



Independent Contractor Defined

English | [Español](#) | [中文\(繁體\)](#) | [한국어](#) | [Русский](#) | [Tiếng Việt](#)

More In File
Individuals
Businesses and Self-Employed
Small Business and Self-Employed
Employer ID Numbers
Business Taxes
Reporting Information Returns
Self-Employed
Starting a Business
Operating a Business
Closing a Business
Industries/Professions
Small Business Events
Online Learning
Large Business
Corporations
Partnerships
Charities and Nonprofits
International Taxpayers
Government Entities

People such as doctors, dentists, veterinarians, lawyers, accountants, contractors, subcontractors, public stenographers, or auctioneers who are in an independent trade, business, or profession in which they offer their services to the general public are generally independent contractors. However, whether these people are independent contractors or employees depends on the facts in each case. The general rule is that an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done. The earnings of a person who is working as an independent contractor are subject to Self-Employment Tax.

If you are an independent contractor, you are self-employed. To find out what your tax obligations are, visit the [Self-Employed Tax Center](#).

You are not an independent contractor if you perform services that can be controlled by an employer (what will be done and how it will be done). This applies even if you are given freedom of action. What matters is that the employer has the legal right to control the details of how the services are performed.

If an employer-employee relationship exists (regardless of what the relationship is called), you are not an independent contractor and your earnings are generally not subject to [Self-Employment Tax](#).

However, your earnings as an employee may be subject to FICA (Social Security tax and Medicare) and income tax withholding.

For more information on determining whether you are an independent contractor or an employee, refer to the section on [Independent Contractors or Employees](#).

Related Topics

- [Independent Contractor \(Self-Employed\) or Employee?](#)

Page Last Reviewed or Updated: 23-Sep-2020

 [Share](#)

 [Print](#)

- [Our Agency](#)
- [Know Your Rights](#)
- [Resolve an Issue](#)
- [Other Languages](#)
- [Related Sites](#)



[Privacy Policy](#)
[Accessibility](#)