



## **Nonprofit 411: Non-Profit Employee Classification Checklist**

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By Paul Holtzman, Partner, [Krokidas & Bluestein](#)

As a non-profit organization, there are many considerations to account for in the way you supervise, retain, and compensate your workforce. From classification of employment status to compensation practices, mismanagement of personnel can be damaging for any organization and the risk is only exacerbated for nonprofits. Below are a few tips to help you navigate the murky waters between volunteers, interns and independent contractors, so that you can ensure that you are adhering to applicable laws and classifying personnel in an accurate and legal way.



They may be a volunteer if...

- The worker does not receive or expect to receive benefits from their work
- The activity constitutes less than a full-time occupation
- Regular employees are not displaced by the volunteer
- The individual is acting without having been pressured or coerced
- The services are not the same type as those performed by employees of the organization

They may be an intern if...

- Their activity is similar to training that would be given in an educational environment
- The experience is for their benefit
- The individual does not displace regular employees
- There is no immediate advantage derived by your organization from the intern's activities
- There is a mutual understanding that the intern is not entitled to wages for their time spent; and that they are not necessarily entitled to a job

They may be an independent contractor if...

- The individual is free from control and direction of the organization, both by design and in fact
- The service they provide is performed outside the usual course of business of your organization
- The worker is customarily engaged in an independently established trade, occupation, profession or business of the same nature as that involved in their work for your organization