

administration • reference memo

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BOARD POLICY

**INDEPENDENT CONTRACTORS TO
PROVIDE INSTRUCTION**

**CONDITIONS & PROCEDURES FOR
ENGAGING - PAYMENT AS
CORPORATION**

A. Conditions for Engaging an Independent Contractor

Subject to the following conditions and to the provisions of the Collective Agreement, independent contractors may be hired to provide instruction.

1. Evidence must be provided of special expertise, special curriculum needs, or of a special situation which necessitates contracting work outside the bargaining unit within which it is normally performed;
2. The independent contractor must not be an employee of the College;
3. There must be sufficient evidence to assure Revenue Canada that the curriculum offered has been designed by and is the property of the independent contractor.
4. The independent contractor must hold a minimum of \$2 million liability insurance, plus Workmen's Compensation Board coverage.

B. Procedure for Engaging an Independent Contractor

1. Prior to engaging an independent contractor, all details of the proposed contract arrangement, including satisfaction of the above conditions, must be forwarded to the Bursar and the Director of Human Resources.
2. The College will seek agreement from the Capilano College Faculty Association to engage the independent contractor.

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C. Payment as a Corporation

Independent contractors may be paid as a corporation only if they meet the following conditions:

1. The independent contractor is not an employee of the College;
2. There is sufficient evidence to assure Revenue Canada that the curriculum offered has been designed by and is the property of the independent contractor;
3. The independent contractor is part of a larger corporation (not a “personal services corporation”) in which there are several employees, any of whom would be eligible to teach the curriculum;
4. A copy of the certificate of incorporation, a recent annual report and proof of insurance is provided to the Bursar.

Adopted by the Board: February 15, 2000