# **FAQs for Subrecipient vs. Vendor/Contractor Classification**

1. Do I complete the checklist when the sponsor is non-Federal?

Yes. When the sponsor is non-Federal, the word “sponsor” is substituted for “Federal” on the checklist.

1. Is this checklist required for every proposal?

The checklist is required for every proposal involving an outside entity, excluding routine supply/equipment purchases, and a separate form is required for each entity.

1. Do I need to complete a form for routine purchases?

A determination form is not needed to purchase routine supplies or equipment (off the shelf purchases).

1. Is this checklist required when the outside entity is another University?

Yes, except for services provided by a service center at the other University.

1. May an individual be a subrecipient?

No. Please work with HR and Purchasing to determine if an individual is an employee or independent contractor.

1. When would a subrecipient determine who is eligible to receive Federal Assistance?

If the project involves outreach/services, the subrecipient determines if a third party is eligible under the sponsor guidelines (i.e. Ryan White)

1. When would an entity work on behalf of UK and not retain ownership of the work product?

“Work made for hire” is a doctrine created by U.S. Copyright Law. Generally, the person who creates a work is considered its “author” and the automatic owner of copyright in that work. However, under the work made for hire doctrine, your employer or the company that has commissioned your work, not you, is considered the owner.

1. When would the RA’s post-award review affect the determination?

The RA review could affect the determination post award if the RA has received additional facts and information regarding the project that have been collected since the submission of the proposal. The RA would review the determination and consult with the subaward team. The subaward team will alert the sponsor, as required, if a change in budget category is needed.

1. Are some characteristics weighted differently than others?

The substance of the relationship will determine which type of relationship is most appropriate. Please use box 3 to explain the determination when characteristics are checked in both sections 1 and 2.