About the Document

name	**PC-HR-1590-M. Independent Contractor Agreement**
owner	HR
access & use	Restricted to HR
what it is	A contractual agreement between the Company and an independent contractor, consultant, or legal entity that establishes the scope of work and terms and conditions of the engagement.
who uses it	HR or anyone with authority to enter into a contractual agreement on behalf of the Company.
used with	◆ *PC-MGR-1580-M. Offer Form* ◆ *PC-ALL-1585-R. Staff Policies Manual* ◆ *PC-ALL-1107/1122/1132-R. Terms & Definitions Addendum*

Why This Process is Important

It's crucial that anyone who provides services to the Company enters into a formal Agreement with the Company to acknowledge that they have read, understand, and agree to abide by the terms and conditions of their engagement. These terms and conditions clarify the detailed scope of work and help protect the Company.

Working with the Document

- Gray shaded form fields are input placeholders. To replace the text in these form fields, click **ONCE** on the field and type your new content.
- The agreement is structured so that most components up to the signature block are standard and any specifics are included in Schedule A.
- The highlighted sections reference clause numbers. If you add or delete clauses, ensure that the highlighted clauses reference the appropriate clause number.

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Process Overview

All independent contractor contracts for all locations are processed by CUSTOMIZER: Insert Title in CUSTOMIZER: Insert Location.

Once the Recruiting Process has been completed, reference checks have been conducted, and a Hiring Manager has approval to make an offer for an incumbent, proceed with the following steps.

Instructions

Prepare

1. Create a new electronic folder for the contractor:

   Employee Files **>** *<ContractorLastName-FirstName>*

2. Within the contractor's folder, create a 'WIP' (Work in Progress) folder. You'll use this to store any versions of the contract agreement prior to final release.
3. Obtain a copy of the contractor's profile, proposal, resume, reference checks, or any other available information. Scan the information if in print form. File in the contractor's folder.
4. Ask the Hiring Manager to complete the *PC-MGR-1580-M. Offer Form* so you have all the information you need to create the offer. File in the contractor's folder.

Create Independent Contractor Agreement

1. Open the Independent Contractor Agreement template.
2. Save a copy of the template to the contractor's folder with the following file name:

   ContractorStartDate>-<ContractorFirstName-LastName>-Independent-Contractor-Agreement-Draft

   For example: *2017-02-27-Jane-Doe-Independent-Contractor-Agreement-Draft*

3. Fill in the information in shaded form fields.
4. Remove clauses that are not applicable.
5. Note the highlighted references to ensure that they refer to the correct clause. If you remove or add clauses, the numbering and reference to the clause will change.
6. Read over the entire agreement to make sure that it all makes sense and review it for any typos or grammatical errors. **This is a legal contract and it needs to be right.** Run a **Spelling & Grammar** check on the document.

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7. Change the information in the footer. It's important that the contract shows the total number of pages.

   Independent Contractor Agreement – <Contractor Name and their company name if applicable> and <Company Name>

   <Page # of #>

8. Save the agreement.
9. If you create multiple versions of a contract, save each version with the revision date at the end of the file name. This ensures you can review the document history at any time. File all previous versions of the file in the WIP folder.
10. If the agreement needs to be reviewed prior to signing, send the reviewer an email. This email may include the following content:
    - Kindly review draft insert document revision # of contractor name's Independent Contractor Agreement.
    - If you would like to make edits or insert comments, please do not override the current document. Save a new copy of the file and add your initials at the end of the file name. For example: *2017-02-27-Jane-Doe-*Contractor-*Agreement-Draft-Feb05-PJ*
    - Kindly turn on the Tracking functionality in Word so that I can review your changes to ensure that they do not modify the legalese. (**Review** tab **> Track Changes**)
    - By insert date, please reply to this email and provide me with confirmation to proceed with the agreement, or attach your edited file.
11. If the Reviewer makes edits:
    a. Save their document and add your initials at the end of the file name after the editor initials.

       For example: *2017-02-27-Jane-Doe-Contractor-Agreement-Draft-Feb05-PJ-Feb06-AL*

    b. Review the Reviewer's changes. Accept or reject their changes or discuss the changes with them if you don't agree or have other suggestions.

       ** Remember, it's your responsibility to ensure that the agreement is contractually sound and that it reflects HR best practices. Your role is to provide HR expertise. If you feel the Reviewer is insisting on making changes that you don't agree with from an HR best practices perspective, talk to your manager.
12. You may create several versions of the document until a final contract is created. Keep any revisions or agreement versions in the WIP folder within the employee folder.
13. Save the final agreement and remove all revisions extensions. The final file name should look like this: *ContractorStartDate>-<ContractorFirstName-LastName>-Independent-Contractor-Agreement*

    For example: *2017-02-27-Jane-Doe-Independent-Contractor-Agreement*

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14. PDF the final agreement. The Word and PDF versions of this agreement should be the only agreement files in the root of the contractor folder. This ensures that it's clear which document is the final version.

Independent Contract Agreement Signed by Signing Officer

1. Either send the PDF to the signatory to print and sign or print the agreement for their signature.
2. All independent contractor agreements can only be signed by either the CUSTOMIZER: Insert Title or the CUSTOMIZER: Insert Title.
3. Scan the signed agreement and save the scan in the contractor's folder with "Company-signed" appended to the file name.

   For example: *2017-02-27-Jane-Doe-Independent-Contractor-Agreement-Company-signed*

IMPORTANT

The Independent Contractor Agreement **MUST** be signed before the contractor begins providing services to the Company. Independent contractors must sign off on **Staff Policies** prior to their start date.

Send the Offer by Email

Sending an offer by email expedites the process significantly. In addition, sending the first offer by email provides an opportunity to negotiate any changes electronically, without having to print a number of revised documents.

The person sending the offer by email must have signing authority or authority to enter into contracts on behalf of the Company. Be sure to check in with your manager to ensure you have authority to send the offer.

1. Use the following script to create the offer email and attach the 3 files referenced in the email.
2. If you use an email client other than Microsoft® Outlook®, ensure the formatting of bulleted and numbered lists is preserved.
3. Cc the Hiring Manager and your manager on the offer email.

EMAIL SCRIPT

Dear First Name,

I am very pleased to present you with the following offer to provide Type of Services services to CUSTOMIZER: Insert your informal company name as an independent contractor.

Please find attached the following documents representing the terms and conditions of your engagement, which become valid and binding once you have confirmed acceptance of them – including by electronic form and by return email:

- **Independent Contractor Agreement**
  Requires a signature
- **Staff Policies Manual**
  For reference. Outlines the Company's general engagement conditions and conduct policies for Office Staff that are signed off as part of the Independent Contractor Agreement.

If you accept this offer and its terms and conditions, kindly:

1. Print the Independent Contractor Agreement.
2. Provide the required signatures in the signature boxes. Be sure to include a witness signature.
3. Initial every page in the lower right corner, including SCHEDULE A, and SCHEDULE B.
4. Scan and return all pages of the Independent Contractor Agreement by end of day Insert Date, preferably 4 business days from date of sending offer, at which time the offer outlined in this email expires.
5. Please ensure that:
   - The entire Agreement is included in the scanned copy.
   - The quality of the reproduction is clearly legible.
   - Initials are visible.

If you have any questions about the details of this offer, please do not hesitate to contact me by email.

First Name, we are very much looking forward to working with you.

Sincerely,

CUSTOMIZER: Insert Legal Entity Name

Your Name

Your Title

IMPORTANT NOTICE: This email is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, you are asked to permanently delete all copies of this email and notify the sender immediately. Thank you.

Signed Independent Contractor Agreement

1. Ensure you receive the incumbent's signed contract by the deadline date.

2. Save the signed agreement in the contractor's file with "SIGNED-FINAL" appended to the file name.

   For example: *2017-02-27-Jane-Doe-Independent-Contractor-Agreement-SIGNED-FINAL*

3. Move all other versions of the contract into the WIP folder.
4. Send a copy of the signed agreement to CUSTOMIZER: Example Accounts Payable or Procurement.

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