KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) GUIDELINES & APPLICATION



Welcome to the Kansas High Performance Incentive Program (HPIP). Within this document you will find guidelines and instructions to assist you in the completion of your application as well as supplemental forms. You may find it helpful to print off the guidelines and instructions prior to filling out the application. Below is a list of this document's contents:

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Kansas Department of Commerce



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) APPLICATION

For the worksite seeking HPIP certification, the person completing this application will need access to payroll records, training expenditures and customer records which identify the sources of sales revenue.

Commerce Representative:	
Project Description Number:	
Outside Consultant:	New Application ☐ Recertification
Date:	Waiting on HPIP Sales Tax Exemption: Yes No
Company Name:	
Company FEIN:	Company Fiscal Year End: / Day
Company Address - Mailing:	
City:	State: Zip:
(Proposed) Worksite Address:	
City:	County:
Contact:	Title:
Contact Phone:	Fax:
E-mail:	
	se provide the parent company's
(d) FEIN:	

PLEASE REFER TO THE "GUIDELINES & INSTRUCTIONS" AS YOU COMPLETE EACH OF THE FOLLOWING SECTIONS

FOR-PROFIT ENTITY
 Is your firm a for-profit business enterprise subject to Kansas income, sales or property taxes or combination of these taxes?
"MEASUREMENT" AND "CERTIFICATION" PERIODS
2) (a) What four-calendar-quarter measurement period have you decided will best suit your company's needs? through mm/dd/yyyy
(b) What date during the first calendar quarter following your measurement period do you wish to start and end your certification period. through mm/dd/yyyy
ASSIGNED NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODE
3) (a) To what six-digit NAICS category has the Kansas Department of Labor assigned the worksite which is seeking HPIP certification in this application? (NAICS Code)
(b) Please provide a brief description of the product or service produced at this worksite:
BUSINESS ACTIVITIES AT THE WORKSITE
4) Based on your NAICS category, is your worksite classed as a manufacturer (i.e., first 3 digits of your NAICS category are 311 through 339)? If YES, go to item 8 If NO, skip to item 5
5) Regardless of its NAICS designation, has Commerce determined your worksite to be a "headquarters or back-office operation" of a national or multi-national corporation? [If YES, go to item 8
6) Is your worksite classed in other eligible major NAICS?
SOURCES OF REVENUE
7) Does your worksite meet the statutory sources of revenue requirement for 51 percent of the revenue? If YES, complete this section and go to item 8 If NO, stop here. It appears your company does not qualify for HPIP benefits at this time.
(a) Actual percent of total annual sales which meet this requirement: %
(b) Describe how you capture this data in your sales or accounting system: (Please attach separate sheet if necessary.)

* * * * * *

 $\star\star\star\star\star$

WORKSITE AVERAGE WAGE LEVEL				
8) What is the HPIP wage standard in your region based	on your NAICS assignment? \$			
9) What was the "average annual wage" amount you co	alculated in item (3) on the "Average Wage			
10) Is your average annual wage higher than the HPIP wage standard based on your NAICS assignmen your chosen measurement period? If YES, skip to item 12 If NO, go to item 11				
11) Is your worksite's average wage higher than one and	d one half times the statewide average wage?			
☐ If YES, go to item 12				
☐ If NO, stop here. It appears your company d	oes not qualify for HPIP benefits at this time.			
, ,	IMPORTANT NOTE: By utilizing this alternative wage threshold and executing this document you are hereby attesting that in recalculating the worksite's total wage, all wages paid to employees with 5 percent equity or more have been removed.			
WORKSITE TRAINING/TRAINING TAX CREDIT				
12) Has your company satisfied the HPIP training require training programs? If YES, complete this section If NC				
(a) Training Program:				
(b) Contract Number:	(b) Contract Number:			
(c) Required KIR match Amount: \$				
(d) Training Project Timeframe:mm/dd/yyyy	_ through			
13) The training requirement can also be met through the earn a tax credit, as follows:				
(a) Calculate 2 percent of the aggregate "total wage: Calculations" form:	s paid" shown in item 3 on the "Average Wage			
	Minimum required cash			
2% times total wages paid	outlay for training if not equals involved in KIT/KIR/SKILL			
.02 x \$	= \$			
(b) Show the cash outlay you calculated for employed period \$	e training and education during your measurement			
(c) If the amount in item 13(b) is equal to the amount of HPIP training requirement. If 13(b) exceeds 13(a), "excess" amount up to a maximum of \$50,000.				
Non-match training Minimum cash outlay cash o (from item 13(b) above) minus (from item 13	<u>Excess over</u>			

 14) **Congratulations!** By meeting the requirement outlined in this application, your company is designated as a "high performance" business due to its willingness to invest above-average amounts in employee wages and training.

PLEASE READ CAREFULLY BEFORE SIGNING

15) Your signature below verifies the accuracy and completeness of all representations made in this application and confirms that the company will respond in a timely fashion to inquiries about its use of HPIP benefits and other related questions. Your signature verifies that the company agrees to make available within a reasonable timeframe and allow access to such company records as are deemed appropriate within the sole judgment of Commerce and/or Kansas Department of Revenue (KDOR), in order to facilitate verification of the company's program eligibility and entitlement to any HPIP benefits claimed. The company specifically agrees that this authorization by itself is sufficient notice for its employees to allow the requested access and provide any requested information.

The company also authorizes KDOR and the Kansas Department of Labor (KDOL) to share with Commerce such information as is deemed appropriate in the sole judgment of Commerce and KDOR and KDOL to facilitate verification of the company's program eligibility and entitlement to any HPIP benefits claimed. With this authorization the company specifically waives any right to confidentiality that may otherwise be extended to the company by law, insofar as it concerns the transfer of information about the company among Commerce, KDOR and KDOL with respect to verifying HPIP eligibility and claims.

Signature	Date
Printed Name	 Title
	(must be the owner, CEO or the company officer responsible for preparing and filing the company's tax return)

Please sign, date and return this application with the required supporting documentation to:

Richard Martinez, HPIP Manager

Kansas Department of Commerce 1000 S.W. Jackson Street, Suite 100 Topeka, Kansas 66612-1354

Phone: (785) 296-7174

E-mail: richard.martinez@ks.gov



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) GUIDELINES & INSTRUCTIONS

- For-Profit Entity Eligible entities may include "C" and "S" corporations, limited liability corporations
 (LLC's or LC's), partnerships and sole proprietorships. Non-profit businesses are not eligible for the
 program.
- 2) "Measurement" and "Certification" Periods The measurement period (MP) period is the four calendar quarters your company will use to meet and document the program requirements of above-average wages and employee training. This period just precedes the certification period (CP) during which you intend to capture tax credits for new capital investment expenditures. The certification period cannot be started until a measurement period has been established. Companies usually try to optimize their investment tax credits by timing their certification period to maximize the amount of eligible expenditures it will capture. Determining the optimum CP allows the business to then establish their measurement period.
 - (a) Identify in the box the four-calendar-quarter measurement period as described in #2 above.
 - (b) For expansions and re-certifications with an existing workforce, please identify on what date during the calendar quarter following your measurement period to begin your 12-month certification period. For start-up worksites with a workforce new to the company, identify on what date your earliest eligible capital investment began.
- 3) NAICS Code These codes identify the type of activities performed at the worksite and are assigned by the Kansas Department of Labor for unemployment insurance. Should you have any questions about your NAICS classification, please contact Kansas Department of Labor at (785) 296-5058.
- 4) If your NAICS code identifies your company as a manufacturer (i.e. NAICS codes beginning with "3"), then check \(\subseteq \text{YES}, \) and proceed to section 8.
- 5) Generally, NAICS codes which designate a company as retailers, mining, agriculture or construction companies are not eligible for HPIP benefits. However, a business in any NAICS code can qualify if they are determined by Commerce to be either a headquarters or back-office operation of a national or multi-national corporation. To qualify as a headquarters, the principal officers of the corporation are housed at that location and from which direction, management or administrative support for the operations is provided for multiple company worksites. A back-office operation describes the ancillary processing functions which support the primary focus of the business but could generally be located anywhere, i.e. a claims processing facility or a captive warehouse.
 - **To determine qualification status**, use the form "Back-Office Qualifying Questions" or "Headquarters Qualifying Questions" form in this document. To pre-qualify, this form can be submitted independently to the HPIP manager for a determination. If determined a Headquarters or Back Office by Commerce, check YES, and proceed to section 8.
- 6) If your company is in other **eligible** NAICS categories: 2211 through 2213; 4231 through 4251; 4811 through 5191; 5211 through 7213; and 8111 through 9281, check YES and proceed to section 7. If not, stop here as it appears your company is not eligible for HPIP benefits at this time.

- 7) Worksites that are not manufacturers, headquarters or back-office operations must satisfy another criterion in addition to the wage and employee training requirements. The worksite must be able to verify that a majority (51 percent) of the worksite's annual sales are any combination of Kansas manufacturers, out-of-state commercial customers and/or out-of-state government customers. If you are able to verify this criterion, check YES, complete this section and go to item 8. If not, stop here as it appears your company does not qualify for HPIP benefits at this time.
 - (a) In the blank, list the percentage of total worksite sales from the combination of out-of-state commercial customers, out-of-state government customers and/or Kansas manufacturers.
 - (b) Describe how your company identifies and/or tracks the percentage in 7(a) through company accounting records. If you need additional space, attach a separate sheet.
- 8) Identify the average wage in your area (wage standard) based on the NAICS assignment provided by the KDOL. This information can be obtained from Commerce's Web site or by calling the HPIP Manager at (785) 296-1131 or (785) 296-7174.
- 9) Assemble the first page of your Kansas Quarterly Wage reports (CNS 100) filed with the KDOL during your MP for the worksite seeking certification. Using the "Average Wage Calculations" form, divide total wages paid by total average number of employees as listed. If this figure exceeds the wage threshold for your region, enter this figure and proceed to #10. If it does not exceed the target wage standard, you may re-compute using full time equivalent (FTE) employees only as follows. From your end-of-month company records, add the average number of full-time (40 hrs per week) employees with your calculated FTE employees. FTE employees are equal to total part-time hours worked during the measurement period divided by 2080 (drop any fraction). The sum of these two numbers divided into total payroll should produce a higher average wage. If this wage meets the target wage standard requirements, enter this figure and proceed to #10.
- 10) If your worksite average wage as calculated in #9 is higher than the target wage standard for your NAICS and region, check YES and go to #12. If it is not, check \sum NO and go to #11.
- 11) HPIP provides an **alternative** to the target average wage standard by NAICS code in your region. After subtracting out the payroll of any employee with 5 percent or more equity in the business, recalculate the worksite's average wage and compare to one and one half times the statewide average wage. This alternate target wage can be obtained on Commerce's Web site or contact the HPIP Manager at (785) 296-7174. If your worksite average wage is higher than one and one half times the state average wage, check YES and go to #12. If it is not, stop here as it appears you do not qualify for HPIP benefits at this time.12) There are two ways to satisfy the HPIP training requirement. One way is to be actively participating in a Commerce workforce training program i.e. KIT, KIR or IMPACT. For an existing or new worksite, the training project must be in place within the quarter following the measurement period but prior to the certification period <u>or</u> active for a period of at least three months during the measurement period. If you are using a KIT, KIR or IMPACT training project to satisfy the training requirement, check \(\pi\) YES and complete this section and go to #14. If not, check \(\pi\) NO and go to #13.

- 13) Another way that the HPIP training requirement can be met is if at least 2 percent of a worksite's total wages are documented and spent on eligible worksite employee training. Examples of eligible expenditures include instructor salaries, curriculum planning and development, travel, materials, supplies, textbooks, manuals, minor training equipment and certain training facility costs. The base wage for both trainer and trainee may be allowed for the time spent in training except during on the job training situations in which a work product is produced that may be sold or used internally. In this case, only the trainer's wages may be allowed. Any training costs in excess of 2 percent can earn a state tax credit up to a \$50,000 cap with no carry-forward of credit allowed.
 - (a) Calculate the minimum required cash outlay for training to satisfy the requirement. This figure is 2 percent of total annual wages paid as reported on a quarterly basis to the Kansas Department of Labor.
 - (b) The documentation submitted to qualify the training expenditures needs to clearly evidence the type of training provided, training dates, and employees receiving the training, type and amount of the expenditure. Calculate training expense by category per the "Summary of Training and Education Expenditures" supplemental form and enter the total expenditures on the application. Be sure to attach the company supporting documents used to calculate the amount in each category. Failure to submit proper support documentation will delay the processing of the application.
 - (c) Bring forward the numbers from #13(a) and (b). If you have met or exceeded the minimum training expenditure requirement go to #14. Congratulations! Commerce will determine the amount, if any, of your training and education credit. If you cannot meet the minimum requirement, stop here as it appears you do not qualify for HPIP benefits at this time.

IMPORTANT NOTE: All source records from which HPIP support documentation is collected are subject to audit by at least three state agencies:

- 1) The Kansas Department of Commerce
- 2) The Kansas Department of Revenue
- 3) The Kansas Department of Labor



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) DOCUMENTATION CHECKLIST

Company:				
HPIP Measurment Period:	through			
	mm/dd/yyyy		mm/dd/yyyy	
Recertification New				
If this is a recertification, please p	provide previous cei	rtification nu	mber:	
Previous Certification Period: _		_ through		
Proposed Certification Period:	mm/dd/yyyy	_ through _	mm/dd/yyyy	
For certification of a worksite, ple	ease return the follo	owing items	to the Kansas Depar	tment of Commerce.
1) Completed HPIP Applicatio	n			
2) Kansas "Quarterly Wage Roor multiple worksite reports measurement period.				
3) If using leased employees to lease arrangement as well				
4) The worksheet entitled "Ave	rage Wage Calculo	ations" form.		
5) If your major NAICS code i	s 311-339, skip to it	em 8 below		
6) If your worksite is qualifying and submit the "Back-Office			a national or multi-no	ational firm, complete
7) If your worksite is qualifying and submit the "Headquart				national firm, complete
 8) If you are satisfying the HPII complete and return the "Sing company documentation 	ummary of Training			
9) If moving from one Kansas of has not been pirated by the	•		•	advising the business
10) If you have not yet provide	•	:	se complete one and	submit, even if you are



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) AVERAGE WAGE CALCULATIONS

Company Claiming Benefits:	
Worksite Location - County:	(KS)
HPIP Measurment Period you have selected: (see # 2(a) on the "HPIP Application) n	through mm/dd/yyyy mm/dd/yyyy
2) Determine "average employee" or "average full time	e equivilent" headcount
(a) Directly below list the monthly headcounts of employees taken from the Quarterly Wage Reports four-quarter measurement period. Divide by 12 to determine your average level of employment. Headcount of Employees Shown on the Company's Quarterly Wage Report Name of Starting Month:	(a)Directly below total your full-time employees only (40 hr/wk) at the worksite for each month during the 12-month measurement period, then divide by 12 to determine your average level of full-time employees. Headcount of Worksite Full-Time- Only Employees by Month Per Company Records
Month 1 Month 2 Month 3 Month 4 Month 5 Month 6 Month 7 Month 8 Month 9 Month 10 Month 11 Month 12 Total of 12 Months ÷ 12 = ** Avg. employees per quarterly wage report If average employee headcount divided into total wages will satisfy the wage threshold requirement, enter this figure on line 9 on the application. If not, go to item 2(b).	Month 1 Month 2 Month 3 Month 4 Month 5 Month 6 Month 7 Month 8 Month 9 Month 10 Month 11 Month 12 Total of 12 Months ÷ 12 = ** Avg. employees per quarterly wage report
(c) For the measurement period selected in item (1) above, total the hours worked by part-time employees (who work less than 40 hours per week) at the worksite, and divide this number by 2,080.	Total FTE's from Part-Time t-Time Hours Employees ÷ 2,080 = (no fractions)
	<u>Full-Time</u> <u>Time FTE's Employees</u> <u>part 2(c)) (from part 2(b)) Total FTE's</u> + = (no fractions)
	ease compute your average wage at this worksite. Enter your ge Reports and Unemployment Tax Returns" (Form K-CNS 100) he headcount from either 2(a) or 2(d) into total wages paid.
"Total Wages Paid" Headcount fro	m 2(a) or 2(d) above Average Annual Wage
\$	= \$



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) **BACK-OFFICE QUALIFYING QUESTIONS**

Generally a back-office operation describes the ancillary processing functions which support the primary focus of the business, but could be located anywhere i.e. a company claims processing facility or a captive warehouse.

Please answer the following to determine if your worksite will qualify.

HE

riedse answer the following to defermine if your worksite will quality.
<u>HEADQUARTERS</u>
1) Company name and address of proposed worksite.
2) Is this a captive, in-house worksite that provides services only to the company and its affiliates (as opposed to selling its services to outside parties?)
3) In what kind of non-revenue-generation support operations is this worksite involved for the company and its affiliates?
4) How many company worksites are served by this support worksite and where are they located?
5) How many affiliate worksites are served by this support worksite and where are they located?
6) How much outside revenue is generated at this worksite as a percentage of outside party income to total income generated at this back-office location? %
NATIONAL OR MULTI-NATIONAL FIRM
1) About how many permanent company worksites, staffed with company employees, are in the United States?
2) List the states in which these worksites are located.
3) List the number of permanent company worksites located outside the United States, and list the countries i which those worksites are located.

6) Other considerations you wish to add.

4) List the approximate number of permanent company worksites and their locations for affiliated companies.

5) If traded on a major stock exchange, please show the trading symbols and list the exchange.



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) **HEADQUARTERS QUALIFYING QUESTIONS**

A headquarters location usually houses the principal officers of the corporation and from which direction, management or administrative support for the operations is provided for multiple company worksites. Please answer the following questions to determine if your firm qualifies.

HEAD	QUA	RTERS
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HEADQUARTERS 1) Company narr	ne and address of proposed worksite.
2) List the names	and titles of the company officers located at the headquarters location.
3) In what non-re and its affiliate	evenue-generating activities is this worksite involved for other worksites of the company es.
4) About how mo	any company worksites are served by this headquarters worksite.
5) About how ma	any affiliate worksites are served by this headquarters worksite.
	tside revenue is generated at this headquarters as a percentage of outside party income to enerated at the headquarters worksite? %
	ULTI-NATIONAL FIRM any permanent company worksites, staffed with company employees, are in the
2) List the states i	n which these worksites are located.
	r of permanent company worksites located outside the United States, and list the countries in orksites are located.
4) List the approx	ximate number of permanent company worksites and their locations for affiliated companies
5) If traded on a	major stock exchange, please show the trading symbols and list the exchange.

6) Other considerations you wish to add.



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) SUMMARY OF TRAINING & EDUCATION EXPENDITURES

Company:			
HPIP Measurment Period:	through	gh	
	mm/dd/yyyy	mm/dd/yyyy	
All documentation submitted	with this form should have	s and attestation forms based on source documents held at the co expenditures are categorized as	ompany which can be
per company accounting make a determination as or computer printout show	red in your accounting sys records, please provide e whether or not the expend	stem. For each expenditure nough detail for Commerce to liture is eligible. A spreadsheet aining expenditure, payee	\$
amount of time they spen during which they receive The percentages are then training and education co for which its system may documentation, these atte been tracked by the emp measurement period cho	I or Received" form the ement training new and existing and training while not produce applied to a salary rate to ests. Except for the companion thave been set up to full estation forms must be baseloyee regularly (at least expending the station forms with the station forms to be set	ployee may attest to the employees and the time ecing a marketable product. o determine the associated my's initial HPIP certification, ly capture HPIP training sed on training time that has very two weeks during the ach "attestation" calculation	\$
training can be applied to and education costs for the	e according to job activity o their salary rate to deterr ne worksite. Costs listed in hours, type of training, rat		\$
4) TOTAL ELIGIBLE TRAINI	NG AND EDUCATION (COSTS	\$



KANSAS HIGH PERFORMANCE INCENTIVE PROGRAM (HPIP) ATTESTATION ESTIMATING ELIGIBLE TRAINING PROVIDED OR RECEIVED

This company is trying to receive tax benefits through the Kansas High Performance Incentive Program. To be eligible, we have to quantify our training costs. Because you don't complete a daily time sheet to track your duties, I would like you to estimate the percentage of:

- (a) your time spent training other employees (do count on-the-job training), or
- (b) your time spent receiving training (<u>do not</u> count any on-the-job training or time during which you were generating product for internal use or external sale).

Please be conservative in your estimate.

mpany Name:	Date:	
employee whose training time is being estimated	employee's title	
om:		
employee requesting the information about training time	employee's title	
(A)% of my time has been spent training other empl company during the HPIP measurement period from		
(B)% of my time has been spent training when I was HPIP measurement period from to to mm/dd/yyyy		
(C) I did / did not) track my training time every two	o weeks or more often during the measurement period	
Signature	 Date	

NOTES:

- 1) Use this to claim wage expenditures for employees whose training time is <u>not</u> captured in the payroll system.
- 2) For the company's <u>initial HPIP certification only</u>, this form can be used to document that the company has spent at least 2 percent of total wages paid during the measurement period, even if the training time was not recorded at least every two weeks. <u>No</u> HPIP tax credit can be earned using training costs based on these attestations unless the employee has recorded his or her training at least every two weeks.
- 3) After the initial HPIP certification, training costs developed through use of this form are <u>not</u> eligible toward satisfying the HPIP training requirement <u>or</u> earning an HPIP training tax credit unless the employee has recorded their training time in writing at least every two weeks during the HPIP measurement period.