



Administrative Procedures Memorandum

#: APB005

Engaging Individuals for Contract Work

DATE OF ISSUE: December 4, 2007

Revised: December 2014

MEMO TO: All Staff

FROM: Director of Education

PURPOSE

To establish guidelines for the selection of individuals engaged on a temporary contractual basis and to determine individuals' status as a contractor or an employee.

REFERENCES

Executive Limitation 1V 004 "Compensation and Benefits"
Executive Limitation 1V 007 "Asset Protection"
Administrative Procedure APO006 "Purchasing Procedures"
Administrative Procedure APS043 "Conflict of Interest, Nepotism and Cronyism Hiring/Supervision"
Canada Revenue Agency Guidelines
Canadian Common Law

FORMS

APB005-1

APPENDICES

N/A

COMMENTS AND GUIDELINES

The Waterloo Catholic District School Board acknowledges that the need will arise to engage individuals to perform functions/duties which are outside the scope of the Board's normal operational roles and responsibilities.

In so doing, it is understood that the Board's policies and procedures as well as the relevant guidelines provided by Canada Revenue Agency will be followed.

When considering individuals for temporary assignments, staff responsible for hiring will avoid situations which involve conflicts of interest, nepotism, and cronyism.

The Board is always striving to achieve the greatest value for money, and as such, all projects and the manner in which they are undertaken including the engagement of individuals for contract work should be done in the most efficient, effective, and economical manner.

PROCEDURES

1. Determine the nature and scope of the duties to be performed.
2. Determine the approximate cost of the project.
3. Determine if the individual to be contracted is an employee or an independent contractor using the "Employee/Independent Contractor Checklist".
 - a. If the answer to most of these questions is "YES", the individual to be engaged will be an employee. Please contact Human Resource Services.
 - b. If the answer to most of the questions is "NO", the individual to be engaged will be an independent contractor. Please contact Supply Services and proceed to Step 4.
 - c. Where there is no clear trend toward "YES" or "NO" in the completed checklist, please contact Supply Services to seek the necessary advice to determine the proper classification of the individual.
4. Ensure that the purchasing procedures are followed:
 - a. For projects estimated to cost under \$10,000 – no quote is necessary but must be administered through the Supply Services department.
 - b. For projects estimated to cost between \$10,000 and \$100,000 – three (3) written quotes must be obtained and must be assessed with the Manager of Supply Services or designate prior to the final selection of the individual.
 - c. For projects over \$100,000, a tendering process must be utilized. The Supply Services department will oversee and administer this process.
5. Ensure that all contracted individuals (including those with contracts under \$10,000) enter into the board standard Form of Agreement.
6. The Manager of Supply Services must ensure that procedures as outlined in Item #4 have been followed and the contract document has been duly executed prior to the individual being engaged to perform the required duties. All contract documents must be filed in the Supply Services Department.