Detailed guidance for employers

Appendix B: Assessing a worker

This document accompanies:
Detailed guidance no. 3 – Assessing the workforce

If you decide to print it out it’s best viewed at A3 size, so you’ll need to ensure that the A3 paper tray is selected on your printer. If your printer doesn’t have an A3 tray, the document will print on A4 but you may find the text size too small to read comfortably.
Appendix B – Assessing a worker

Are they working, or ordinarily working, in the UK under their contract?

No

No duties

Yes

How old are they?

15 or younger

No duties

16-21

Assess earnings

1. Identify pay reference period
2. Assess qualifying earnings payable in that pay reference period
3. Compare against the earnings trigger for automatic enrolment (£10,000) appropriate to the pay reference period

£10,000 (pro rata)** or below

Entitled worker

More than £10,000 (pro rata)**

Non-eligible jobholder

At least 22 but under state pension age

Assess earnings

1. Identify pay reference period
2. Assess qualifying earnings payable in that pay reference period
3. Compare against the earnings trigger for automatic enrolment (£10,000) appropriate to the pay reference period

£10,000 (pro rata)** or below

Entitled worker

More than £10,000 (pro rata)**

Non-eligible jobholder

State pension age to 74

Assess earnings

1. Identify pay reference period
2. Assess qualifying earnings payable in that pay reference period
3. Compare against the earnings trigger for automatic enrolment (£10,000) appropriate to the pay reference period

£10,000 (pro rata)** or below

Entitled worker

More than £10,000 (pro rata)**

Non-eligible jobholder

75 or older

No duties

To distinguish between jobholder and entitled worker on these occasions:
1. Identify pay reference period
2. Assess qualifying earnings payable in that pay reference period
3. Compare against the lower level of qualifying earnings (£6,240) appropriate to the pay reference period

£6,240 (pro rata)** or below

Entitled worker

More than £6,240 (pro rata)**

Non-eligible jobholder

Does not need to be automatically enrolled but as a jobholder they can choose to opt in to an automatic enrolment scheme or as an entitled worker they can choose to join a pension scheme. An employer will need to separately identify a jobholder or an entitled worker within this age bracket when:

a. they are given an opt in of joining notice
b. immediate re-enrolment is triggered

c. if the worker is an active member of a scheme that is not qualifying, or
d. if they choose to give separate information about either opt in or joining*

* Prior to 1 April 2015 an employer would have needed to distinguish between a non-eligible jobholder and entitled worker in this group as there were separate information requirements for each. Since 1 April 2015 there is no longer this requirement but an employer who staged before 1 April 2015 can continue to make this distinction as they can choose to continue giving information about only the right of a jobholder to opt in or of an entitled worker to join. More information can be found in Detailed guidance no. 10 – Information to workers.

** This amount is for the 2019-2020 tax year. These figures are reviewed annually by the Department for Work and Pensions (DWP). Where there is a change, the figures for the next tax year after they have been announced by the DWP as well as the historic and current amounts can be found on our website at: www.tpr.gov.uk/earnings-thresholds