



YUKON WORKERS'  
COMPENSATION  
HEALTH AND  
SAFETY BOARD

SUBJECT: ASSESSMENTS POLICY NO.: AS - 12  
BOARD APPROVAL: UNDER REVIEW  
APPROVAL DATE: \_\_\_\_\_  
BOARD ORDER NO.: \_\_\_\_\_  
EFFECTIVE DATE: January 01, 1993

**REVOKED**

**JUL 01 2008**

## POLICY STATEMENT

SECTION  
REFERENCE:

4

POLICY:

### INDEPENDENT OPERATOR/CONTRACTOR OR PROPRIETOR

- I. An independent operator, contractor or proprietor, is considered to be an individual who does not employ workers and who:
  - (a) works for more than one employer concurrently and is available to work regularly for more than one employer.
  - (b) advertise or otherwise solicit business through their own effort directly with the person or principal for whom the work is being performed and assumes as an asset all "goodwill".
  - (c) provide, in addition to their own labour, major equipment used solely for the business or supplies the materials related to the work being performed.
- II. Where all of the above conditions apply, the person will be considered to be an independent operator, contractor or proprietor.
- III. Where none of the above conditions apply, the person will be considered to be a worker in the employ of the person engaging and remunerating the individual for the work performed.
- IV. Where some of the above conditions apply, the person may be considered to be an independent operator, contractor or proprietor.