

# DELAWARE FORM

## DIVISION OF REVENUE BUS-NEJ

### NEW ECONOMY JOBS PROGRAM APPLICATION



An applicant for the New Economy Jobs Program must submit an application for certification as a qualified employer or qualified retained employer to the Secretary of Finance with a copy before any credits can be approved. If this is not a New Certification or an Amended Certification, please check the box for Recertification. The New Economy Jobs Program Application must be submitted for Recertification every year after the New Certification or the Amended Certification has been approved so that the Secretary of Finance can annually review the eligibility of qualified employers before the credits are allowed.

#### PART A - NAME AND ADDRESS

##### 1. CERTIFICATION TYPE

NEW CERTIFICATION ☐

AMENDED CERTIFICATION ☐

(Attach Copy of Previous Certification)

RENEWED CERTIFICATION ☐

##### 2. NAME OF APPLICANT

##### 3. TAXPAYER ID NO.

##### 4. ADDRESS LINE 1

##### 5. ADDRESS LINE 2

##### 6. CITY

##### 7. STATE

##### 8. ZIPCODE

#### DELAWARE ADDRESS (IF DIFFERENT FROM ABOVE)

##### 9. ADDRESS LINE

##### 10. ADDRESS LINE 2

##### 11. CITY

##### 12. STATE

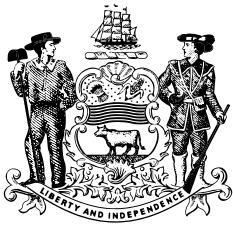
##### 13. ZIP

##### 14. CONTACT PERSON NAME

##### 15. TELEPHONE NO.

##### 16. EMAIL ADDRESS

##### 17. FAX NO.



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#### PART B — INFORMATION FOR QUALIFICATION

1. Year Employer is claiming as its "Certified Year"	YYYY
2. Year Employer is claiming as its "Base Year", if applicable (only relevant to Qualified Employer)	YYYY

#### QUALIFIED EMPLOYER ☐ Check Here

3. Number of "Qualified Employees" in "Certified Year"	
4. Number of "Qualified Employees" in "Base Year"	
5. Number of "Vital Employees" in "Certified Year"	
6. Number of "Vital Employees" in "Base Year"	

#### QUALIFIED RETAINED EMPLOYER ☐ Check Here

7. "Qualified Retained Employer" Certify that within the three-year period prior to Certified Year:

- the employer has gone through a corporate restructuring; and
- the employer, a predecessor of the employer or a member of the employer's affiliated group had its principal executive office located within this State; and at the time of certification:
- identifies the address of its principal executive offices as being located within this State; and is either
  - A. a publicly traded company with its business focused on agricultural seed and crop protection products; or
  - B. is a publicly traded company with its business focused on nutrition and health, industrial biosciences, safety and protection and/or electronics and communications.

8. Average Annual Salary of "Qualified Retained Employees" (Must exceed \$70,000)	
9. Number of "Qualified Retained Employees" (must be over 200) in "Certified Year"	
10. Are there retained jobs in incorporated municipalities or Targeted Growth Area?	YES <input type="checkbox"/> NO <input type="checkbox"/>
11. Are there retained jobs in targeted growth counties?	YES <input type="checkbox"/> NO <input type="checkbox"/>
12. Are there retained jobs in a reclaimed Brownfield, where the employer is the first tenant?	YES <input type="checkbox"/> NO <input type="checkbox"/>

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**MAIL ORIGINAL CERTIFICATION TO:**  
**Delaware Division of Revenue,**  
Business Audit Bureau  
Carvel State Office Building, 8th Floor  
820 N. French Street  
Wilmington, DE 19801

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**MAIL COPY OF CERTIFICATION TO:**  
**Office of Director**  
Division of Small Business  
99 Kings Highway  
Dover, DE 19901

I declare under penalties of perjury, that this is a true, correct and complete return.

**AUTHORIZED SIGNATURE**

**DATE**

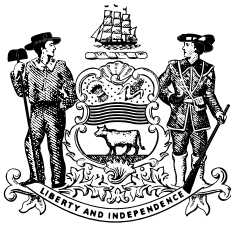
#### FOR OFFICE USE ONLY

CERTIFICATION APPROVED ☐

CERTIFICATION DENIED ☐

**MICHAEL R. SMITH, SECRETARY OF FINANCE (SIGNATURE)**

**DATE**



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#### INSTRUCTIONS - DO NOT MAIL

Complete form and mail an original and a copy to addresses indicated below. Once reviewed and if approved the Delaware Division of Revenue will mail Certification with Tax Credit Forms and Instructions.

The Secretary of Finance shall annually review the certification of qualified employers for eligibility for New Economy Jobs Program credits before credits are allowed.

For any single calendar year subsequent to its first certified year in which a qualified employer hires and employs no fewer than 50 additional qualified employees in new eligible jobs, the qualified employer may:

- Elect to treat such additional qualified employees either as an addition to its existing number of qualified employees under its existing certification; or
- Make a separate application pursuant to this section and § 2083 of this title for certification and credits with respect to such additional qualified employees.

No more than 10% of the total number of qualified employees or vital employees counted for purposes of claiming New Economy Jobs Program credits under this subchapter may be individuals who were required by the provisions of Chapter 11 of this title to file a personal income tax return for the base year.

Credits can still be given in the first certified year even if there are fewer than 50 qualified employees, as long as the number of qualified employees on December 31 of that year is at least 50 times the number of months they were employed, divided by 12.

No qualified employee in any certified year who was employed in Delaware in the base year by a member of an affiliated group which conducted or conducts business in this State during the base year or any year thereafter shall be counted as newly hired or employed qualified employees or qualified employees in new eligible jobs for purposes of calculating the New Economy Jobs Program credits.

Qualified Employee	"Qualified Employee" means a common-law employee employed in an eligible job in this State.
Qualified Employer	"Qualified Employer" means an employer certified to be eligible for New Economy Jobs Program credits under this subchapter.
Qualified Retained Employer	"Qualified Retained Employer" means an employer certified to be eligible for New Economy Jobs Program credits under this subchapter and within the 3-year period prior to certification: <ol style="list-style-type: none"><li>The employer has gone through a corporate restructuring; and</li><li>The employer, a predecessor of the employer or a member of the employer's affiliated group had its principal executive office located within this State, and at the time of certification:<ol style="list-style-type: none"><li>Is a publicly-traded company with its business focused on agricultural seed and crop protection products; and</li><li>Identifies the address of its principal executive offices as being located within this State; or</li></ol></li><li>Is a publicly-traded company with its business focused on nutrition and health, industrial biosciences, safety and protection and/or electronics and communications; and</li><li>Identifies the address of its principal executive offices as being located within this State.</li></ol>
Base Year	"Base Year" shall mean the calendar year immediately preceding a qualified employer's first certified year.
Brownfield	"Brownfield" shall have the meaning set forth in § 9103 of Title 7.
Certified Year	"Certified Year" shall mean a calendar year for which an employer is certified to be eligible for New Economy Jobs Program credits under this subchapter.
Eligible Job	"Eligible Job" means any single position held by a common-law employee in this State for which the compensation equals or exceeds the salary threshold. More than 1 consecutive employee may perform an eligible job during a single calendar year so long as the total compensation of all consecutive employees performing such eligible jobs during such calendar year equals or exceeds the salary threshold.
Salary Threshold	"Salary Threshold" means the amount of Delaware sourced compensation paid to a common law employee, rounded to the nearest \$100, calculated by multiplying \$112,200 as adjusted pursuant to 30 Del. C. § 515 times the inflation adjustment factor.
Vital Employee	"Vital Employee" means a common-law employee employed in a vital job in this State.
Vital Job	"Vital Job" means any single position held by a vital employee in this State.