THE 1099 TRAP

Am I Really Independent?

Worker Classification Workbook

A practical self-assessment for identifying control, dependence, pay, schedule, and evidence red flags when you are paid as a 1099 contractor.

Use this workbook to organize your facts before talking to a lawyer, tax professional, agency, or trusted advisor. It is designed to help you document what happened - not to diagnose your legal status.

Inside:

- ☐ Control & schedule red flags
- ☐ Pay, tools, and business independence
- ☐ Profit/loss and client restrictions
- ☐ Evidence mapping and summary pages

How to Use This Workbook

This is a preparation tool, not a legal conclusion.

1

Answer honestly

Check the boxes that describe what actually happened, even if the pattern was inconsistent.

2

Write examples

A checked box is stronger when you can attach a date, message, email, pay record, or witness.

3

Save proof

Keep originals. Export full text/email threads when possible. Do not alter screenshots.

4

Summarize patterns

Classification questions often turn on patterns of control, dependence, integration, and economic reality.

5

Get guidance

Use your completed pages to prepare for a lawyer, tax professional, or agency conversation.

My goal for completing this workbook:

Tip: one strong example is useful. Repeated examples are better. Dates, exact wording, screenshots, and payment records matter.

Important Disclaimer

Read this before using or selling the workbook.

Educational Use Only

This workbook is for educational and organizational purposes only. It is not legal, tax, financial, or employment advice. It does not create an attorney-client relationship and does not guarantee any result. Worker classification, wage claims, retaliation claims, tax treatment, damages, and settlement language depend on specific facts, applicable law, and professional guidance.

Do not secretly record conversations unless you have confirmed the recording laws that apply to you. Preserve original records and avoid editing, cropping, or altering evidence in a way that changes context.

This workbook does not tell you whether you are legally an employee or an independent contractor. It helps you organize facts that may be relevant to that question.

Professionals I may need to speak with:

Quick Classification Reality Check

Use this page after completing the sections, or start here for a fast snapshot.

Factor	Statement	Score (0 / 1 / 2)
Control	They controlled how, when, or where I worked.	☐ 0 ☐ 1 ☐ 2
Schedule	They expected set hours, availability, or permission for time off.	☐ 0 ☐ 1 ☐ 2
Pay	I was paid regularly like staff, not through normal business invoicing.	☐ 0 ☐ 1 ☐ 2
Tools	They provided the systems, tools, materials, or workplace.	☐ 0 ☐ 1 ☐ 2
Profit/Loss	I had little real chance to profit beyond my labor or risk a business loss.	☐ 0 ☐ 1 ☐ 2
Integration	My work was part of their regular business operations.	☐ 0 ☐ 1 ☐ 2
Independence	I could not freely work for others, advertise, hire help, or reject work.	☐ 0 ☐ 1 ☐ 2
Supervision	They monitored, corrected, disciplined, or threatened me like staff.	☐ 0 ☐ 1 ☐ 2
Retaliation	Negative action followed questions about pay, classification, hours, or rights.	☐ 0 ☐ 1 ☐ 2

Scoring guide: 0 = not true, 1 = sometimes true, 2 = often true. A high score does not prove misclassification. It means your facts may deserve closer review.

My first impression:

____

____

____

Control Over the Work

Who decided how the work had to be done?

Check any statement that fits your situation:

- ☐ They told me the specific steps or method to use, not just the final result.
- ☐ They gave daily or frequent task lists.
- ☐ They reviewed, corrected, or rejected my work like a supervisor.
- ☐ I had to report progress regularly.
- ☐ I could not decide the order, method, or timing of key tasks.
- ☐ They treated me as part of internal staff operations.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Example of control:

Proof I have:

Proof I still need:

Schedule and Availability

Could you control your own time?

Check any statement that fits your situation:

- ☐ I was expected to work certain days or hours.
- ☐ I had to ask permission to be absent, unavailable, or away.
- ☐ I was expected to respond quickly during business hours.
- ☐ I was contacted before 10 AM, after 6 PM, weekends, holidays, or during personal time.
- ☐ They treated delayed responses like a performance issue.
- ☐ They expected ongoing availability even when there was no written schedule.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Schedule pattern:

After-hours examples:

Screenshots or calendar proof:

Pay and Payment Structure

Did the pay look more like a business arrangement or staff wages?

Check any statement that fits your situation:

- ☐ I was paid a regular weekly, biweekly, or salary-like amount.
- ☐ I did not send invoices or negotiate each project/rate.
- ☐ Taxes were not withheld even though I was treated like staff.
- ☐ I was paid through a personal account, business entity, payroll-like system, check, Zelle, Venmo, or mixed methods.
- ☐ I was told I was 1099 but given little actual business independence.
- ☐ I had unpaid wages, commissions, reimbursements, or overtime concerns.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Pay method:

Missing pay / commission issue:

Records I have:

Educational and organizational use only. Not legal, tax, financial, or employment advice.

Tools, Systems, and Expenses

Who supplied what was needed to do the work?

Check any statement that fits your situation:

- ☐ They provided the workplace, desk, office, software, login, phone, email, vehicle, or equipment.
- ☐ I used their systems or accounts to do the work.
- ☐ I had little meaningful unreimbursed business expense.
- ☐ I did not invest in tools, advertising, insurance, licenses, assistants, or business operations for this work.
- ☐ They reimbursed or controlled expenses.
- ☐ Customers/clients saw me as part of their organization.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Tools/systems provided:

Expenses I paid:

Proof:

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Profit, Loss, and Business Risk

Could you make money like a business or mainly by working more hours?

Check any statement that fits your situation:

- ☐ I had no real opportunity to increase profit through management, pricing, staffing, or efficiency.
- ☐ I could not negotiate rates for different projects.
- ☐ I did not risk losing money beyond not being paid for my labor.
- ☐ I did not hire helpers or subcontractors.
- ☐ I did not advertise this service to the public.
- ☐ Most of the financial risk stayed with them, not me.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

How I could/could not profit:

Business risk I carried:

Examples:

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Integration Into Their Business

Was your work central to what they did?

Check any statement that fits your situation:

- ☐ My work supported their ordinary business operations.
- ☐ Customers, clients, vendors, or staff relied on my work.
- ☐ I used their brand, systems, templates, or internal process.
- ☐ I worked with their employees or managers as part of the team.
- ☐ My work was not a separate one-off project.
- ☐ If I stopped, their business or household operations would be disrupted.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Why my work mattered to them:

Who relied on me:

Proof:

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Independence and Other Clients

Were you free to operate like your own business?

Check any statement that fits your situation:

- ☐ I could not freely work for competitors or other clients.
- ☐ A non-compete, exclusivity demand, loyalty expectation, or license control limited me.
- ☐ I could not freely reject assignments.
- ☐ I could not set my own price or scope.
- ☐ I could not send someone else to do the work.
- ☐ I was economically dependent on this one source of income.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Restrictions placed on me:

Other client limitations:

Proof:

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Duration and Permanency

Was the relationship temporary/project-based or ongoing?

Check any statement that fits your situation:

- ☐ The work relationship lasted months or years.
- ☐ There was no defined project end date.
- ☐ They treated me as continuing labor, not a vendor hired for a single result.
- ☐ I performed recurring duties.
- ☐ The work continued across multiple entities, households, locations, or business needs.
- ☐ The relationship looked permanent until they ended it.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Start/end dates:

Recurring duties:

Proof:

Supervision, Discipline, and Threats

Were you managed like staff?

Check any statement that fits your situation:

- [ ] They criticized my work performance like an employer.
- [ ] They threatened my pay, role, schedule, license, reputation, or future work.
- [ ] They disciplined or corrected me for availability, attitude, tone, or responsiveness.
- [ ] They expected loyalty beyond the scope of a vendor relationship.
- [ ] They made me feel I could be fired for questioning terms.
- [ ] They controlled access to opportunities, clients, commissions, or records.

Score

☐ 0 ☐ 1 ☐ 2

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Discipline/threat examples:

What I questioned:

Proof:

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Retaliation Red Flags

Did negative action follow questions or concerns?

Check any statement that fits your situation:

- ☐ I asked about 1099 vs W-2, pay, overtime, hours, commissions, taxes, or legal compliance.
- ☐ Soon after, my hours, pay, duties, treatment, access, or role changed.
- ☐ I was threatened, isolated, blamed, replaced, demoted, or terminated.
- ☐ They created a paper trail after I raised concerns.
- ☐ They gave shifting explanations for ending or reducing the relationship.
- ☐ They punished me for refusing unlawful, unpaid, or unreasonable demands.

Score

☐ 0 ☐ 1 ☐ 2

Section score: 0 = no / 1 = sometimes / 2 = often

Concern I raised:

Negative action after:

Timeline proof:

Evidence Map

Turn red flags into organized proof.

For each issue, list the best proof you have. Strong proof usually includes exact dates, original messages, pay records, screenshots, emails, calendars, or witness names.

Issue	Best proof	Where saved	Need more?
Schedule control			
After-hours work			
Pay issue			
Required tasks			
Supervision			
Client restriction			
Retaliation			
Termination			

My strongest evidence:

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Timeline Builder

Put the relationship in order.

Build a clean timeline. This helps show whether the facts were isolated incidents or a repeated pattern.

Date	What happened	Evidence	Why it matters

Tip: include start date, major pay changes, first classification question, first unpaid issue, retaliation events, and termination/end date.

One-Page Situation Summary

Use this to prepare for a consultation or agency intake.

Work relationship dates:

Who paid me / entities involved:

How I was paid:

My regular duties:

Schedule / availability expectations:

Biggest control facts:

Pay, overtime, commission, or reimbursement issues:

Retaliation or termination facts:

Documents and proof I have:

Questions I need answered:

Reminder: be factual. Avoid exaggeration. Exact facts are more useful than emotional conclusions.

Document Checklist

Gather records without altering originals.

- [ ] 1099 forms, W-2 forms, paystubs, checks, deposits, Zelle/Venmo/Cash App records
- [ ] Contracts, offer letters, non-competes, NDAs, handbooks, policies, job descriptions
- [ ] Text messages, WhatsApp, Slack, Teams, email threads, voicemails, call logs
- [ ] Calendars, schedules, timesheets, task lists, project management records
- [ ] Commission plans, invoices, reimbursement records, deductions, expense records
- [ ] Screenshots showing assigned tasks, deadlines, required availability, or discipline
- [ ] Termination messages, write-ups, explanation letters, unemployment documents
- [ ] Names of witnesses, coworkers, clients, vendors, or others who saw the pattern

Documents I still need to find or export:

Evidence hygiene: save originals, back up copies, keep full context, and do not crop in a way that changes meaning.

Questions to Ask a Professional

Bring facts. Ask precise questions.

- [ ] Based on these facts, what worker classification issues should be reviewed?
- [ ] Which facts are strongest and weakest?
- [ ] What records should I preserve before doing anything else?
- [ ] Are there deadlines or statutes of limitation I need to know about?
- [ ] Could there be wage, overtime, commission, retaliation, tax, or contract issues?
- [ ] Should I contact a government agency, attorney, tax professional, or all three?
- [ ] What should I avoid saying or doing while this is being reviewed?
- [ ] How should settlement wording and tax forms be handled if there is a resolution?

My additional questions:

Final Reflection

What pattern does the workbook show?

After completing the pages, summarize the repeated pattern. Do not write what you hope is true. Write what you can support with facts.

The strongest signs I was treated like staff:

The strongest signs I was truly independent:

The evidence gaps I need to fix:

My next three actions:

Suggested next actions: export records, back them up, build a timeline, and speak with the right professional before making legal or tax decisions.

THE 1099 TRAP

Am I Really Independent?

Use your completed workbook to organize the facts, preserve evidence, and prepare for an informed conversation with a qualified professional.

Remember: the goal is not to prove everything on one page. The goal is to create a clear, honest, documented pattern.