

POLICY #500

COTTONWOOD HEIGHTS PARKS AND RECREATION SERVICE AREA

POLICY GOVERNING INDEPENDENT CONTRACTOR

REFERENCE:

Cottonwood Heights Parks And Recreation Service Area Memorandum, February 2, 2001.

PURPOSE:

This policy establishes the practices and procedures for contract labor.

SECTION I: DEFINITIONS:

Independent Contractor – An individual that is formally instructing others at Cottonwood Heights Parks & Recreation Service Area for an established fee and using the facilities of the Service Area.

Service Area – Special taxing district governed by an elected Board of Trustees. Also know as Cottonwood Heights Parks & Recreation Service Area

SECTION II: POLICY

- 1.0 A contract must be signed by Cottonwood Heights Parks & Recreation Service Area and an Independent Contractor prior to teaching private lessons and use of the facilities or equipment of the Service Area.
 - 1.1 Use of the facility and/or Service Area equipment must be approved by the Director or designee for a pre-determined negotiated fee paid by the Independent Contractor and stated in the contract.
 - 1.1.1 Independent Contractors may not remove Service Area Equipment from the facility or from a designated area to another area of the facility unless pre approved by the Director or Designee.
 - 1.1.2 Independent Contractors are responsible for any damage to Service Area equipment during a private lesson or training session.
 - 1.2 The Independent Contractor must carry his/her own insurance.
 - 1.3 The Independent Contractor may provide his/her own supplies and personal equipment with prior approval of the Director or Designee. The Service Area is not responsible for loss or damage to personal supplies or equipment.

- 1.4 The Independent Contractor is not an employee of Cottonwood Heights Parks & Recreation Service Area and will not be provided any benefits.
- 1.5 The Independent Contractor is free to offer services to other businesses.
- 1.6 The contract will be in effect for a maximum of three years from the date of agreement by both parties.

SECTION III: PROCEDURE

- 1.0 All lessons must be purchased or registered through the main office prior to the lesson and proof of payment must be shown to the Instructor.
- 2.0 Non-members of the Service Area shall pay the appropriate admission fee in addition to the fee for the lesson prior to the start of the lesson.
- 3.0 Members of the Service Area are required to pay the fee for freestyle skating, in addition to the fee for the lesson, prior to the start of the lesson.
- 4.0 Private lesson ticket sales will be logged to each individual instructor.
- 5.0 Payment will be made to the Independent Contractor bi-weekly which will include a Service Area percentage deduction as determined by the signed contract.
- 6.0 Independent Contractors trading lessons for benefits in kind (e.g. personal training session for a swim lesson) must register the lesson with the office and pay the appropriate percentage to the Service Area for the use of the facilities.
- 7.0 The ratio of clients per Independent Contractor per session is regulated by the Service Area based on space and facility availability. The following guidelines will apply:
 - 7.1 Personal Trainers are limited to a maximum of two clients per session and may use the fitness room, the cardio room, and other areas of the facility as space permits and at the discretion of the Director or Designee.
 - 7.2 Private Swim Lesson Instructors are limited to a maximum of two clients per lesson or three clients of the same immediate family per lesson.
 - 7.3 Private Professional Skate Instructors are limited to a maximum of two clients per lesson or three clients of the same immediate family per lesson.
 - 7.4 The Service Area reserves the right to cancel any scheduled private lesson or session causing hardship to facility patrons or conflict with facility programming.
- 8.0 Any Independent Contractor earning more than the limit for the Internal Revenue Service will be issued a Form 1099 each tax year.

- 9.0 Any Independent Contractor that fails to follow the policy governing contract labor may be denied the use of the Service Area for private lessons.
- 10.0 Any Independent Contractor who continues to use the Service Area after their privileges have been revoked may result in legal action.

APPROVED AND PASSED THIS _____ DAY OF _____, 20__

COTTONWOOD HEIGHTS
PARKS AND RECREATION SERVICE AREA

By: _____

Mike Peterson, Director

BOARD OF TRUSTEES

By: _____

Carl Evans, Chairman