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Employer Certification of Non-Contributing Service Providers

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Contractor Wizard - Initial Agreement

Instructions for Completing the Annual Employer Certification of Non-Contributing Service Providers Contractor Wizard

All quasi-governmental employers must submit a Contractor Wizard each fiscal year. If the employer will not utilize non-contributing service providers during a specific fiscal year, the appropriate section of the Contractor Wizard must be completed. If the employer submits this Contractor Wizard and all documentation, and subsequently uses or hires one or more of the below-listed persons during a given fiscal year, then the employer should submit an updated form and documentation as soon as it is aware of the following:

- That it intends to use one or more independent contractors, leased employees (through a third party, staffing agency, or other non-participating entity), or persons working via any other employment arrangement who, if employed directly by the employer, would qualify as a regular full-time employee in accordance with KRS 61.510(21), or
- That it has directly employed one or more persons who meet the definition of a regular full-time employee in accordance with KRS 61.510(21), yet who have not/are not being reported in accordance with KRS 61.675.

Notice of Employer Requirements

If an employer is not sure whether it is required to submit this Contractor Wizard to the KPPA, or has questions about whether one or more persons providing services to the employer is exempted from the definition of regular full-time, the employer should contact its Employer Reporting, Compliance, & Education (ERCE) representative for assistance at 1-888-696-8810. If in doubt, the KPPA recommends including such persons on this Contractor Wizard because an employer's failure to correctly submit such information may result in negative consequences to the employer and the person certifying this Contractor Wizard.

Employers do not have discretion as to whether or not to submit this information to the KPPA as it is required by law. Before signing, employers should review the certification to understand the consequences for failing to submit complete, accurate information on this Contractor Wizard and in accompanying documentation. Within sixty (60) days following the close of each fiscal year, the KPPA is required to provide extensive data on the response it has received from all affected KERS nonhazardous employers to the state budget director's office and the Legislative Research Commission, including any employer's noncompliance or failure to respond.

Prior to entering this wizard, please ensure you have all contract and agreement documentation available in accordance with KRS 61.675. Once you select "agree" and begin the wizard, you will be unable to save your progress and return to your work at a later time. Each screen will time out after 15 minutes of inactivity.

Agree

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Contractor Wizard - Step 1

For the current fiscal year, does the employer utilize independent contractors, third party companies, staffing companies, other non-participating entities or other persons who will provide services to the employer through any other arrangement where one or more persons work an average of 100 or more hours per month?

Yes No

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* NOTE: Selecting No will take you directly to  upon clicking the  button.

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Please answer the following questions for this contract/agreement not previously reported for this fiscal year. After you have answered questions for one agreement, you will have the opportunity to report additional agreements.

Prior Submissions

Contract Type:*

Independent Contractor
Other person not recognized as an employee
Third party, staffing company, or other entity

Please give the full name of all other parties to this agreement other than the employer:

List the Date this contract was entered: *

MM/DD/YYYY 

How many total persons have or will be utilized by the employer under this agreement?*

How many persons on the agreement work less than an average of 100 hours per month?*

Does this contract meet the following? (check all that apply)

- Remains unrevised from the previous submission (same service and same people providing the services)
- Previously provided to KPPA with a Form 6756, Annual Employer Certification of Non-contributing Service Providers
- Received an official determination from KPPA for this contract

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Check all that Apply:

- The original contract, excluding any renewal period, was entered into prior to 1/1/2021.

What is the date range of the contract?

From:

To:

Where can a copy of the contract be found?

- Individuals under this agreement provide services that have NOT historically been provided by employees of the employer.

Number of Unreported Employees:*

Action	Describe the professional services provided.	# of Persons
	<input type="text"/>	<input type="text"/>

- Persons under this agreement provide non-core services as defined in KRS 61.5991 (9).

Number of Non-Core Employees:*

Check all non-core services that apply:

- | | | |
|--|--|---|
| <input type="checkbox"/> Facilities Services | <input type="checkbox"/> Design Services | <input type="checkbox"/> Ground Services |
| <input type="checkbox"/> Safety Services at Universities | <input type="checkbox"/> Book Store | <input type="checkbox"/> Production Services |
| <input type="checkbox"/> Dining Services | <input type="checkbox"/> Mail Services | <input type="checkbox"/> Construction Services |
| <input type="checkbox"/> Printing and Copier Services | <input type="checkbox"/> Trade or Maintenance Services | <input type="checkbox"/> Custodial Services |
| <input type="checkbox"/> Farrier Services | <input type="checkbox"/> Delivery Services | <input type="checkbox"/> Information Technology Services |
| <input type="checkbox"/> Sports Arena and Stadium Management | <input type="checkbox"/> Public Relation Services | <input type="checkbox"/> Photography Services |
| <input type="checkbox"/> Health Services for University Students and Employees of the Employer | <input type="checkbox"/> Assistive Services at Universities such as Interpreters or sign Language Services | <input type="checkbox"/> Hospitality Services Entertainment |

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This contract pertains to persons with exception(s), we expect documentation for persons on this agreement.

Upload [contract and all documentation](#) for this agreement:

Upload Document 

Documents Uploaded:

Does employer have another agreement that has not already been reported for this fiscal year?

Yes

No

Note: "New or additional contracts for the current fiscal year can be submitted prior to the June 30 deadline."

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The employer is required to report all persons to the KPPA, in accordance with KRS 61.675, who are directly employed and meet the definition of a [regular full-time employee](#) in accordance with KRS 61.510(21).

The employer has reported all regular full-time employees? Yes No

As the agency head, appointing authority, or authorized designee, by signing this form I acknowledge the following:

- On behalf of KERS, the Kentucky Public Pensions Authority (KPPA) may require additional information to process this form.
- If the employer subsequently uses or hires one or more independent contractors, leased employees (through a third party, staffing company, or other non-participating entity), or via any other arrangement during the fiscal year covered by this form, then the employer shall submit an updated form and documentation.
- The Kentucky Retirement Systems, responsible for the governance of KERS, and the KPPA have the exclusive authority to determine whether a person who has not been reported in KERS should be reported to in KERS as a regular full-time employee. If a person who has not been reported as an employee in a regular full-time position is determined to be an employee of the employer in a regular full-time position, the employer shall be required to prospectively report contributions and information in accordance with KRS 61.675, KRS 61.543, and 105 KAR 1:140 for all such persons. Additionally, the employer may owe delinquent omitted employer contributions in accordance with KRS 61.552(2) and 61.675(3)(b) for such persons if the person was an employee in a regular full-time position pursuant to KRS 61.510(5) and 61.510(21) for previous periods that were not reported by the employer.
- The KPPA has full power by statute to conduct an audit to ensure compliance and accuracy of the data required by this form. Upon finding in an audit that an employer failed to file contributions for one or more employees in a regular full-time position required to participate in KERS pursuant to KRS 61.675 and/or KRS 61.5991, interest may be added to the contributions owed by the employer. Additionally, upon finding in an audit that an employer has not provided all relevant information, has provided inaccurate information, or has provided incomplete information about its non-employees pursuant to KRS 61.5991 or 105 KAR 1:451, the employer may be listed as noncompliant on the report provided to the State Budget Director's Office and the Legislative Research Commission.
- If the KPPA determines the participating employer on behalf of which I am signing has knowingly falsified data or fails to submit information required, the employer may face negative consequences, including, but not limited to ineligibility for any future appropriations or subsidies from the state to assist in paying employer contributions to the KPPA and/or back paying any appropriation or subsidies received from the state to assist in paying employer contributions. In addition, both the employer I am representing, and I may be liable for civil payments, legal fees, and costs if found to possess or otherwise have custody or control of money or records "used or to be used by the [KPPA] or the systems it administers and fails to deliver or delivers less than all of the money [or] records" to the KPPA.
- I have full understanding that any person who provides a false statement, report, or representation is subject to penalty of perjury in accordance with KRS 523.100.

Does this complete your contract and documentation submission(s) for this fiscal year 2023 - 2024? Yes No

Full Name:

By entering your PIN you are certifying you understand the above and have submitted all relevant documents for all contracts reported in this wizard.

Enter PIN here:*

[Need a new PIN?](#)

Submit

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