



PART-TIME WORKERS

Classification of a worker as an employee or a "1099 person" has nothing to do with whether they are full-time, part-time, or seasonal. **The number of hours worked is not a factor at all in determining a worker's classification as an employee or an independent contractor.**

For income tax withholding, Social Security, Medicare and federal and state unemployment tax purposes, there are no differences between full-time employees, part-time employees and employees hired for short periods. It makes no difference whether the worker has another job or has the maximum amount of social security tax withheld by another employer.

Some employers may be tempted to pay a worker as an independent contractor until they see "if it works out". Don't fall into this trap. In general, if the employer controls the job and how it will be done, the worker is an employee, not an independent contractor. Treat them as employees from the start. The IRS imposes stiff penalties for misclassifying workers.

For further information about "worker classification" rules, you can link to our previous PayDay titled ["Employee or 1099 - Be Sure!"](#)

Call one of AccuPay's CPP's or CPA/advisors at 885-7600 if you have questions about worker classification issues.

PayDay is an email communication of payroll news, legal updates and tax considerations intended to inform clients and colleagues of AccuPay about current payroll issues and planning techniques. You should consult with your CPA or tax advisor before implementing any ideas, comments or planning techniques.