

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
WORKFORCE AND COMMUNITY DEVELOPMENT UNIT
PROCEDURE
SIP-6125**

SUBJECT: Contractual Training for Workforce Development

REFERENCE: Originally SCP-6125. Reviewed by Southern's Board of Governors. Rescinded and approved for reconstruction as a procedure on December 9, 2008. SCP-2593, *Payment to Employees for Contracted Services (Other Than Regular Employment)*, SCP-2593.A, *Payment to Individuals for Services*, and West Virginia Purchasing Division Procedures Handbook revised/issued April 11, 2019.

ORINATION: July 1, 1999

EFFECTIVE: May 14, 2019

REVIEWED: May 7, 2019

SECTION 1. PURPOSE

1.1 Independent contractors are needed to provide staffing for special projects necessary to meet the training needs of the business community in southern West Virginia. The training needs of employers are rapidly changing and contractual trainers will allow Southern to be more responsive to those changing needs.

SECTION 2. SCOPE AND APPLICABILITY

2.1 This issue applies to the Workforce and Community Development Unit and particularly the Workforce Development Department of Southern West Virginia Community and Technical College.

SECTION 3. DEFINITIONS

3.1 Independent Contractor: A person who provides a service for a specified period of time. They provide a skill or a unique skill that is necessary to respond quickly to the evolving skill requirements of business employers throughout the region.

3.2 Contractual Agreement: A written document between Southern West Virginia Community and Technical College and an independent contractor who provides a special service to the college.

3.3 Employee Contractual Agreement: An agreement between Southern West Virginia Community and Technical College and an employee of the College for services rendered or performances made other than those included in their regular employment.

SECTION 4. PROCEDURE

4.1 Independent contractors may be used on an as-needed basis to provide the educational training, consulting, and/or unique services for specific projects at Southern West Virginia Community and Technical College. Southern and the independent contractor will agree upon the contract.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 Independent contractors are not considered employees of Southern and are not eligible for employee benefit programs or other privileges enjoyed by regular employees.

SECTION 6. GENERAL PROVISIONS

- 6.1 To ensure quality of the outcome, Southern retains the right to require the contractor to comply with certain instructions regarding training or program development, consulting services, and/or unique services.
- 6.2 Southern may require the contractor to provide written reports at specific intervals during the term of the agreement.
- 6.3. Southern may require that the training be rendered personally by the contractor and not be provided by a subcontractor.
- 6.4 The independent contractor must be self-supportive if and when contracted on a yearly term.
- 6.5 Compensation will be contingent on the completion of specified tasks.
- 6.6 Contracted services with Southern employees will follow policy SCP-2593, *Payments to Employees for Contracted Services (Other than Regular Employees)*.

SECTION 7. RESPONSIBILITIES AND PROCEDURES

- 7.1 The State of West Virginia Purchasing Division Agreement form (WV-48) must be used for contracted services and Southern's Purchasing Procedures must be followed. Vice President for Finance and Administration's written approval must be received prior to purchase and/or beginning services.
- 7.1.1 Services totaling less than \$50,000.00 do not require bids.
- 7.1.2 Services totaling \$50,000.00 and above require publicized legal bid.
- 7.1.2.1 Southern's Vice President for Finance and Administration is responsible for all publicized bids.
- 7.2 Unit personnel must complete a WV-48 to include name and address of the vendor, location of services, description of services, dates of services, and rate of pay. The vendor must sign and date the WV-48 verifying the information is correct and return the signed document to the unit personnel.
- 7.3 A purchase order must be completed and the vendor must have a current W-9- Request for Taxpayer Identification Number and Certification on file and be an approved vendor in Southern's Banner System and the State of West Virginia's wvOASIS system.
- 7.3.1 The vendor's information on the WV-48 must match the information in Banner and wvOASIS.
- 7.4 A completed WV-48 and purchase order must be sent to Vice President for Workforce and Community Development for written approval.
- 7.5 WV-48 and purchase order with Vice President for Workforce and Community Development's approval must be sent to Accounting Manager for review prior to being sent to the Vice President for Finance and

May 7, 2019 - Revisions provide clarity, update changes as indicated in the West Virginia Purchasing Division Procedures Handbook revised and issued April 11, 2019; updated WV-48, Agency Delegated Agreement; Southern West Virginia Community and Technical College's policy on payment to employees, SCP-2593, *Payment to Employees for Contracted Services (Other Than Regular Employment)*; and updated internal procedures.