

	<h2>Policies and Procedures</h2>	
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1. POLICY OVERVIEW

- 1.1. Sections two (2) and three (3) give general information applicable to the entire policy.
- 1.2. Section four (4) through eight (4) outline policies related to the contractual relationship between the Independent Contractors and the LSC, delegation of administrative responsibility, and the management of Independent Contractors paid by UTSI.
- 1.3. Section nine (9) lists documents and forms applicable to this policy.
- 1.4. Sections ten (10) and eleven (11) outline administrative procedures and responsibility for ongoing policy implementation and distribution.

2. PURPOSE OF POLICY

- 2.1. To clearly establish the classification of paid personnel and share information about why and how this is done. This policy is intended to provide information and guidance to LSC leadership about:
 - 2.1.1. The contractual relationship between the Independent Contractors and the LSC
 - 2.1.2. The delegation of administrative responsibility
 - 2.1.3. The management of Independent Contractors paid by UTSI

3. DEFINITIONS

The following definitions may be in this policy or in contracts between UTSI and various Independent Contractors.

- 3.1. **Affiliation Agreement:** Contractual agreement(s) between Utah Swimming and USA Swimming. Each has obligations to the other because of the agreement.
- 3.2. **Independent Contractor:** Any person whom Utah Swimming compensates directly and who performs services for the organization.
- 3.3. **IRS Code:** The current United States Internal Revenue Code.
- 3.4. **LEAP:** A USA Swimming program designed to assist LSCs in becoming more efficient and effective. LEAP stands for *LSC Evaluation and Achievement Program*.
- 3.5. **Leadership Task Calendar (LTC):** A spreadsheet that compiles board and other leadership tasks as dictated in UTSI governing documents or related support and assigns a responsible party and deadline.
- 3.6. **LSC:** Local Swim Committee, the regional governing body for USA Swimming. The LSC for the state of Utah is Utah Swimming.
- 3.7. **Policies and Procedures:** The principles, rules, and guidelines of UTSI, as amended and adopted by the Board of Directors or the House of Delegates.
- 3.8. **Procedure:** Unlike a “Policy and Procedure” document which requires board approval, a “Procedure” document does not contain any policy. As a result, it is not binding and does not require board approval to create or update. A procedure document is used to preserve institutional knowledge, ideas, forms, and other things which might be helpful to the future UTSI workforce. Procedures are found in the Policies and Procedures section of the Utah Swimming website and are prepared and approved by the Governance Committee member responsible for LSC Governing Documents.
- 3.9. **Rules and Regulations:** Specific rules and procedures that govern the conduct of UTSI competitive swim meets.
- 3.10. **Sanction:** Official permission, or approval to a USA Swimming group member to host a meet. Times from meets sanctioned by USA Swimming are recognized by the organization. Rules and regulations regarding sanctioning are in the current USA Swimming rulebook. Sanctions for USA Swimming meets held in the state are granted by Utah Swimming.
- 3.11. **Staff:** Anyone paid by Utah Swimming or volunteers designated as “Staff” in a Utah Swimming sponsored travel or other group.
- 3.12. **Swimming Year:** September 1 through August 31.
- 3.13. **USA Swimming:** USA Swimming, Inc., a Colorado nonprofit corporation which is the national governing body for the United States for the sport of swimming.

- 3.14. **UTSI:** Utah Swimming, Inc. A Utah not-for-profit corporation.
- 3.15. **Workforce:** The total number of workers in a specific undertaking. In Utah Swimming the workforce includes staff, board members, and other volunteers.

4. STATUS OF PEOPLE PAID BY UTSI

Utah Swimming hires Independent Contractors to fulfill some of the needed work for the organization.

NOTE: One of the biggest issues associated with payroll is determining if an individual should be paid as an employee through payroll or as an independent contractor through accounts payable.

Misclassification of an independent contractor may have several costly legal consequences.

Visit the IRS independent contractor or employee guide (Topic 762) to learn about the tax implications of either scenario.

5. ADMINISTRATIVE OVERSIGHT

5.1. Administrative Vice Chair

The Administrative Vice Chair is responsible for the general administrative oversight of any Independent Contractor working for Utah Swimming except for responsibilities of the Treasurer role.

5.2. Finance Vice Chair

Finance Vice Chair is responsible for the administrative oversight of the responsibilities of the Treasurer role.

5.3. Executive Committee

As needed, the Executive Committee may address contract or staff issues.

6. CONTRACTS

Contracts determine the expectations and nature of the relationship between Utah Swimming and the people paid to do specific work. They determine the scope of work that may be performed by the Independent Contractor. Termination and grievances are managed according to terms of contract.

6.1. Location

Current contracts between UTSI and any Independent Contractors are in the vicechair@utahswimming.org Google Drive.

6.2. Expiration

All contracts have an expiration date. It is the responsibility of the Administrative Vice Chair to ensure continuity of the workforce so important roles are always filled.

6.3. USA Swimming Non-Athlete Registration Required

- a. USA Swimming requires all adults who work for LSC's to be registered as Non-Athletes. As a result, this must be included in the contract. If a contractor is not currently

registered, they must work with the LSC Registrar to become so prior to receiving pay. The LSC will pay the associated fee(s).

7. ANNUAL CONTRACT NEGOTIATIONS

Annually, in August the Admin Vice Chair and Finance Chair or designees will meet with each independent contractor. One objective of the meeting is to ensure contractual obligations are being met to the satisfaction of both parties. It's a planned time to discuss changes that have happened in the past year, to evaluate needs moving through the next year, and to get contractors and UTSI on the same page with expectations for the next year.

8. ENCOURAGEMENT TO WORK FOR ADDITIONAL LSC'S

Utah Swimming invites and encourages any Independent Contractors to also work for additional LSC's as they are able. UTSI does not seek exclusive access to contractor services.

9. RELATED DOCUMENTS AND FORMS

9.1. UTSI policy #401: Workforce Related Policies

9.1.1. Located on the [UTSI Policies and Procedures webpage](#)

10. NOTIFICATION

10.1. Annually, the Admin Vice Chair will review this policy and the current contracts and note any upcoming expiration dates.

10.2. Annually, in August the Admin Vice Chair and Finance Chair or designees will hold contract negotiation meetings with each Independent Contractor.

11. DISTRIBUTION OF POLICY AND UPDATING

11.1. Policy is posted on UTSI website.

11.2. At least annually, the Admin Vice Chair and Finance Chairs will review this policy and ensure needed updates and changes are made with board approval. The Admin Vice Chair is the lead person in this process.

CHANGE LOG				
Version	Date	Description of Change/Section(s)	Author or Editor	Authority
1	8/10/2021	New policy	Paul Larsen, Teri Rhodes, Shane Lamb, Cathy Vaughan	BOD
2	10/18/2021	Update wording	Serena Werner	BOD
3	1/14/2022	Inserted USA Swimming requirement of Non-Athlete registration	Cathy Vaughan	BOD