Overview

- Pre-Award
- Post-Award
  - Contracts and Grant Accounts
  - Self-Support and Enterprise Accounts
- Accounts Payable
- Human Resources
Pre-Award

- Works directly with faculty on the creation and development of contract and grant proposals.

- Analyzes and negotiates the grants or contracts with the sponsored agency.

- Assists faculty with the development of the proposal budget.

- Assists faculty with finding potential collaborators within the University community (where appropriate).
Pre-Award

- Negotiates intellectual property terms and conditions related to patents, copyrights, trademarks, and other technology transfer issues.

- Advises faculty on potential risks and responsibilities.

- Works with faculty to resubmit proposals.
Post-Award

- Receives award notices from funding agencies.

- Sets up accounts (account starts 21-26)—Office of Sponsored Program Analyst.

- Provides financial oversight and management of the grants or contracts.

- Advises project directors on internal and sponsored agency’s guidelines, policies, and procedures.

- Works with all areas (such as Human Resources, Payroll, Accounting) on transactions.
Monitors funds to make sure expenses are within the project period and the project is not overrun.

Ensures expenses are aligned with the approved budget.


Follows up with project directors on cost share if required by the agency.

Ensures that technical progress and fiscal reports are submitted to the agency on time.

Closes out accounts.
Time and Effort Reporting

Description:
Time and Effort reporting is required by Federal OMB Circular A-21 and CSU Policy. Effort reporting is required to verify that the individual is performing the work, and that the effort distribution in the HR/Payroll system is a reasonable reflection of how the individual’s effort was actually performed on the federally funded project.

The report reflects the activities applicable to each sponsored agreement, general operations, and other indirect activities including academic units and the total equals to 100%.

Procedural Steps:

A. Time and Effort Certification

(Certification of Effort Report Sample - included in workshop packets)

Faculty /University employees certify Time and Effort Report following each period on the San Jose State University academic calendar as follows: Fall semester, Intersession, Spring semester, Summer intersession.

Salaried and hourly employees/staff certify their effort each pay period via timesheets prior to receiving payment for the work performed.

Costs Share Labor: Costs share from either cash or in-kind should be included in the Time and Effort Report.
Time and Effort Reporting

B. Preparation

The Time and Effort Report includes the percentage of direct pay, reimburse time, university assigned time and cost share if applicable.

The Time and Effort Report is prepared manually by analyzing and compiling data from the following sources:

- **Direct pay:** Research Foundation payroll salary report and timesheets are used.
- **Reimburse time:** GL expense report and reimburse time logs that record and track all faculty release time by semester is used.

The University faculty salary schedule that lists the percentage of assignment for the faculty is used.

Costs share report (if applicable)
C. Distribution

At the end of each period of the academic calendar, the OSP Analyst prepares and sends the Time and Effort Reports for all individuals who are required to certify time and effort at SJSURF. The following table provides the estimated distribution schedule for each certification period.

<table>
<thead>
<tr>
<th>Time &amp; Effort Period</th>
<th>Period Ending Date</th>
<th>Distribution Time *</th>
<th>Collection Time **</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall Semester</td>
<td>End of December</td>
<td>Early – Mid February</td>
<td>End February-March</td>
</tr>
<tr>
<td>Intersession</td>
<td>Late January (base on academic</td>
<td>Mid – End February</td>
<td>Mid – End March</td>
</tr>
<tr>
<td></td>
<td>calendar)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spring Semester</td>
<td>End of May</td>
<td>Mid - End July</td>
<td>Mid – End August</td>
</tr>
<tr>
<td>Summer</td>
<td>Late August (base on academic</td>
<td>Mid - End Sept</td>
<td>Mid – End October</td>
</tr>
<tr>
<td></td>
<td>calendar)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Time and Effort Reports should be distributed approximately 45 days following each period
** Time and Effort Reports should be collected within 30-45 days following distribution.
Release Time (Buy Out Time)

- Release time is that portion of time for which SJSU employee is released from his or her University duties to work on the research project and for which the University must be reimbursed.

- Release Time Authorization (RTA) is issued by the designated sponsored programs analyst based on the approved budget and the University official approval.

- The analyst works with the PI (principal investigator) and SJSU Accounting to process release time when needed.
Student Award Payments

- Student award payments include scholarships, fellowships, non-service stipends, books, supplies and other related education awards.

- Fall semester this year (2013), the Financial Aid and Scholarship Office began managing disbursements of these student awards.
Student Award Payments

To process student award payments, the following documents are required:

- Non-Service Stipend Award and Acceptance Letter (sample is in the workshop packet)
- Research Foundation Requisition signed by the PI

Upon receiving the above documents, the Research Foundation will transfer the payments to the Financial Aid and Scholarship Office for disbursement to the student.
Self-Support Enterprise

- Provides financial oversight and management of non-state funded educational activities underwritten by fees, or by the SJSU Research Foundation itself.

  **Examples:** Faculty seminars, conferences, workshops, and organized campus research units.

- The department or college requests to open the new accounts using a request form. Forms are located on the Research Foundation **Forms** web page. ([http://www.sjsufoundation.org/html/sjsuf-employees-resources/forms.htm](http://www.sjsufoundation.org/html/sjsuf-employees-resources/forms.htm))

- Sets up accounts (accounts start with 34-55).
Self-Support Enterprise

- Advises project directors and staff on internal policies and procedures.
- Works with all areas (such as Human Resources, Payroll, Accounting) on transactions.
- Monitors funds to prevent overrun and to ensure that the project is in compliance with required policies.
- Closes out accounts.
# Research Foundation Fund Groups

<table>
<thead>
<tr>
<th>Sample Acct #:</th>
<th>34 Fund Group</th>
<th>1100 Department Code</th>
<th>0001 Sequential</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ANALYSTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>OSP Analysts</strong> (<em>Analysts are assigned by Colleges</em>)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Federal Grants</td>
<td>22 State Grants</td>
<td>23 Non-Profit Grants</td>
<td>24 Private Grants</td>
</tr>
<tr>
<td>25 Local Government Grants</td>
<td>26 Cost Matching</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34 Self-Supported Funds (except MLML - Rick Y)</td>
<td>51 Deans Department &amp; Library (except MLML - Rick Y)</td>
<td>52 Current Operating (except MLML - Rick Y)</td>
<td>53 P. I. Cost Share - F&amp;A Distribution (except MLML - Rick Y)</td>
</tr>
<tr>
<td>55 Other Board Programs (except MLML - Rick Y)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35 CPF-SPF Related</td>
<td>37 Agency Related (Hold in trust for Others)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>42 Enterprise - Stadium Funds</td>
<td>43 Enterprise - Incubators</td>
<td>MLML Moss Landing Marine Lab.</td>
<td>15</td>
</tr>
</tbody>
</table>
The Financial Report

Divided into three sections:

1. **Account Summary**: Data from the inception to present date (*Budget – Grant*).

2. **Transaction Detail**: List of all the transactions that posted for the given month – Date, Reference Number, Name of Payee, and Dollar amount.

3. **Encumbrance**: List of POs Issued on A/C
Grant Report including Budget

SJSU Research Foundation

Summary of Account Status - Cumulative

Run Date: 03/02/2010  
Account:  
Period: 03/01/2010 to 03/31/2010  
Account Name: Virtual, Distributed, Sustaina  
Administrator:  
 Analyst: DUONG, LAN  
Phone: (408)924-1426  
Agency: Hewlett Packard Company  
Flow Down Agency: HP  
Grant Period: 08/01/2006 - 10/31/2009  
Indirect Cost %: 0.00  
Deliver To:  
Additional Signers: 0244

<table>
<thead>
<tr>
<th>Object Code</th>
<th>Description</th>
<th>Total Budget</th>
<th>Current Rev/Exp</th>
<th>Cumulative Rev/Exp</th>
<th>Outstanding Commitments</th>
<th>Available Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>21113</td>
<td>Project Director-Summer</td>
<td>8,850.00</td>
<td>0.00</td>
<td>8,846.79</td>
<td>0.00</td>
<td>3.21</td>
</tr>
<tr>
<td>22500</td>
<td>Fringe Benefits-Mandatory</td>
<td>1,150.00</td>
<td>0.00</td>
<td>1,150.08</td>
<td>0.00</td>
<td>-0.08</td>
</tr>
<tr>
<td>24100</td>
<td>Travel &amp; Prof. Developmen</td>
<td>2,000.00</td>
<td>0.00</td>
<td>282.90</td>
<td>0.00</td>
<td>1,717.10</td>
</tr>
<tr>
<td>24500</td>
<td>Mileage</td>
<td>0.00</td>
<td>0.00</td>
<td>179.77</td>
<td>0.00</td>
<td>-179.77</td>
</tr>
<tr>
<td>24</td>
<td>Travel, Training &amp; Prof Dev</td>
<td>2,000.00</td>
<td>0.00</td>
<td>462.67</td>
<td>0.00</td>
<td>1,537.33</td>
</tr>
<tr>
<td>28100</td>
<td>Supplies</td>
<td>3,000.00</td>
<td>0.00</td>
<td>2,486.68</td>
<td>0.00</td>
<td>513.32</td>
</tr>
<tr>
<td>28950</td>
<td>Sensitive Equipment &lt;5K</td>
<td>0.00</td>
<td>0.00</td>
<td>879.05</td>
<td>0.00</td>
<td>-879.05</td>
</tr>
<tr>
<td>28</td>
<td>Materials &amp; Supplies</td>
<td>3,000.00</td>
<td>0.00</td>
<td>3,365.73</td>
<td>0.00</td>
<td>-365.73</td>
</tr>
<tr>
<td>30100</td>
<td>Printing &amp; Duplicating</td>
<td>0.00</td>
<td>0.00</td>
<td>1,004.57</td>
<td>0.00</td>
<td>-1,004.57</td>
</tr>
</tbody>
</table>

**Direct Cost Total**  
15,000.00  
0.00  
14,829.84  
0.00  
170.16

**Total Expenses**  
15,000.00  
0.00  
14,829.84  
0.00  
170.16

**Account Total**  
15,000.00  
0.00  
14,829.84  
0.00  
170.16
Identification Information

- Run Date Account number 34-9000-0001
- Administrator, Deliver To, Additional Signers
- Reporting Period Account Start and End Date

SJSU Research Foundation

Summary of Account Status - Cumulative

Run Date: 11/05/2012
Account: 3490000001
Period: 11/01/2012 to 11/30/2012

Account Name: SJSU Research Foundation Test Project
Administrator: YONEDA, RICKY

Deliver To: CONSTANTINE, STEVE
Additional Signers: CARMO, JERRI
Financial Data

Financial Report is divided into three parts:

1. **The Summary:** Summary of the A/C from inception to date, ending with the available balance. (Bottom Line Right – In bold print) Account Total: $36,474.60
   **Note:** Your grant account has an additional column for the Budget.

2. **The Transaction Details:** This is a detailed record of the transactions of the current month.

3. **PO/Encumbrances:** Open purchase orders.
Summary

Reading columns from left to right:

- **Object Code**: A five digit number that identifies the type of Income or Expense.

- **Description**: A narrative that explains what object code means (i.e.: Object Code # 05100 – Conferences & Workshops).
Summary

- **Prior Rev/Exp:** Total dollars received (Revenue) and spent (Expenses) from inception to the end of last month (Column A)

- **Current Rev/Exp:** Total dollars received (Revenue) and spent (Expenses) during this month. (Month of the Report) (Column B)
Summary

- **Cumulative Rev/Exp:** A + B = (Column C) Prior Rev/Exp + Current Rev/Exp = Cumulative.

- **Outstanding Commitments:**
  - Applicable to purchase orders only.
  - POs are encumbered/deducted from the available balance.
  - These funds are set aside until the vendor submits an invoice.
Summary

Available Balance: This is the account balance that is available for future expenditure.

Looking at Column Cumulative Rev/Exp and Row Account Total—The amount is $36,574.60 and Outstanding Commitments is $100. The Available Balance is $36,474.60.

Available Balance: Column C – D = E Cumulative less Outstanding Commitment = Available Balance. (The Bottom Line)
The Transaction Detail

Every line item in the Summary that has a transaction in the Current Rev/Exp has the corresponding details on the pages following the Summary.

Information will include:

- Date of the Transaction
- Reference Numbers
- Description
- Dollar Amount
Purchase Orders/Encumbrances

- **Outstanding Commitments** (if applicable) will be listed after the Transaction Details.

- **Information will Include:** Date of the PO, PO Number, Name of the Vendor, Dollar Amount of the PO, any invoice already paid and the balance or unused portion of the PO.
Purchase Orders—Take Note

- At the end of the fiscal year—June 30—any unused portion of a blanket PO will be returned to the available balance of the account and the PO will be closed.

- If the PI/PD wishes to use the said vendor on a PO, a new PO will have to be requested for the new fiscal year.
Reimbursements
Purchase materials and supplies using your personal funds: Cash, Check, Credit Card.

Reimbursement Requests must include:


- **Itemized List of what was Purchased:** Original cash receipt or original invoice.

- **Proof of Purchase:** Who paid for the item(s) and how.
Reimbursements

- **Cash Receipts** Satisfies Both Requirements Itemized List and Proof of Payment – Cash or Credit Card.

- **Payments by Personal Checks** – Requires a front and back copy of the canceled check.

- **Reimbursement for Meals** – Requires an event flyer or a list of the attendees or sign in sheet.
Reimbursements

Online purchases may be verified by one document if:
(a) It lists the items purchased.
(b) Provides proof of payment—CC Charge: XXXXX1234.

Reimbursements will be made only to the person named on the CC Statement or CC Receipt (i.e. spouse).
Reimbursements

We do not reimburse for payment to a third party for services rendered.

The Research Foundation does reimburse for alcoholic beverages only from non-grant and contract funds, but it requires approval from the Research Foundation Chief Operating Officer.

Self-support account may even split the costs with the University if they wish to pay for the meal.
Payments to Vendors: Purchases

- Original requisition signed by account signer
- Original invoices
- Vendor invoices must be billed to: SJSU Research Foundation
- Invoices should not have been altered in any fashion
- Invoices should include remittance information
Payments to Vendors: Contracts

Contracts and agreements for service must be drawn between the vendor and SJSU Research Foundation—Your department.

You determine the terms and conditions of the contract/agreement, but the Research Foundation executive executes the binding signature.

Always add three signatures: The vendor’s, yours, and the signature of the Research Foundation Chief Operating Officer.
Travel Advance

**Note:** The Research Foundation Travel Policy is soon to be revised.

- To ensure timely processing, it is requested that travel advance requests be submitted as soon as possible. Submit the travel authorization form (same URL as requisition), and indicate the dollar amount requested with the required signatures.

- Keep all original receipts and reconcile your advance within 30 days after your trip. Make check payable to SJSU Research Foundation if advance amount is more than the cost of the travel.

- Travel advances will not be issued to students and non-employees.
Travel Reimbursements

- Faculty travel must have the University official approval prior to the trip and prior to incurring any expenses.

- After the trip, submit original travel authorization form with claimant’s signature, account authorized signer and traveler’s supervisor (one up signature).

- Include original receipts (airline, hotels, meals if claiming actual rather than per diem).

- Include conference flyer or announcement if expense was for conference travel.

- If claiming per diem: log into the US General Services Administration website for the current federal rate: http://www.gsa.gov/portal/content/104877

**Note:** For some state funded accounts, we need to check the policy for per diem allowable.
Travel Reimbursements

1. **Airline Tickets, Conference Registration and Lodging** may be reimbursed before the trip if paid in advance.

2. **All Domestic Travel** must be authorized by the Dean. The Dean’s travel must be authorized by the Provost or the President.

3. **All Foreign Travel** must be authorized by the Provost. (Attach a copy of said approval).

**Note:** Non-SJSU employees must contact the Research Foundation when planning foreign travel. *(Risk Mgt: Norma 4-1418)*
Travel Reimbursements

4. **Meals may be claimed:**
   (a) Per Diem – No receipts required (Rate based on the city of destination; (see Federal Rate website)
   (b) Actual – Original Receipts and Itemized Order required.

5. **Lodging may be claimed:**
   (a) Per Diem
   (b) Actual – Original receipt required.

**Note:** Use one method per trip.
Travel Reimbursements

6. **Lunch** is not claimable on a one day trip (IRS Rule).

7. **Breakfast** is claimable if you leave one + hour earlier than usual.
**Dinner** is claimable if you return one + hour later than usual (IRS Rule).

8. **If your meal includes another person** claim it as a business expense not as a meal (B-L-D).
Travel Reimbursements

9. **Before using your own vehicle** complete and submit Mileage Certification Form to the Research Foundation.

10. **Claim mileage for your own vehicle**: Current rate 56.5 cents per mile.

11. **When renting vehicles** we suggest that you rent your vehicle thru ENTERPRISE, who has a contract with the CSU. Corporate A/C #: **NACA053**

12. **Compare cost of road trip with airfare** and claim the lesser. Please include comps.
Contact Your OSP Analyst Before:

- Contracting the services of an individual or company (i.e. IC or vendor).

- Employing a non-resident (i.e. visiting professor, foreign students, contractors).

- Paying honorariums or stipends.

- Taking students on a field trip for which the funds must come from the Research Foundation.

- Purchasing gift cards as a “Thank You.”
Do’s and Don’ts

Do’s:
- Do make copies of everything you send
- Do initial all changes and corrections
- Do print A/C numbers and sign all forms

Don’ts:
- Do not use Whiteout. Instead, cross out errors with a single line.
- Do not use pencils. Please use pens only.
- Do not use paper clips. Instead, staple documents together.
Human Resources Department

Overview
The Research Foundation's Human Resources Department provides a full range of Human Resource services to enable Research Foundation programs to accomplish their research and public service objectives, while supporting a work environment where diversity and individual and team contributions are respected and valued.

Human Resources provides and oversees the following services:

- Recruitment and Staffing
- Immigration Services
- Benefits Administration
- Compensation
- Performance Management
- Employee Relations
- Training
- Policies and Procedures
- Compliance
- Community Outreach
Human Resources

There are several critical areas that Human Resources will partner with you to help support you as manager, along with your program operations.

- Recruitment and staffing for your program
- Appointment and personnel changes
- Compliance issues
- Employment actions, including terminations
- All other HR-related issues
All New and Rehired Employees

Project directors and managers must ensure that paperwork for all new and rehired employees (students, benefited and non-benefited employees) is completed before the employee is allowed to start work.

No employee is authorized to start work until the following processes have been completed:

- E-Verify
- Live Scan
- Executive Order 1083 Acknowledgement is signed
**E-Verify**

- E-Verify is an Internet-based system that allows an employer to electronically determine the eligibility of an employee to legally work in the United States.

- The E-Verify process is **mandatory** for those employers with federal contracts or subcontracts that contain the Federal Acquisition Regulation (FAR) E-Verify clause.

- The SJSU Research Foundation became an E-Verify employer on June 1, 2011, and partners with a third party company (currently Equifax) in this endeavor.

- All new employees, including re-hires, benefited and non-benefited, must complete the E-Verify process.
Live Scan

- The Live Scan process is a criminal history background check.

- Live Scan technology records an individual’s fingerprint pattern and digitizes the fingerprint characteristics that make fingerprints unique. An electronic transfer of fingerprints and personal data to the Department of Justice (DOJ) is realized within seconds.

- The Live Scan process will then be able to transmit results back to the Research Foundation within days. The DOJ also coordinates forwarding the fingerprints to the FBI if required.

- Any prospective new hires, re-hires (students; benefited or non-benefited), and volunteers who will be in contact and/or working with minors, are required to undergo the Research Foundation’s Live Scan process, as noted above.

- A new employee is not authorized to start work until this process is successfully completed.
CSU Executive Order 1083

On September 24, 2012, the Governor signed into law amendments to the California Child Abuse and Neglect Reporting Act. The new state law is intended to protect children from abuse and neglect.

While SJSU Research Foundation employees are not CSU employees, because of our close association with San Jose State University, the Research Foundation complies with the tenets of the new legislation. Only volunteers at the Research Foundation are exempt from this new law.

To comply with the Executive Order, each Research Foundation employee must:

- Complete the Acknowledgement of Mandated Reporter Status and Legal Duty to Report Abuse and Neglect form and submit it to the Research Foundation’s Human Resources department. The form is included in the new hire packet and can be locate on the California State University website. ([http://www.calstate.edu/oe/EO-1083.pdf](http://www.calstate.edu/oe/EO-1083.pdf))

- An online training course is being developed in accordance with the directives of the Executive Order. Once it is available, each employee must complete the training.

- Please review the information outlined in the Executive Order. To view the information visit the California State University website. ([http://www.calstate.edu/oe/EO-1083.pdf](http://www.calstate.edu/oe/EO-1083.pdf))
New Hire Process for Benefited Employees

Refer to “Staffing and Termination Process and Resource Guide” for details.

**New Hire Process for Benefited Employees:**

- Hiring Manager completes the Request to Recruit form and forwards the completed form to HR.

- Once the employee accepts the position, the hiring manager completes the Non-Academic Appointment form and forwards the completed form to HR.

- HR contacts the new employee for completion of “new hire” paperwork, including benefits “Onboarding” information.

- HR enters appointment information into the Bi-Tech system. All deadlines for submitting paperwork is listed on the HR/PY Calendar.

**Reminder:** Employees are not authorized to start work until all appropriate paperwork has been completed.
New Hire Process for Non-Benefited Employees

Refer to “Staffing and Termination Process and Resource Guide” for details.

New Hire Process for Non-Benefited Employees:

- Hiring Manager completes the Non-Academic Appointment form and forwards to HR.

- HR contacts the new employee for completion of “new hire” paperwork.

- HR enters the appointment information into the Bi-Tech system.

- **Nonresident** employee – IRS requires additional taxation of wages. Employee must complete information in online tax compliance system (“Glacier”).

Reminder: Employees are not authorized to start work until all appropriate paperwork has been completed.
Voluntary and Involuntary Terminations

Voluntary

- The employee notifies the manager that he or she is terminating employment.

- The manager completes the Non-Academic Appointment form and also completes a final timesheet.

- Both completed forms are forwarded to HR.

  **Note:** Allow as much time as possible (at least one week) to ensure prompt preparation of final paycheck.

- When a termination is due to the ending of a project, HR generates an appointment form two months ahead of the employee’s end of appointment. HR forwards the form to the OSP Analyst, who then forwards the form to the PI’s for his or her review and signature. Completed forms are then referred back to HR.
**Voluntary and Involuntary Terminations**

**Involuntary**

- The manager contacts HR to discuss reasons for proposed termination.

- HR may investigate the issues before any final actions are taken.  
  **Note:** No employee should be terminated without HR knowledge and agreement in advance of termination.

- Once discussion and agreement take place between HR and the manager, a termination date is agreed upon.

- The manager completes the Non-Academic Appointment form and timesheet, and forwards both forms to HR.

- HR coordinates issuance of the final check with Payroll.
Processing

How do I pay myself (PI), staff, or students?

- **For Faculty:** Project Director uses Academic Appointment form ([http://www.sjsufoundation.org/html/sjsuf-employees-resources/forms.htm](http://www.sjsufoundation.org/html/sjsuf-employees-resources/forms.htm))

- **For Staff and Student Assistants:** Project Director uses Non-Academic Appointment form (same URL as above)

**Note:** New and rehired employees must submit completed new hire packet (academic/non-academic appointment, W-4, I-9, confidential employee data, etc).

**HR Contact:** Ranjit Kaur (408) 924-1409
Timesheets and Pay Dates

- All Research Foundation employees **must** complete a timesheet for each semi-monthly pay period. There are 24 pay periods per year.

- An employee is **required** to turn in each timesheet in a timely manner. **Do not** “accumulate” hours or timesheets.

- All non-exempt employees are **required** to take their appropriate meal and break times. **Reminder:** 15 minute paid break / 4 hrs work; one unpaid 30 minute meal period / 8 hrs.

- Timesheet for working period 1st-15th of the month is due on the 16th and pay date is on 26th of the same month

Independent Contractors

- The Independent Contractor (IC) Agreement form must be submitted and approved by the Research Foundation HR before the IC actually starts work. The IC’s resume must be included with form.

- Questions regarding whether or not an individual qualifies to be an Independent Contractor can be discussed with the HR department. **Note:** A general rule is that an employer has the right to control or direct only the result of the work done by an Independent Contractor, and not the means and methods of accomplishing the result.

- The independent contractor submits invoices. Please ensure prompt submittal of invoices.

- Requisitions and invoices must be signed by account signer in order for AP to process.
Independent Contractors

YOU MUST ensure that you are properly categorizing Independent Contractors.

- California passed **SB 459**, which took effect January 1, 2012:
  - California’s Labor and Workforce Development Agency can issue fines for “willfully misclassifying” an employee. Fines can range from $5,000 to $15,000 per violation.
  - The penalty goes up to $25,000 per violation if the Agency determines that the employer committed a “pattern and practice” of “willfully misclassifying” workers.
  - There may also be joint and several liability for consultants (but excluding practicing lawyers) who advise employers on such independent contractor engagements.
  - These penalties are in addition to existing penalties, interest and taxes for misclassifying contractors.
  - California’s Labor Commissioner can enforce the law, but Private Attorney General Act lawsuits may also be allowed.
  - If a business has willfully misclassified an independent contractor, a prominent public notice must be posted for one year on a website or worksite reciting the misclassification.
Human Resources Team

- **Cheree Aguilar – Suarez**
  Director of Human Resources  (408) 924 – 1505  cheree.aguilar@sjsu.edu

- **Steve Barranti**
  Associate Director of Human Resources  (408) 924-7299  steve.barranti@sjsu.edu

- **Lupe Lechuga**
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Thank You for Attending Today!