

Are you an employee?

Yes	Maybe	No
Does the employer set your hours; for example, does the employer tell you when to start and when to finish on a daily basis?	Are you permitted to set your own hours and to come and go from the worksite as you independently determine to tend to other business, clients or personal schedule?	Do you have employees of your own for whom you pay UI tax and whom you cover under a valid workers' compensation policy?
<i>[Current Law] Does the employer employ people to do work the same or similar to yours?</i>	<i>[Under Proposed law] Does the employer employ people to do work the same or similar to yours? (the answer to this question is evaluated considering the totality of all the other criteria)</i>	
Does the employer tell you how, when and where to perform work? Do you work at the employer's worksite?	Do you work at a site other than the employer's place(s) of business? Do you work from home?	
Does the employer set your rate of pay with no option for discussion?	Do you have an established fee schedule or negotiate your compensation per job? Do you have the potential to experience profit or loss on each job?	
Does the employer own or supply all or most of the equipment you need to perform the work?	Do you own your own tools and equipment?	
Is this employer the only client you are working for?	Do you work for multiple employers, and if so is the work performed related to a specific skill that you possess and/or business that you operate?	
Does the employer withhold any taxes from your pay?	Are you provided a 1099? Do you pay all of your own payroll taxes? Do you file business	
Were you trained to do the job by the employer?	Do you possess a specialty license, certification or degree?	
	Do you have a written contract with the employer?	
	Are registered with the Secretary of State and have a FEIN?	
	Do you advertise for your business to the general public?	
	Did you answer an ad for employment?	