



## **Independent Contractor vs. Employee**

These State of Maine Guidelines define the characteristics of employees vs. independent contractors and is intended to provide a general comparison that tend to make a worker an employee or an independent contractor.

### **Independent Contractor**

- Free from direction and control
- Has necessary skills and training to complete job
- Has a business location
- Performs services for multiple customers
- Sets own hours
- Determines own price for contracted services
- Not eligible for employee benefits
- Provides equipment and tools used to complete job
- Supplies materials needed to do job
- Personally liable for errors and/or accidents
- Files self-employment taxes
- Has right to hire and fire workers
- Must legally complete each contract

### **Employee**

- Means and manner of work are (or can be) controlled by employer
- May be trained by employer to perform job
- May work at employer's business location
- Works for one employer, may serve that employer's customers
- Hours set by employer
- Accepts wage, salary, or commission determined by the employer
- Employer may provide and control equipment and tools
- Employer may purchase materials and supplies
- Employer liable for employee errors and/or accidents
- Is hired and can be fired by employer
- May quit working for an employer at any time