

IS&T RECRUITMENT GUIDE

TABLE OF CONTENTS

SECTION ONE: DEFINITIONS

SECTION TWO: ROLES AND RESPONSIBILITIES

SECTION THREE: RESOURCES AND ASSISTANCE AVAILABLE TO YOU

SECTION FOUR: LEGAL CONSIDERATIONS

SECTION ONE: DEFINITIONS

Temporary Workers may be defined as: Consultant, Contractor, or Independent Contractor.

What is a **Consultant**?

A “Consultant” is a vendor-supplied expert to assist with a project or technical issue (related to that vendor). An example would be an Oracle resource supplied by the Oracle Corporation to assist with an upgrade issue onsite.

What is a **Contractor**?

A “Contractor” is a short-term resource hired on an hourly basis via an agency to supplement existing staff. An example would be a Unix System Administrator hired on a 6 month contract via the Professional Staffing Group, MITemps, etc. to work with existing MIT Unix System Administrators already handling system administration and customer service.

What is an **Independent Contractor**?

An “Independent Contractor” is a resource hired on an hourly basis on a corporation-to-corporation (1099) basis. Independent Contractors are similar to Contractors in that they supplement existing staff on an hourly basis, however Independent Contractors own their own companies and bill for services on a corp-to-corp (1099) basis.

PLEASE NOTE:

- Consultants, Contractors, or Independent contractors should not be included in regular staff meetings, except in circumstances dictated by their consultative role on a particular team task.

- Consultants, Contractors, or Independent contractors should not be included in staff listings or other documentation that purports to describe IS&T employees.
- Consultants, Contractors or Independent contractors should not receive any form of career or professional coaching or training that is not directly related to the tasks of their contract.

SECTION TWO: ROLES AND RESPONSIBILITIES

What is **YOUR ROLE** as a supervisor when hiring a Contractor, Consultant, Independent Contractor, or Student Worker?

1. It is imperative that you verify with IS&T Finance and your Director that the need is funded and approved before you contact the Talent Acquisition Consultant.
2. Work with IS&T Finance to contact the [MIT PROCUREMENT DEPARTMENT](#) for hiring an independent contractor and all temporary resources *other than* MIT students or pre-identified contractors hired through MITemps/NextSource, our onsite vendor partner.
3. If hiring a contractor, including a non-MIT student, you may hire them through the MITemps Program. Please remember that these contractors are NextSource *not* MIT employees!

MITemps/NextSource

Short-term hires are engaged through the MITemps program, managed by our on-site vendor partner, NextSource. Once a non-MIT student or other temporary employee is identified (based on referrals, job postings, etc.), the Hiring Manager will work with the Talent Acquisition Consultant and the MITemps Program Manager, Pauline Skehan, to bring on board a short-term hire.

Pauline Skehan is located in E19-222c and can be reached by phone at #617-324-0191, or via email at pskehan@nextsource.com.

The Hiring Manager or Talent Acquisition Consultant will complete the [MITemps Request Form](#), or contact Pauline for further assistance.

- MITemps/NextSource will charge a 20% administration fee in addition to any agreed-upon hourly pay rate.
- The Hiring Manager or Talent Acquisition Consultant will complete the online [MITemps Request Form](#) at

<http://web.mit.edu/hr/compensation/mitemps.html> and direct the employee on how to use the TAMS system, which is the hours worked reporting and payroll system at <http://mit.nextsource.com/login.phtml>.

- If any assignment extensions are required, the Hiring Manager or Talent Acquisition Consultant will inform Pauline/NextSource in advance via email of the new end date and the rationale for the extension.
4. If hiring an MIT student, you may hire them through [MIT Student Employment Services](#).

MIT Students

- The Talent Acquisition Consultant will assist the Hiring Manager with posting a temporary assignment description on the [Student Employment Services](#) website at <http://web.mit.edu/sfs/jobs/> and will advise them on a fair hourly pay rate.
- Once a student hire is identified, the Talent Acquisition Consultant will create the offer letter and complete the [Student Personnel Action Form](#) and submit it to Margaret Mahoney, Site Coordinator, in N42. Margaret is our IS&T student hiring administrative representative who works with the Student Employment Services office to enter the data into their payroll system.
- The Hiring Manager or Talent Acquisition Consultant will advise the student to go to the Student Employment office to complete an I-9 form and other relevant documents. If the person is an international student, they must apply for a social security card through SFS.
- In some IS&T areas (i.e., ISDA), a student may be asked to sign a [Proprietary Agreement](#) form.

SECTION THREE: RESOURCES AND ASSISTANCE AVAILABLE TO YOU

What is the **TALENT ACQUISITION CONSULTANT'S ROLE** in hiring Contractors, Consultants, Independent Contractors, and Student Workers?

If you are looking to hire short-term or long-term workers in your area, the Talent Acquisition Consultant can be a partner to you in defining the role needed, posting the job description, sourcing quality candidates, and providing you with information about the hiring market.

If you are searching to bring in a contractor via an agency, the Talent Acquisition Consultant also has relationships with a number of appropriate agencies and can

provide a list of vendors. There are a variety of business practices, pricing structures, and quality levels. Please feel free to contact us for more information about companies that are on file, or other contractor related issues.

Contact: Ken Lloyd, Talent Acquisition Consultant, klloyd@mit.edu, 617-253-8235.

SECTION FOUR: LEGAL CONSIDERATIONS

- Consultant type purchase orders are restricted for use only to obtain non-employee type services which are clearly consultative in nature from an individual who is clearly a bona fide consultant (expert adviser) who pursues this line of business for him/herself (independent contractor).
- The purchase order must not be used to incorrectly place an individual in the non-employee status of consultant. This includes a self-employed individual who proposes his/her services as consultant to perform services similar to those performed by MIT employees or involving supervision of or by MIT employees.
- He/she may be considered an employee by law, regardless of the intent of the parties or any formal agreement to the contrary, and, if so, the Institute remains liable for fulfilling its statutory obligations relating to employees, and these can be invoked by the individual, the State, or the Federal Government, in some cases with penalties.
- It is a requirement, therefore, that prior to entering an agreement for services with any individual, that the Buying Agent (the Procurement Office) review all of the circumstances, and, if the appropriate status of the individual is not clear, that the matter be referred to IST-HR or to Human Resources for the purpose of placing the individual on the regular or voucher payroll.
- If the agreement is approved, the hiring manager must fill out Form 4.15A [Certificate required]. This form must be submitted with an approved requisition to the Procurement Office.