**KWORCC Policies for Counties**

**Independent Contractors Policy**

**Explanation:**

Businesses and individuals who are not county employees who perform work or service to the county (other than selling supplies) must provide proof they are covered by workers compensation insurance.

It does not matter if the businesses are large or small or if the individual is a temporary worker. If they are not on the county payroll as a county employee, they must show proof of such insurance.

Often such businesses and individuals are considered “independent contractors,” and often it is assumed they have workers compensation insurance. There should be no exceptions to the requirement of proof of insurance. This is true whether there is a written contract or not.

 Should a person be injured while performing services for the county, and there is no workers compensation coverage in place, the county will be responsible for medical and other costs. If the county is responsible, then KWORCC, as the county’s workers compensation insurance carrier, is responsible for paying these costs.

Avoiding unnecessary liability is one good reason to ensure such coverage. Another reason is that KWORCC’s payroll auditor is required to add the cost of these contract services to the county payroll during the annual year-end payroll audit, unless the county can show proof that these businesses and individuals had workers compensation coverage.

**Therefore, KWORCC recommends that each Member adopt the following policy:**

It shall be the policy of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ county to require that all businesses and individuals who perform work or service to the county (other than selling supplies) to provide proof of workers compensation insurance coverage prior to performing any such work or services.