

Procedure: Individual Contractors

Purpose

To inform staff of the University's procedure on engaging individual contractors to provide services to the University.

Procedure

1. Any individual providing teaching/lecturing services must not be engaged as an individual contractor and must be employed under the ANU Enterprise Agreement as academic staff or casual sessional academic staff in accordance with the [Procedure: Knowledge, pedagogical Skills, and Qualifications requirements for Educators](#).
2. An [Employee/Contractor Checklist](#) is completed where the University is considering paying an individual to provide a service.
3. An authorised delegate:
 - a. does not approve a payment to an individual for a service, where the [Employee/Contractor Checklist](#) indicates the individual should be treated as an employee; and
 - b. considers other alternative service providers/methods of engagement, prior to engaging an individual as a contractor.
4. Where a decision is made to engage an individual as a contractor to provide a service to the University, an authorised delegate ensures that a written contract is entered into where:
 - a. the work is done in Australia, and the individual is paid more than AUD 2,000 in any one calendar year by the University; or
 - b. the work is undertaken in a country other than Australia, and the individual will be paid more than AUD 5,000 in any one calendar year by the University.

Alternative Services Providers/Methods of Engagement

5. Alternative services providers refer to non-individuals such as companies, partnerships, trusts who offer a similar service to the proposed individual contractor.

6. Alternative methods of engagement refer to lower risk options for procuring the services of individuals including:

Option	Details
Contract with an individual's home institution/employer where possible.	If an individual's presence at the University is sanctioned by another institution, the University is required to enter into a contract the institution.
Change the employment relationship by engaging as an employee.	The individual is covered by University insurance program and provides a mechanism for administering superannuation guarantee obligations.
Refer individual to a labour hire firm and engage the individual through the firm	The labour hire firm is liable for superannuation, taxation and workers compensation obligations. University business areas ensure that the labour hire firm provides appropriate insurance cover.

7. In all other circumstances, a contract can be entered into at the discretion of the delegate, adhering to the authorised delegate's delegations as reflected in the University's [Delegations Framework](#).

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