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Creating a Compliant Independent Contractor Agreement - **Checklist**

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Creating a compliant independent contractor agreement is important to protect both the independent contractor and the client. By clearly defining the scope of work, payment terms, and other important details in the agreement, both parties can have a clear understanding of their obligations and expectations.

This checklist includes items such as clarifying ownership of intellectual property, ensuring compliance with applicable laws and regulations, and specifying how disputes will be resolved. By following this checklist, clients can help ensure that their independent contractor agreements are legally compliant and help mitigate potential legal and financial risks.

- Scope of Work:**
This section should describe the specific work that the contractor will perform, including any deliverables or milestones that must be met. This should be as detailed as possible to avoid any misunderstandings or disputes later on.
- Timeframe and Deadlines:**
This section should specify the timeframe for completion of the work, including any deadlines or milestones. This helps to ensure that the contractor delivers the work on time and helps the client plan accordingly.
- Payment Terms:**
This section should describe the payment terms for the work, including the fee or rate to be paid to the contractor and when payment will be made. It should also include any penalties or late fees for late payment.

- Expenses, Taxes, and Insurance:**

This section should clarify that the contractor is responsible for all expenses associated with completing the work, including equipment, software, and supplies. It should also state that the contractor is responsible for paying their own taxes and maintaining appropriate insurance coverage.

- Non-Disclosure or Confidentiality Clause:**

This section should include a confidentiality clause to protect sensitive or proprietary information. It should specify what information must be kept confidential and for how long. Intellectual Property Ownership: This section should clarify who will own any intellectual property created during the course of the work, including patents, trademarks, and copyrights. It should also state that the contractor agrees to assign any ownership rights to the client.

- Compliance with Applicable Laws:**

This section should state that the contractor agrees to comply with all applicable laws and regulations governing independent contractors, including tax laws, intellectual property laws, and contract laws.

- Governing Law and Jurisdiction:**

This section should specify the governing law and jurisdiction that will apply to the agreement. This helps to ensure that any disputes will be resolved in a manner that is fair and equitable to both parties.

- Termination Clause:**
This section should outline the circumstances under which either party may terminate the agreement, including breaches of the agreement, insolvency, or bankruptcy. It should also specify how much notice must be given before termination can occur.

- Dispute Resolution:**
This section should specify how any disputes will be resolved, such as through arbitration or mediation. This helps to ensure that any disputes are resolved in a timely and efficient manner.

- Signature:**
This section should include a signature line for both parties to sign, acknowledging and agreeing to the terms of the agreement. This helps to ensure that both parties are fully aware of and agree to the terms of the agreement.

*Disclaimer: This checklist provides a general overview of the essential elements of an independent contractor agreement. However, specific requirements for such agreements may vary depending on the jurisdiction and nature of the work involved. This checklist is not a substitute for legal advice. Please consult with legal counsel to ensure the agreement complies with all applicable laws and regulations. Certain jurisdictions may require additional clauses or provisions in independent contractor agreements.



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