Fleming College is in accordance with sections 21, 39 and 49 of the Freedom of Information and Protection of Privacy Act and under the Ontario Colleges of Applied Arts and Technology Act, 2002, Regulation 34/03. The personal information collected will be used only for the purpose of administering college finance, human resources and payroll processes and other related legally authorized administrative purposes within the college. If you have questions regarding the collection/use/retention of this information, please contact the Human Resources department at Sir Sandford Fleming College at 749-5530.