

Notes for Payroll Software Developers

SERIES 10 – NUMBER 29

March 2006

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1 Income Tax changes affecting PAYE

1.1 Summary of changes – March 2006 Budget

In his Budget statement on 22 March 2006, the Chancellor of the Exchequer proposed changes to the income tax bandwidths.

The rates of tax and bandwidths for 2006-07 are as follows:

Starting Rate 10% - up to £2,150

Basic Rate 22% - £2,151 to £33,300

Higher Rate 40% - over £33,300

1.2 Effecting the changes

Employers will receive a new set of Taxable Pay Tables, either within the Budget Pack, or on the Employer CD-ROM 2006 Updated Edition that will be included in the pack. These tables (Calculator Tables May 2006 or Tables SR + B to D May 2006) give effect to the increases to the Starting Rate and Basic Rate bandwidths and are to be brought into use from the first pay-day after 17 May 2006.

General uplifts of codes were announced in the Pre Budget Report (PBR) and included in the December 2005 'Notes' (Series 10 - Number 27). The code uplifts announced in the PBR apply from 6 April 2006.

There are no additional general uplifts of codes as a result of Budget announcements.

Any amended codes will be notified to employers on individual forms P6(T) (or code list, magnetic tape or cartridge or by Electronic Data Interchange). Full instructions will be available for employers on form P7X (2006), a copy of which is given at Annex D of these notes.

The PAYE threshold with effect from 6 April 2006 is £97 per week (£420 per month).

The code for emergency use with effect from 6 April 2006 is 503L.

1.3 Specification for PAYE Tax Table Routines

Annex A to these Notes gives the amendments to the Specification for PAYE Tax Table Routines – February 2000 (Version 10).

Annex B contains some test data which users may find helpful in verifying their new routines operative from 18 May 2006.

Annex C to these Notes gives the amended Collection of Student Loans (CSL) Specification. This amendment clarifies when to use a count of the number of days in an earnings period.

Annex D shows a copy of form P7X (2006) which will be either within the Budget Pack, or on the Employer CD-ROM 2006 Updated Edition that will be included in the pack.

Amendments will also be made to the Specification for PAYE Tax Table Routines for Free Of Tax (FOT) arrangements. The amended specification will shortly appear on the HMRC website at http://www.hmrc.gov.uk/ebu/ebu_paye_ts.htm

1.4 Test Facility

The payroll test data currently held on the Internet will be updated to reflect the Budget changes. The updated version of the payroll test data will be made available on the HMRC website shortly.

2. Other Budget Proposals

2.1 Beneficial Loans – Rate of Interest 2006-07

The official rate of interest for calculating the cash equivalent of beneficial loans to employees is set to remain at 5% for 2006-07. This official rate will continue to apply for the whole of the tax year unless there are any significant changes in mortgage rates.

2.2 Form P11D 2006-07

The main changes we are making to the 2006-07 P11D are as follows.

Employee Details

We are introducing 2 new boxes for employee Date of Birth, and Gender (Sex M/F) to be completed when the NINO is not available. We anticipate that the validation for these fields will be the same as the Date of Birth and Gender fields on the P14.

These new fields are being introduced to help HMRC locate an employee when the NINO isn't present.

Company Cars

- Fuel types B and H, the standard reduction is increased by 1% each (to 2% and 3% respectively), but the extra adjustment for very low CO2 emission cars no longer applies.
- Fuel type C, the reduction no longer applies.
- Fuel type L, the supplement for type D cars also applies to type L cars first registered on or after 1 January 2006.

A draft version of the 2006-07 P11D will be available in the next edition of these Notes expected to be published early summer 2006.

2.3 Company Car Tax changes from 6 April 2008

The CO₂ emissions figure (lower threshold) which determines the 'appropriate percentage' of the car's list price and thereby the car benefit charge for the car, see s139(4) (ITEPA), is to be reduced from 140 g/km to 135 g/km.

There will be a new 10% band that will apply to all cars with low CO₂ emissions, for example, up to and including exactly 120 g/km (rounding which applies elsewhere will not apply to this figure). This is subject to the addition of the 3% diesel surcharge for cars to which it currently applies, but not to those for which it is currently disregarded.

There will be no further reductions for hybrids or bi-fuel cars in the new band so their appropriate percentage will be 10%. Electric-only cars will still receive a 6% reduction from the basic 15%, resulting in a net charge at 9%.

2.4 Carter Report recommends investment and expansion in online services

The Government has announced that it is accepting the recommendations of Lord Carter's Review of HMRC Online Services, published on 22 March 2006.

Lord Carter recommended that the Government respond to the needs of business with a package of robust, high-capacity online filing services. He also recommended an expansion in online filing of Returns, which will benefit businesses and taxpayers.

Lord Carter also recommended:

- that large and medium-sized employers (50 or more employees) should be required to file their PAYE in-year forms online from April 2008
- that small employers (fewer than 50 employees) should be required to file their PAYE in-year forms online from 2010.

These recommendations build on the measures from his previous Review of Payroll Services, which will require all employers to file their Employer's Annual Returns online by 2010.

HMRC will work closely with others - including employers, agents and software developers - on the implementation of the new measures. And, in line with Lord Carter's recommendations, will only implement the new measures when the IT systems that will allow efficient online filing are in place and are fully tested.

More information about the review is available at <http://www.hmrc.gov.uk/budget2006/carter-review.htm>

3. Other Information

3.1 Statutory Payments

Pay and time off work for parents (2006)

There are a couple of inconsistencies relating to the 'Pay and time off work for parents' (2006) information published in the Payroll Software specification on Statutory Paternity Pay (birth) (v1.4 23/09/03) and the E15 Employer Helpbook (2006).

The **first** relates to the end date for the payment of SPP in those cases where the baby is born premature. The entry in the Payroll Software Specification at B8, third bullet point reads:

'SPP entitlement stops on:
PPP_End_Week(n) before the later of (Baby_Born_Date + 55 days) OR
(Baby_Due_Date + 55 days)

However, the wording in the Helpbook (final paragraph page 19) reads:

'SPP cannot be paid for any days later than the 56th day after the baby is born or, if the baby is born early, later than the 56th day after the Sunday of the week the baby is due'.

We have re-checked the legislation (Regulation 8(b) of the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002) and can confirm that the entry in the Employer Helpbook reflects the correct interpretation of these. This means that fathers of premature babies have a longer period over which they can take SPP.

The entry in the Payroll Software Specification at B8, third bullet point therefore needs to be amended to read:

'SPP entitlement stops on:
PPP_End_Week(n) before the later of (Baby_Born_Date + 55 days) OR
(EWC Sunday + 55 days)'

The **second** relates to the rules on the start of the SMP pay period.

The Statutory Maternity Pay (v1.2 19/12/02) entry at 6 a i of the Payroll Software Specification states:

'If [{Baby_Born_Date ≥ Notified_Leave_Start} OR {Baby_Born_Date is blank} AND PRI_Start is blank] THEN MPP_Start_Week(n=1) = Sunday after Notified_Leave_start'

The wording in the Helpbook on page 19 states:

'The SMP pay period usually starts on the Sunday after the last day your employee worked.'

It has been brought to our attention that if the employee's last day is a Saturday then the **Notified_Leave_Start** would be a Sunday and therefore the specification instruction would start the MPP a week later than the Helpbook guidance.

The notified leave start date could therefore equally be a Monday if the woman did not work on Sundays. In either event if her last day at work was a Saturday, then her MPP should start from the Sunday immediately after that last day worked.

Important changes on the horizon

In the December 05 edition of these notes we told you about some of the changes that could impact on the way Statutory Payments operate. Here is an update.

Work and Families – Choice and Flexibility

The Government has published a consultation paper covering the draft regulations on:

- maternity and adoption leave and pay;
- extending the right to request flexible working to carers of adults.

The closing date for comments on this will be 25 April 2006.

A consultation paper was also issued on the proposals for Additional Paternity Leave and Pay. The closing date for comments on this will be 31 May 2006.

You can view both consultation documents at www.dti.gov.uk/workandfamilies

Statutory Sick Pay (SSP)

The Government's recent Green Paper "A new deal for welfare: Empowering people to work" included suggested reforms to make SSP easier for employers to administer.

The consultation period ends on 21 April 2006. You can access the Green Paper at: www.dwp.gov.uk/aboutus/welfarereform/

Age restrictions – all Statutory Payments

Subject to Parliamentary approval, the current age limits of 16 and 65 on entitlement to Statutory Payments will be removed from 1 October 2006.

From this date all employees with average earnings at or above the Lower Earnings Limit (LEL), (for 2006-07 £84 per week), who are:

- aged under 16 or 65 and older, will be eligible for SSP
- aged under 16, will be eligible for SMP and SPP.

For SMP and SPP the new rule applies to babies expected on or after 14 January 2007 and whose entitlement depends on employment in the "qualifying week" of 1 October 2006.

For SSP the new rule will apply to younger and older employees who are sick on or after 1 October 2006. It will also apply to those employees whose period of incapacity for work began before 1 October 2006 and who have been disallowed SSP on age grounds.

Examples include:

- An employee aged 67 becomes sick on 1st October – they will now be entitled to SSP (provided all other entitlement conditions are met and waiting days have been served).
- An employee aged 67 became sick on 20th September and was disallowed SSP because of his age. He is still sick on 1st October and should now be paid SSP.
- An employee aged 67 became sick on 1st September and was disallowed SSP. He returned to work on 20th September but fell sick again on 3rd October. Despite the link to the earlier period of incapacity for work he is entitled to SSP.

Spells of sickness for an employee who is under 16 will attract SSP liability from 1st October onwards. No regard should be given to sickness absence that has occurred prior to this date, since a PIW will not have been formed.

Age restriction changes –addition points to note

The age restriction changes will not affect very many younger or older employees - only those earning £84 or more per week.

These changes do not alter the position for National Insurance Contributions (see para 3.2 in these notes for more information).

Entitlement to Statutory Payments is *not* dependent on *paying* NICs - it is linked with earning at or above LEL for NICs purposes. So an employee could be paying no NICs but still be entitled to Statutory Payment. In practice few people who currently qualify for a Statutory Payment would not pay NICs, but it can happen - for example women over state retirement age but not yet 65. With the removal of the age restrictions from Statutory Payments it is likely to happen more often from October 2006. It is important, therefore, in order to operate Statutory Payments properly from then, that payroll software maintains earnings details for all employees regardless of age and NICs liability. For example, earnings details could, in practice, be required to determine entitlement as far back as July 2006 for SMP.

To comply with the European Directive we are also removing the age limit for SAP but there will be no practical effect on employers. An individual cannot be approved to adopt until they are 21 so no one under 16 years old will receive SAP anyway.

More information on record keeping and changes to the way Statutory Payments operate will be made available on our website under "What's New" at:

www.hmrc.gov.uk/news/index.htm

3.2 Age Discrimination and National Insurance Contributions

National Insurance Contributions fall outside the scope of EC Council Directive 200/78/EC of November 2000 on employment discrimination. National Insurance Contributions continue to be payable between the ages of 16 and state pension age, which is currently 60 for a woman and 65 for a man. The state pension age will be aligned at 65 for both men and women from 2020.

3.3 Retirement Annuity Contracts

From 6 April 2007, the way in which Retirement Annuity Contracts (RACs) are taxed will change. From that date they will all be taxed under PAYE as if they were personal pensions. This transfer will involve a substantial amount of work for RACs Providers because a separate PAYE scheme will need to be opened and the individual annuitant records set up. All this needs to be done well in advance and HMRC is already issuing advice and guidance on what needs to be done now.

A new variation of form P46 is likely to be produced to enable Providers to notify commencement details for all annuities coming into payment after April 2007. Full details about the new form and the process will be issued later in the year.

If you are a RACs Provider, and you are not already receiving information about the changes, it is important that you register your interest straight away. Please email your contact details to **Robin.Ward@hmrc.gsi.gov.uk**
You can find more details at: <http://www.hmrc.gov.uk/pensionschemes/racs.htm>

3.4 Tax Credits – a reminder

The phasing out of Working Tax Credit payment via employers (PVE) is proceeding well and from 1 April 2006 HMRC will be paying all claimants direct.

Employers who have been paying Working Tax Credit through the payroll, but have still not received a final stop notice for each PVE employee, should contact the Employer Helpline without delay on **0845 7 143 143**, to give us their details and those of their employee(s). The Employer Helpline will pass this information to the Tax Credit Office, who will contact the employer to agree a stop date. This will be confirmed by an emergency stop notice.

Employers who are still paying tax credits, and whose payroll arrangements mean that they would not normally pay the tax credit for March until some time in April, should contact us as soon as possible, so that we can arrange an earlier stop date.

On no account should employers make tax credit payments to employees for any period after 31 March 2006, even if they have not received a stop or emergency stop notice from us. From 1 April 2006 we will have ended PVE liabilities for employers and will be paying all Working Tax Credit to claimants direct, on the assumption that all employers will have stopped making tax credit payments on or before 31 March. But if employers stop paying tax credits on 31 March without having received a stop or emergency stop notice, they should contact the Employer Helpline to confirm the date they stopped paying tax credits.

We are doing all we can to ensure that no employer continues to make tax credit payments after 31 March 2006. Those who do make a payment after this date will have to contact the Employer Helpline, so that we can arrange reimbursement. The 2006-07 versions of forms P11, P14, P60 and P35 will not contain boxes for tax credits paid.

Employers must not deduct any tax credits paid after 31 March 2006 from the PAYE tax, National Insurance Contributions and student loan repayments they are due to pay to us each month or quarter.

Where their software continues to allow tax credits to be paid beyond 31 March 2006, developers must separately identify the amounts so that the values do **not** figure in the calculations of the payments over to HMRC (P32 values).

For further information, please see Frequently Asked Questions at www.hmrc.gov.uk/employers/employer-faqs.htm

3.5 Forms P11 & P14/P60 for 2006-07

The following forms are now available to order from the Employer's Orderline:

P11 (2006-07)
P14/P60 (Continuous-Portrait)(2006-07)
P14/P60 (Continuous-Landscape)(2006-07)
P14/P60 (LaserSheet-Portrait)(2006-07)
P14/P60 (LaserSheet-Landscape)(2006-07)
P60 (Single sheet)(2006-07)
P60 (Continuous)(2006-07)

Illustrations of all the above mentioned 2006-07 forms (labelled 'For information only') can be downloaded from our website at: www.hmrc.gov.uk/ebu/pnforms.htm

P14/P60 2006-07

As payment of Working Tax Credit via employers (PVE) will no longer apply in the 2006-07 tax year, the forms have been revised to remove the 'Tax Credits' box. All other box positions remain unchanged.

As usual we have also updated the tax year and changed the colour bands on the top copy of all OCR forms.

After April 2006, HMRC Forms Unit will contact all producers of substitute forms P14/P60 to inform them of the changes needed for 2006-07.

3.6 Online filing update - Annual Returns 2004-05

We have now processed 99% of P35 data and 85% of P14 data to our back end systems and expect to have corrected the balance of returns by the end of April 2006. In addition, we have taken steps to minimise the impact these delays will have on individual taxpayers or contributors.

Update on tax-free incentive payments

All straightforward applications to have the incentive payments paid by cheque are now being processed within 3 weeks of receipt of the claim. For those where the Return contained errors, we will need to put the Return right before we can issue the cheque. These cases are taking longer to clear.

Our review of those cases where the 2004-05 Return may have been made unnecessarily is continuing.

Update on penalties

Any large employer who is unable to file their 2004-05 Return online during March whilst our Internet service is unavailable and files instead by paper in that period will receive an online filing penalty. In these circumstances, the employer can lodge an appeal against the penalty on the grounds that the Return could not be filed online and we will arrange for the penalty to be discharged.

3.7 Online filing – preparing for end of year 2005-06

Service Availability – Filing over the Internet

Our PAYE Online – Internet end of year filing facility is currently unavailable. Employers intending to file over the Internet will be able to send their Return from 6 April 2006. If we are able to make the filing service available any earlier, we will announce it on the Service Availability pages on our website – there is a link from the homepage.

Customers using Internet-enabled third party software will not be able to file their Returns until the end of year filing facility resumes. Employers using HMRC's Online Return & Forms – PAYE product can record their P14 and P35 information now, ready to file when the end of year filing facility is restored.

Employers and agents might find that they have a smoother filing experience if they avoid the peak days (6 and 7 April and 18 and 19 May), or file outside of office hours or at weekends. The busiest days last year were Thursday, followed by Friday, and then Tuesday, all between 10am and 11am.

Some third party software allows users to complete their Return, save the details and set their computer to send the Return automatically at a time they specify. If the employer or agents software has this facility, we recommend they file the Return outside the peak times.

We would prefer it if employers did not test their Return at peak times as this will add to the volume of traffic on our online system. Employers and agents do not have to test Returns, they can send the Return for 'real'. Returns that do not meet our quality checks will be rejected.

If testing a Return, employers must remove the test flag (off) before they send it for 'real'. We cannot accept 'test' Returns as 'real' Returns, even if the 'test' is error free.

P9's sent over the Internet

Even if we reopen our end of year filing facility filing before 6 April 06, our PAYE Online service will not be available on 4 and 5 April 06. On these dates customers will not be able to access the Data Provisioning Service to obtain P9 coding information to create their payroll records for the new financial year. We therefore suggest employers download P9 data before 4 April.

Electronic Data Interchange (EDI)

Employers who intend to file their 2005-06 Return using EDI may now submit their return.

Tax-free incentive Payment

For small employers who successfully file their 2005-06 Return online, we will start to issue letters confirming that the payment has been credited to their payment record from the beginning of June. Once they have received their confirmation

letter, employers can self-serve the tax-free incentive from their next payment to HMRC.

Using the correct software

We have recently become aware that some employers are using the wrong software for their specific business needs. This could lead to the rejection of their 2005-06 Return. Examples include:

- limited companies that have had CIS deductions made from payments received for work in the construction industry, using payroll software that cannot accommodate 'CIS deductions suffered' - in some cases this figure has been included in the 'NICs and Tax paid already' figure which is not an acceptable alternative
- amendments filed as an original submission where the software does not support amended Returns
- Returns filed for 2004-05 using the 2003-04 rules and format.

Requests for blank forms P35

We have received requests, particularly from agents, for blank forms P35 to support their own internal auditing processes. Whilst HMRC are not able to meet these requests, you may find it helpful to note that a 'specimen' of the 2005-06 P35 will provide a workable file copy to evidence client information etc, as relevant material is not obscured. It is available at www.hmrc.gov.uk/ebu/pnforms.htm

Customers who wish to send their 2005-06 Return on paper, who were not sent a paper Return, should contact their local HM Revenue and Customs office.

Validation and corrections – a reminder

All employers who have been told that they are large or medium-sized employers must file their 2005-06 Return online.

Employers are reminded that:

- all 2005-06 Returns will be validated on receipt
- those that do not meet the validation requirements of the Quality Standard will be rejected for correction
- employers, or their agents, must make the corrections and resubmit the Return by the deadline of 19 May or face a penalty.

The quickest and most effective way for employers to find out how to put right any errors will be to check the list of most common errors on the Internet at <http://www.hmrc.gov.uk/2006online/common-error.htm> before contacting the Online Services Helpdesk.

4. Next issue of these Notes

The next issue of these notes is scheduled for early summer 2006.

5. Mailing lists for these Notes

The mailing options for these notes are:

- notification by email
- notification by post
- paper issue of these notes.

Notification by email is the quickest and our preferred option. If you currently receive your mailing by post and wish to change to this option please send us details of your email address and company name to hmrnotes@replyservice.co.uk stating 'change option' in the subject field.

New requests to be included on the mailing list and notification of address changes should include details of your preferred option, your email address, company name and address and be sent by email to hmrnotes@replyservice.co.uk

Or you can write to:

Notes for Payroll Software Developers
PO Box 17289
Edinburgh
EH12 1WY

If you wish to be removed from the mailing list please send your request, including details of your company name and address, by email to hmrnotes@replyservice.co.uk stating 'unsubscribe' in the subject field or write to the address shown above.

6. Contacts for enquiries

Where helpline numbers are shown for a specific topic within the notes please ring the number quoted for more information.

General payroll enquiries should be directed to your local HM Revenue & Customs Office or to the Employer Helpline on **0845 7 143 143**.

Any other queries about the contents of the notes should be made to the Online Services Helpdesk:

Email [**helpdesk@ir-efile.gov.uk**](mailto:helpdesk@ir-efile.gov.uk)
Telephone **0845 60 55 999**
Fax **01274 841288**
Minicom **01274 841278**

Please note, the Online Services Helpdesk cannot deal with change of mailing address information, these should be directed to hmrnotes@replyservice.co.uk

Amendments to the Specification for PAYE Tax Table Routines

APPENDIX A of the Specification

The following values should be inserted.

Use the first blank column and on each blank page enter the heading “2006/2007” against “Income Tax Years” and “18/05/2006” against “Date from which effective”.

Symbol	Value
B1	2150
B2	31150
C1	2150
C2	33300
K1	215.00
K2	7068.00
G	2
M	50.00%

Please complete the “Incorporation of Amendments” sheet at the front of the booklet showing that the amendments in “Series 10 – Number 29” have been made.

Test Data – 2006-2007, Which Will Take Effect On 18 May 2006

The Test Data for each code or each week or month is not intended to relate to one particular person.

CUMULATIVE SUFFIX CODES

(Code 489L)

WEEK NUMBER	GROSS PAY	PAY ADJUSTMENT	TAXABLE PAY	RESULTS PER SPECIFICATION
12	2808.00	1130.64	1677.36	309.40
29	2899.89	2732.38	167.51	16.70

MONTH
NUMBER

(Code 319T)

4	12515.75	1066.36	11449.39	2495.60
10	9141.40	2665.90	6475.50	1209.49

(Code K255)

5	6023.66	1066.25	7089.91	1452.07*
8	32799.98	1706.00	34505.98	9634.00*

*These are the amounts of tax due to date per the Taxable Pay Tables. The tax due for the pay period would be subject to the Regulatory Limit of 50% of gross pay for the period concerned.

In the above examples the gross pay is the gross pay for PAYE purposes. The figure of pay adjustment and tax calculated is by reference to the manual tables and is the same as the result per the specification.

AMENDED - COLLECTION OF STUDENT LOANS (CSL) SPECIFICATION

1. The Routines described in this Specification below make use of two distinct classes of parameters: Annual Constants (shown in **bold** typeface) whose values are supplied by HM Revenue & Customs, and Weekly/Monthly Constants (shown in *Italics*) derived from them for the payroll run.

2. Annual Constants - definitions **Symbol**

Definition 1 - Annual Threshold for CSL **aT**

Definition 2 - Rate of Student Loan Recovery **Rs**

3. Annual Constants. The practical maximum field sizes recommended for the Annual Constants are:

aT - 99999
Rs - 99.99%

These values will always have to be subject to change but for all practical purposes the maximum values given in the Specification are likely to remain fixed for several years.

NB. The first set of parameter values for the Annual Constants were included in Notes on PAYE for Computer Users (Series 9 Number 10) issued in October 1998.

4. Weekly/Monthly Constants

Definition 1 :- Threshold (*T1*) = $\mathbf{aT} \times \frac{\mathbf{Npp}}{\mathbf{Z}}$

Take the calculations for Definition 1 to 4 decimal places of a pound and then round down, if necessary, to the nearest 1p below.

Having calculated the pay period threshold the Routine will pass through the following stage.

5. Calculation of Student Loan Deductible

SL = [En - *T1*] x **Rs**

Take the calculation to 2 decimal places and then round down the result, if necessary, to the nearest pound below.

Glossary of Symbols

Npp	=	Number of days*/weeks/months in this pay period
Z	=	Number of days*/weeks/months in the tax year
aT	=	Annual Threshold
Rs	=	Rate of Student Loan Recovery
<i>T1</i>	=	Pay period threshold
En	=	Earnings in pay period liable to student loan deductions
SL	=	Student Loan Deductible

***Use days only for earnings periods that are longer than 1 week but not a multiple of a week or a month. For earnings periods of less than 7 days, use 1 week.**

