



5.2 Contractual Employment

Policy Statement

Refer to the Policy Procedures section.

Procedures

The University may negotiate a contract with any private individual to provide any type service that the individual is in business to provide including the provision of clerical services. Under a valid contract arrangement, either written or oral, the U.S. Department of Labor will not consider that any employer/employee relationship exists and the compensation provisions of the Fair Labor Standards Act will not apply.

Services provided by individuals under contract may be performed using the University's equipment and supplies or at any other location as the contract may specify.

When the individual performs general office and/or secretarial duties rather than specific duties as outlined by contract, and where the individual performs services only for a specific agency, such as the University, and ceases to serve as an individual contractor by performing services for other agencies or an individual, the Department of Labor could rule that an employer/employee relationship rather than a contractual relationship does exist and appropriate provisions of the Fair Labor Standards Act will apply.

University employees, either regular, part-time, or temporary, are not allowed to contract with the University. Individuals working at University facilities under a contractual arrangement are not considered employees and are not protected by workers' compensation in case of injury or death.

Contractual employment commitments, verbal and written, shall be made in accordance with the procedures listed in the Purchasing section of this manual.

Responsibilities

Responsible University Senior Administrator: Vice President for Finance & Administration

Responsible University Administrator: Associate Vice President for Human Resources

Policy Owner: hrweb@uga.edu

Policy Contacts: Juan Jarrett

Phone Number: 706-542-7316

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Policy Dates

Effective Date:

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Date of Last Review:

Date of Approval:

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