

**5224.0310 SPORTS OFFICIALS.**

Subpart 1. **Definition.** A sports official is an individual engaged to referee games of sport such as basketball, hockey, or football where the level of competition requires the sports official to be a member of or certified by an organization whose purpose is to maintain minimum standards and qualifications of sports officials.

Subp. 2. **Independent contractor.** A sports official is an independent contractor if all the following conditions are substantially met.

A. There is a written contract between the sports official and the party or association engaging the services of the sports official that states specifically that the sports official is an independent contractor.

B. Payment to the sports official is for a set fee for each game officiated.

C. The official is free under the terms of the contract to accept or reject assignments of any game.

D. The sports official is not limited to exclusively officiating with the party engaging the services as a sports official.

Subp. 3. **Employee.** A sports official is an employee if all of the following criteria are substantially met.

A. The official is paid on an hourly, weekly, or similar time basis.

B. The official must work at the times and places designated by the purchaser of the official's services, and is not free to reject assignments.

C. The official is not free to sell his or her services to other parties while working for the purchaser.

D. The relationship is terminable at will without any liability to the official.

**Statutory Authority:** *MS s 176.041; 176.83*

**History:** *10 SR 1852*

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