DIOCESE OF SAN JOSE

HUMAN RESOURCES OFFICE

INDEPENDENT CONTRACTOR ONBOARDING PROCESS
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The Independent Contractor Information Packet is available on the DSJ Website or contact the Human Resources for customer service at 408-983-0149.

Independent Contractors are paid only for the work performed. The Diocese of San Jose is not required to pay employee benefits under the Fair Labor Standards Act (FLSA), including overtime and minimum wage

- Independent Contractors are not covered under the Diocese of San Jose workers’ compensation benefits
- Independent Contractors are not entitled to receive the Diocese of San Jose employee benefits
- Independent Contractors are not covered under Equal Employment Opportunity laws to the extent they apply to the Diocese of San Jose’s relationship with its employees
- Independent Contractor taxes are not withheld and/or paid by the Diocese of San Jose including income FICA and unemployment
- Independent Contractors who provide services to a Diocesan school or to a parish of the Diocese must be fingerprinted prior to beginning work, unless the independent contractor will never have any contact with a minor or vulnerable adult
- Independent Contractors who may have frequent or prolonged contact with school children while providing services to a Diocesan school must provide certification from a medical provider that such individuals are free from communicable tuberculosis
- The Diocesan entity contracting with an Independent Contractor is responsible for monitoring of and ensuring compliance with this Independent Contractor Onboarding Process
DIOCESE OF SAN JOSE INDEPENDENT CONTRACTOR CHECKLIST

Name ___________________________________ Job ______________________ Date ______________

1. Is the work an integral and regular part of the ministry and services of the Diocese? YES NO
2. Is the work on-going in nature rather than brief, focused and unique? YES NO
3. Is the majority of the work skilled and specialized? YES NO
4. Does the worker have an occupation or business distinct from that of the Diocese? YES NO
   a. Is there evidence of a business license? (if yes, please attach copy) YES NO
   b. Is there evidence of professional Liability Insurance & Workers’ Comp Insurance? YES NO
      (if yes, please attach copy)
   c. Is there evidence of multiple and current clients? (if yes, please attach names) YES NO
   d. Is there evidence of multiple associates/employees working for this Individual’s business? YES NO
      (if yes, please attach names)
5. Is the work significantly different from work being performed by other Diocesan employees? YES NO
6. What amount of time, if any, does the person spend working at the Diocese and what, if any, space or materials of the Diocese are used, and what, if any, significant profit/loss risks (e.g. unreimbursed overhead) are involved?

7. Does the Diocese have the right to control the manner and means of accomplishing the desired results (even if that right might not be exercised)? YES NO
8. What percentage of the individual’s current “business” is for the Diocese? _______ % YES NO
9. Is the person paid to complete a set job at a set fee without regard to the number of hours ultimately worked on the project? YES NO
10. Does the worker set his/her own hours using his/her own discretion? YES NO

Note- The above items reflect most of the common law factors considered by the I.R.S. etc. in determining whether or not a person is a bona fide independent contractor. Misclassification can result in assessments for back taxes and penalties. The I.R.S. does not weigh the answers equally and a “yes” or “no” to a single item or two is not conclusive as to the outcome. However, “yes” answers to items 1, 2 & 7 and “no” to items 3,4,5,9 & 10 along with a high percentage in item 8 are strong indicators of employee status.
STEPS TO REQUEST PAYMENT FOR A 1099 CONTRACTOR

Please note that prior to processing any requests to engage in business with an independent contractor, Human Resources must first determine if the individual meets the requirements as independent contractor.

STEPS TO REQUEST PAYMENT FOR AN INDEPENDENT CONTRACTOR

- Completed TIN or W-9 submitted to Location’s Finance Department
- Fingerprint Clearance, unless the independent contractor will never have any contact with a minor or vulnerable adult
- Safe Environment Training (if the Independent Contractor may have any contact with minors or vulnerable adults)
- Submit a check Request with the accompanying Vendor Invoice or use IC Sample Invoice (attached)
- 1099 Contractors are paid through Location’s Finance Department
- 1099 Contractors are NOT Employees

Corporations, LLC, Non-Profits Organizations must provide:

- Tax Identity Number (TIN) must be provided for payment
- Notarized Document of acknowledging entity’s obligation to fingerprint employees, unless the independent contractor will never have any contact with a minor or vulnerable adult
- Invoices for Services

W-9 Sole Proprietors must provide:

- Fingerprint Clearance must be completed for the Diocese of San Jose, unless the independent contractor will never have any contact with a minor or vulnerable adult
- Attach Invoice for Services
- Payment Requisition must accompany Independent Contractor Sample Invoice and will be paid after the completion of service
- Invoices for payment must include the date of service, description of services & signature of contractor/business owner
Diocese of San Jose
Payment Requisition Form

<table>
<thead>
<tr>
<th>Type</th>
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<th>Posting Date</th>
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<tbody>
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<td>Check</td>
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<td>ACH</td>
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<tr>
<td>Wire Transfer</td>
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Payee:
Name
Address
City, State, Zip

Note: TIN and W-9 required for all new vendor setups for services rendered/rent

Accounting:
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<tr>
<th>G/L Description</th>
<th>Fund</th>
<th>Account Number</th>
<th>Dept#</th>
<th>Project#</th>
<th>Amount</th>
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Total: $0.0

Other:
Additional Information

Special Instructions

Return Check to

Authorization :
Requested by
Approved by
Telephone #: Telephone #:

Below this line for Accounts Payable use only
Vendor Number
Independent Contractor Sample Invoice

Invoice #: ____________________________  Date: ______________

TIN: _______________________________________________________

Contact Information: ___________________________________________

________________________________________________________________

Services: _____________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

Owner Signature: ____________________________  Date: ______________

Approver Signature: ____________________________  Date: ______________
INDEPENDENT CONTRACTOR TB AND CHILD ABUSE ACKNOWLEDGEMENT

If any function you, or any of your employees are providing requires frequent or prolonged contact with students, you and/or your employees must produce or have on file a certificate(s) from a medical provider showing that within 60 days of your initial contract, you and/or your employees have been examined and have been found free of communicable tuberculosis. (Pursuant to Health & Safety Code 121525.)

_______________________________________  _______________  _______________  _______________
Signature       Date

If you, or any of your employees are transporting students on a frequent or prolonged basis, pursuant to an authorized contract, you and/or your employees you must submit a certificate(s) from a medical provider showing that within 60 days of the initial contract, you and/or your employees have been examined and have been found free of communicable tuberculosis. (Pursuant to Health & Safety Code 121525.)

_______________________________________  _______________  _______________  _______________
Signature       Date

If you, or any of your employees provide child care custodial services, including, but not limited to, teaching, you and/or your employees have signed a statement provided to you to the effect that you have knowledge of the provisions of Penal Code Section 11166 ("Child Abuse & Neglect Reporting Act") and will comply with those reporting requirements.

_______________________________________  _______________  _______________
Signature       Date

My signature(s) acknowledge that I have read and understand the TB and Child Abuse requirements of Independent Contractors. I declare under penalty of perjury that I have complied with the applicable requirements set forth above.

_______________________________________  _______________
Signature       Date

______________________________  __________________________
Name (please print)  Address

_______________________________________  __________________________
Name of Company  Address
Diocesan Policy Regarding Fingerprint Requirements for Independent Contractors

It is the policy of the Diocese of San Jose to require all Independent Contractors who contract with a school run by the Diocese (or at parishes that share a school site) to:

Submit (or furnish evidence that they have submitted) fingerprints to the Department of Justice, and received results indicating no disqualifying sex or controlled substance offenses or violent or serious felony convictions, unless the independent contractor will never have any contact with a minor or vulnerable adult.

The Diocese of San Jose accepts the following option for the contractor to fulfill this requirement:

1. To certify that all employees of the contractor working on the school or parish site have submitted fingerprints to the Department of Justice and have been cleared. (See attachment – Contractor Certification Letter)

2. For schools only. Independent Contractor must be able to provide a TB clearance to the school site for all of their employees working in the school.

All Independent Contractors providing services to a school, or parish in which the Independent Contractor or any of the employees of the Independent Contractor may have any contact with minors or vulnerable adults must provide documentation of compliance with the fingerprinting and tuberculous testing requirements to the site at which the services will be provided prior to beginning work. This policy will not apply to an entity providing services to a school or parish at school site in an emergency or exceptional situation.

This policy will apply regardless of the method by which the Independent Contractor is paid.
Diocesan Policy Regarding Safe Environment Training for Independent Contractors

Independent Contractors and employees of Independent Contractors who have regular contact with minors/vulnerable adults in Diocesan programs, must complete the “Safe Environment Requirements” as defined in this policy statement. Employees of public agencies, such as school districts, who will have regular contact with students within the course of their responsibilities, shall also comply with the “Safe Environment Requirements.”

Individuals from Outside Agencies that use Diocesan facilities

Individuals who work with children, minors/vulnerable adults in programs or activities that are not sponsored or conducted by a Diocesan school or parish but that use or rent facilities from a Diocesan school or parish are not required to comply with the Safe Environment requirements. For example, volunteers and leaders of community sports programs or Girl Scouts that merely hold games or activities at a parish’s gym or have meetings in parish or school facilities are covered by the child protection requirements of those programs, and are not required to complete Diocesan Safe Environment Requirements.

Individuals Contracted with Outside Providers

Outside providers who supervise or provide services to minors, including entertainment, must meet the Safe Environment standards of this policy. This includes Carnival operators, who are responsible for guaranteeing the compliance of their employees.

Outside vendors who supervise or provide services to vulnerable adults must comply with the Safe Environment standards of this policy.

The link for Shield the Vulnerable is www.shieldthevulnerable.com to take the course, “Protect Children CA – San Jose”.
Contractor Certification of Pupil Contact and Contractor Employee List

Date: __________________________

Contractor Name: __________________________

Name of Site: __________________________

Our company has been contracted by the Diocese of San Jose to perform one or more of the following or similar services that may have contact with pupils:

Janitorial _______ Transportation _______
Landscape _______ Refereeing _______
Food-related _______ Other Services (Specify) _______

Pursuant to California Education Code 33192 and 33193, we as the contracting entity have read and understand the following requirements regarding contractors for the Diocese of San Jose:

1. To submit fingerprints of all employees who may have any contact with pupils, to the California Department of Justice (CDOJ) in a manner authorized by the CDOJ.
2. To not permit any of your employees to come in contact with pupils until CDOJ clearance is ascertained.
3. To certify in writing to the Diocese of San Jose that none of your employees who may come in contact with pupils have been convicted of a disqualifying sex or controlled substance offense or a violent or serious felony as defined in EC 45122.1 (as identified in Penal Code Sections 667.5 and 1192.7). Such certification is enclosed.
4. To provide a list of the names of company employees who may come in contact with pupils to the DSJ. This enclosed list will be kept current and the Diocese will be notified when there are updates.

(See attached copies of CA Education Code Sections 33192 –33193 and 45122.1 and Penal Code Sections 667.5 and 1192.7)

_____ Contractor Initials
Please call the Diocese Human Resources Office at 408-983-0149 with questions regarding any of the following:

1. **FINGERPRINT FEES:** If you are a volunteer or an employee being fingerprinted under the A4631 code, the Santa Clara County Sheriff’s Office will charge a $10.00 rolling fee to be paid at the time of your appointment. If you are a volunteer or an employee being fingerprinted under the A3251 or A0448 code, the Sheriff’s Office will charge a $20.00 rolling fee. You will be given a receipt by the Sheriff’s Office and should check with your site regarding reimbursement. Acceptable forms of payment are:
   - Traveler’s Checks
   - Cashier’s Checks or Money Orders
   - Cash (Exact Amount Only)
   - Imprinted Personal Check

Please note: No CREDIT CARDS or ATM CARDS may be used.

2. **REQUIRED IDENTIFICATION:** Valid photo identification is required. Acceptable forms are:
   - Driver’s License or Identification Card of any state in the United States
   - Military Identification Card
   - Passport (U.S. or foreign)
   - Any state or U.S. Government issued Identification Card
   - Student I.D. Card (for applicants under age 18)
   - Mexican Consulate Card (will be accepted as last resort)

3. **CHILDREN:** Please do not bring small children to your fingerprint appointment.

4. **BANDAGED OR INJURED FINGERS:** You may need to reschedule your appointment until injured or bandaged fingers can be printed.

5. **REQUIRED PAPERWORK:** Please bring your **FINGERPRINT APPOINTMENT SHEET** and three **LIVE SCAN FORMS** to your appointment at the Sheriff’s Office. The Sheriff’s Office will retain one form. The second form is returned to the Human Resources Office. The third form is your copy to keep in your personal files. Applicants are also encouraged to keep the receipt for the rolling fee for possible reimbursement through the school or parish site.

6. **CANCEL/RESCHEDULE APPOINTMENT:** If necessary, applicants are allowed to cancel and reschedule an appointment no later than 48 hours before the appointment without charge. If cancellation occurs less than 48 hours prior to the appointment, the applicant may be billed the $10 or $20 rolling fee. If you must reschedule an appointment, you may do so by contacting the Sheriff’s Office where your appointment was originally scheduled:
   - San Jose Sheriff’s Office
     55 West Younger Avenue
     San Jose, CA 95110
     408-808-4760
   - West Valley Sheriff’s Office
     1601 S DeAnza Boulevard
     Cupertino, CA 95014
     408-868-6614
   - Stanford Sheriff’s Office
     711 Serra Street
     Stanford, CA 94305
     650-725-2499
   - San Martin Sheriff’s Office
     80 West Highland Avenue
     Building K
     San Martin, CA 95046
     408-686-3651
Please call the Diocese Human Resources Office at 408-983-0149 with questions regarding any of the following directions:

1. Directions to the **San Jose Sheriff’s Office** at 55 West Younger Avenue, San Jose, CA 95110; Telephone: 408-808-4760.
   
   **From the Diocese Offices:**
   1. Turn left onto Burton Avenue as you exit the parking lot.
   2. Turn right onto Second Street.
   3. Turn right on Younger Avenue.
   4. Park in the visitor parking lot just past the Sheriff’s Office.

   **From Interstate 280 North/South:**
   1. Merge onto Interstate 880 North and continue to First Street.
   2. Follow directions below for Interstate 880 North/South.

   **From U.S. 101 North/South:**
   1. Merge onto Interstate 880 South and continue to First Street.
   2. Follow directions below for Interstate 880 North/South.

   **From Interstate 880 North/South:**
   3. Exit at and turn east onto North First Street.
   4. Turn right onto West Younger Avenue.
   5. Park in the visitor parking lot just past the Sheriff’s Office.

   **From Interstate 680 North/South:**
   1. Exit at and turn west onto Berryessa Street. Berryessa Street becomes Hedding Street after crossing U.S. 101.
   2. Turn right onto North First Street.
   3. Turn left onto West Younger Avenue.
   4. Park in the visitor parking lot just past the Sheriff’s Office.

2. Directions to the **West Valley Sheriff’s Office** at 1601 South De Anza Boulevard, Cupertino, CA 95014; Telephone: 408-868-6614.

   **From the Diocese Offices:**
   1. Turn right onto Burton Avenue as you exit the parking lot.
   2. Turn right onto North First Street.
   3. Turn right onto Interstate 880 North.
   4. Take Exit 4C to merge onto U.S. 101 North.
   5. Follow the directions below for U.S. 101 North/South.

   **From U.S. 101 North/South:**
   1. Exit onto CA-85 South and continue to South De Anza Boulevard.
   2. Exit at and turn west (right) onto South De Anza Boulevard.

   **Interstate 280 North/South:**
   1. Exit onto CA-85 North and continue to South De Anza Boulevard.
   2. Exit at and turn west (left) onto South De Anza Boulevard.
3. Directions to the Stanford Sheriff’s Office at 711 Serra Street, Stanford, CA 94305; Telephone: 650-725-2499.

**From the Diocese Offices:**
1. Turn right onto Burton Avenue as you exit the parking lot.
2. Turn right onto North First Street.
3. Turn right onto Interstate 880 North.
4. Take Exit 4C to merge onto U.S. 101 North.
5. Follow the directions below for U.S. 101 North/South.

**From U.S. 101 North/South:**
1. Exit at and turn west onto Embarcadero Road.
2. Turn left onto CA-82/El Camino Real.
3. Turn right onto Serra Street.
4. Once you pass the first stop sign, stay in the right lane. The first driveway you come to will be the Recycling Center which offers 40 minutes of free parking. The Sheriff’s Office is next to the Fire Department across from the gas station.

**Interstate 280 North/South:**
1. Exit at and turn east onto Page Mill Road.
2. Turn left onto CA-82/El Camino Real.
3. Turn left onto Serra Street.
4. Once you pass the first stop sign, stay in the right lane. The first driveway you come to will be the Recycling Center which offers 40 minutes of free parking. The Sheriff’s Office is next to the Fire Department across from the gas station.

4. Directions to the San Martin Sheriff’s Office at 80 West Highland Avenue, Building K, San Martin, CA 95046; Telephone: 408-686-3651.

**From the Diocese Offices:**
1. Turn right onto Burton Avenue as you exit the parking lot.
2. Turn right onto North First Street.
3. Turn right onto Interstate 880 North.
4. Take Exit 4B to merge onto U.S. 101 South.
5. Follow the directions below for U.S. 101 North/South.

**From U.S. 101 North/South:**
1. Exit at and turn west onto East San Martin Avenue.
2. Turn left onto Monterey Road.
3. Turn right onto West Highland Avenue.
Verify Group, Inc.  
LIVE SCAN FINGERPRINTING SERVICES  
262 E. Hamilton Ave. Suite A  
Campbell, CA 95008  
www.verifygroup.com  
408-761-2156

Verify Group - Rolling Fees

- $20.00 – Mobile Rolling Fee
- $25.00 – Resubmissions done by another agency
- $0.00 – Resubmissions done by our agency

Rolling fees are fees charged by Verify Group, Inc. for the rolling of your fingerprints, the maintenance of and destruction of your Request for Livescan forms per the DOJ/FBI mandated one year period of time.

Additional Fees

Rolling fees cover only the operator’s cost for rolling the fingerprint images. Unless a Billing Number is provided, DOJ and/or FBI fees are due at the time of service. Standard fees are:

- DOJ Fees are: $37
- FBI Fees are: $17

Depending on the ORI number you are being printed for, you may have additional fees due. Please feel free to contact us to find out if there are additional fees associated with your ORI number.

Other fees may also be required per agency requesting fingerprinting.

If your Request for Live Scan From has a “Billing Number” included, you will only be charged the Rolling Fee per person.

Payment Methods

We accept the following payment methods:

- Cash
- Check
- Credit/Debit (Visa, MasterCard)

Notes

Please allow a minimum of 7 days before making a status inquiry.