



# WIOA

(Workforce Innovation and Opportunity Act)

- **Priority of Services -  
Adult Program**
- **Low Income Guidelines -  
Adult & Youth Programs**
- **Self-Sufficiency -  
Adult & Dislocated Worker Programs**

**Effective July 1, 2015**  
**Reissue: April 11, 2016**

**Please Note:**

- The annual family low income guidelines levels reflected in this handbook have not changed as a result of WIOA implementation effective July 1, 2015.
- The information contained in this handbook may be revised and reissued after the WIOA final rules are issued and as further Department of Labor Employment & Training (DOLETA), WA State or other guidance is released.

## TABLE OF CONTENTS

<b>A. DEFINITIONS.....</b>	<b>3</b>
<b>B. PRIORITY OF SERVICES -ADULT PROGRAM .....</b>	<b>7</b>
<b>C. PIERCE COUNTY RESIDENT PRIORITY.....</b>	<b>7</b>
<b>D. LOW INCOME GUIDELINES-ADULT &amp; YOUTH PROGRAMS.....</b>	<b>8</b>
<b>E. 4<sup>th</sup> PRIORITY ENROLLMENT AUTHORIZATION FORM – ADULT PROGRAM .....</b>	<b>9</b>
<b>F. SELF-SUFFICIENCY – ADULT&amp; DISLOCATED WORKER PROGRAM .....</b>	<b>10</b>

## A. DEFINITIONS:

- **BASIC SKILLS DEFICIENT** [WIOA Sec. 3(5)(B)]: Individuals who are unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. Priority must be given regardless of funding levels.

- **DETERMINING FAMILY SIZE:**

- **FAMILY:** Family is defined as two or more individuals related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:
  - A married couple and dependent children;
  - A parent or guardian and dependent children; or
  - A married couple.

If the family of an **individual with a disability** does not meet the WIOA Adult or Youth Program income criteria, the individual with a disability may be considered a low-income individual if his/her own income meets WorkForce Central's low income guidelines. Individuals with a disability would be considered a family of one and only their income is considered when determining low-income.

- **DEPENDENT:** Youth in the following categories are considered dependents and counted in the family unit:
  - Youth not yet 18, who are not emancipated youth or runaway youth, living at home with their parents or guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household); or
  - Youth age 18-19 who are full-time students in a secondary school or equivalent and are living at home with their parents or guardians.; or
  - Youth age 18-24 who are not full-time students and are living at home with their parents or guardians and who are primarily supported by their parents.
- **GUARDIAN:** A guardian is a blood relative (e.g., grandparent, aunt or uncle) or another legally recognized relative (e.g., decree of court) who claims the youth as a dependent. The key factors are:
  - Relationship by blood or decree of court;
  - Living in a single residence; and
  - The youth is claimed as a dependent.
- **INDEPENDENT YOUTH:** Youth between the ages of 18-24 who reside with their parents may be considered individuals and not dependents (i.e., only the youth's income would be considered for income verification purposes) if they meet one of the following categories:
  - Personally receiving TANF, food stamps or Social Security Benefits;
  - Attending post-secondary education and who qualify as an independent student on the Free Application for Federal Student Aid (FAFSA); or
  - Youth who are supporting their parents or other family members who are unemployed or unable to work.

- **ELIGIBLE SPOUSE of a VETERAN** (“covered person”; TEGL 10-09, Revision 2): As defined in section 2(a) of Jobs for Veterans Act (38 U.S.C. 4215(a)), eligible spouses who meet one of the criteria below are eligible for priority of services in WIOA Adult, Dislocated and Youth programs:
  - Any veteran who died of a service-connected disability;
  - Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
    - Missing in action;
    - Captured in line of duty by a hostile force; or
    - Forcibly detained or interned in line of duty by a foreign government or power;
  - Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs;
  - Any veteran who died while a disability, as indicated in the 3<sup>rd</sup> bullet above, was in existence.

**Note:** Spouses of veterans who do not meet one of the criteria listed above may still receive WIOA funded services if they meet the specific program eligibility criteria. However, spouses who do not meet the above criteria will not qualify for priority services.

- **ENGLISH LANGUAGE LEARNER** [WIOA Sec. 3(21) and WIOA Title II Sec. 203(7)]: An eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and-
  - Whose native language is a language other than English; or
  - Who lives in a family or community environment where a language other than English is the dominant language.

- **HOMELESS INDIVIDUAL** [Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 1403e-2(6))]:

- An individual who lacks a fixed, regular, and adequate nighttime residence

**And**

- Includes an individual who-
  - Is sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
  - Is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
  - Is living in an emergency or transitional shelter;
  - Is abandoned in a hospital; or
  - Is awaiting foster care placement.

**Or,**

- An individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

**Or,**

- Migratory children who qualify as homeless under this section because the children are living in circumstances described in this paragraph.

- **INDIVIDUAL WITH A BARRIER TO EMPLOYMENT** [WIOA Sec. 3(24)]: A member of one or more of the following populations:

- Displaced homemakers;
- Low-income individuals;
- Indians, Alaska Natives, and Native Hawaiians;
- Individuals with disabilities;
- Older individuals;
- Ex-offenders;
- Homeless individuals [as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 1403e-2(6))], or homeless children and youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act [42 U.S.C. 11434a (2)]);
- Youth who are in or have aged out of the foster care system;

- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
  - Eligible migrant and seasonal farm workers;
  - Individuals within 2 years of exhausting lifetime TANF eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);
  - Single parents (including single pregnant women);
  - Long-term unemployed individuals;
  - Such other groups as the Governor involved determines to have barriers to employment.
- **INDIVIDUAL WITH A DISABILITY** [WIOA Sec. 3(25)]: An individual with a disability as defined in [section 3 of the Americans with Disabilities Act of 1990 \(42. U.S.C. 12102\)](#).
  - **IN-SCHOOL YOUTH** [WIOA Sec. 129(a)(C)]:
    - Between the ages 14-21,
    - Attending school as defined by State law (*includes eligible students enrolled in a dropout reengagement program under RCW 28A.175.100; 28A.175.105*),
    - **Low income\*\***, **and meet one or more of the following**:
      - Basic skills deficient
      - English language learner
      - Offender
      - Homeless, runaway
      - In foster care or aged out of the foster care system
      - Pregnant or parenting
      - Disabled
      - Requires additional assistance to complete an educational program or to secure or hold employment\*.

\*In any single program year, no more than 5% of a local area's total in-school youth participants can be those who require additional assistance to complete an educational program or to secure or hold employment [WIOA Section 129(a)(3)(B)].

\*\*In any single program year, no more than 5% of a local area's total youth participants can be those who have a low income eligibility requirement, but are not low income [WIOA Section 129(a)(3)(A)(ii)].

- **LOW INCOME INDIVIDUAL** [WIOA Sec. 3(36) (A)]: In general, the term “**low income individual**” means an individual who-
  - i. Receives, or in the past six (6) months has received, or is a member of a family that is receiving or in the past six (6) months has received, assistance through:
    - a. The supplemental nutrition assistance program (SNAP) established under the Food and Nutrition Act of 2008, (7 U.S.C. 2011 et seq.); **or**
    - b. The program of block grants to states for temporary assistance for needy families (TANF) program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); **or**
    - c. The supplemental security income (SSI) program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.); **or**
    - d. State or local income-based public assistance.
  - Or,**
  - ii. Is in a family with total family income that does not exceed the higher of-
    - a. **The poverty line**; or
    - b. **70 percent of the Lower Living Standard Income Level (LLSIL)**
  - Or,**

- iii. Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2)));  
**Or,**
- iv. Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);  
**Or,**
- v. Is a foster child on behalf of whom State or local government payments are made;  
**Or,**
- vi. Is an individual with a disability whose own income meets the income requirement of clause (ii) (*i.e., the poverty line; or 70% of the Lower Living Standard Income Level (LLSIL)*) but who is a member of a family whose income does not meet this requirement.

- **LOWER LIVING STANDARD INCOME LEVEL (LLSIL)** [WIOA Sec. 3(36) (B)]: The term “lower living standard income level” means the income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary. LLSIL is utilized for determining eligibility for youth and adults for certain services (Federal Register Vol. 80, No. 59).

WorkForce Central uses the LLSIL for determining family size of two (2) or more for priority of service eligibility for the WIOA Adult Program and family size of two (2) or more for income eligibility for applicable WIOA Youth Program criteria.

The current LLSIL for a family of two (2) or more is listed in Section D (page 8).

- **OFFENDER** [WIOA Sec. 3(38)]: An adult or juvenile who-
  - Is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or
  - Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
- **OLDER INDIVIDUAL:** [WIOA Sec. 3(39)]: an individual age 55 or older.
- **OUT-OF-SCHOOL YOUTH** [WIOA Sec. 129(A)(B)]:
  - Between the ages 16-24,
  - Not attending any school, **and meet one or more of the following:**
    - A school dropout;
    - Within the age of compulsory school attendance (up to age 17 RCW 28A.225), but has not attended school for at least the most recent complete school year calendar quarter;
    - An individual who is subject to the adult or juvenile justice system;
    - Homeless, a runaway, in or aged out of the foster care system;
    - Pregnant or parenting;
    - Disabled;
    - Has a high school degree or its equivalent, **is low income\*\* and is:**
      - Basic skills deficient, or
      - An English language learner;
    - **Low-income\*\* and requires additional assistance** to enter or complete an educational program or to secure or hold employment.

\*\*In any single program year, no more than 5% of a local area’s total youth participants can be those who have a low income eligibility requirement, but are not low income [WIOA Section 129(a)(3)(A)(ii)].

- **POVERTY LINE** [WIOA Sec. 3(49)]: The poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved. Poverty guidelines are used as an eligibility criterion by a number of Federal programs (Federal Register Vol. 80, No. 14).

WorkForce Central uses the poverty guidelines for determining family size of one (1) priority of service eligibility for the WIOA Adult Program and family size of one (1) income eligibility for applicable WIOA Youth Program criteria.

The current poverty line for a family of one (1) is listed in Section D (page 8).

- **PUBLIC ASSISTANCE** [WIOA Sec. 3(50)]: Federal, State or local government cash payments for which eligibility is determined by a needs or income test.
- **VETERAN** (WIOA Sec. 3(53); TEGL 1009, Revision 2; ESD Policy 1019, Revision 2): For the purpose of providing Priority of Service in the WIOA Adult Program and WIOA Dislocated Worker Program eligibility, veteran means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or Reserve component, other than full time duty for training purposes.

## **B. PRIORITY OF SERVICE – WIOA ADULT PROGRAM**

The list below describes the priority of service for individuals served in the WIOA Adult Program based on the requirements in WIOA Section 134(c)(3)(E), proposed 20 CFR 680.600 and 680.640, TEGL 10-09, and WA State Employment Security Department (ESD) Policy 1019 Revision 2– Eligibility Guidelines and Documentation Requirements (effective July 1, 2015):

- **1<sup>st</sup> Priority** – Covered persons (veterans and eligible spouses) who are:
  - **low income** [as defined by WIOA Sec. 3(36)], or
  - recipients of public assistance, or
  - who are basic skills deficient.
- **2<sup>nd</sup> Priority** - Individuals (non-covered persons) who are:
  - **low income** [as defined by WIOA Sec. 3(36)], or
  - recipients of public assistance, or
  - who are basic skills deficient.
- **3<sup>rd</sup> Priority** - Veterans and eligible spouses who are:
  - not low income, and
  - not recipients of public assistance, and
  - not basic skills deficient.
- **4<sup>th</sup> Priority** - Individuals (non-covered persons) who do not meet the above priorities may be enrolled on a case by case basis with documented managerial approval. Local policy limits the number of adults enrolled in WIOA who are not low income, public assistance recipients, or basic skills deficient to not more than 10% of all adults registered in the current program year. The request for 4<sup>th</sup> Priority of Service must be submitted in writing using the “*WFC WIOA Adult 4<sup>th</sup> Priority Enrollment Authorization Request*” form (section E of this document) and placed in the participant file.

**C. PIERCE COUNTY RESIDENT PRIORITY:** Pierce County residents will receive priority for enrollment into WIOA programs. Non-Pierce County residents may be enrolled on a case-by-case only if approved by a WIOA Service Program Manager or designee. Enrollment of non-Pierce County residents will require coordination with the Workforce Development Council (WDC) of residency. Management approval and coordination with the WDC of residency must be documented in the participant’s file.

## D. WIOA LOW INCOME GUIDELINES

- **1<sup>st</sup> PRIORITY - WIOA ADULT PROGRAM** – Low income veterans and eligible spouses
- **2<sup>nd</sup> PRIORITY - WIOA ADULT PROGRAM** – Low income individuals other than veterans & spouses
- **WIOA YOUTH PROGRAM WHO MEET THE FOLLOWING CRITERIA:**
  - An out-of-school youth who is a recipient of a secondary school diploma or its recognized equivalent who is either basic skills deficient or an English language learner; **or**
  - An out-of-school youth who requires additional assistance to enter or complete an educational program or to secure or hold employment; **and**
  - All in-school youth.

Family Size	Annual Income Level
*1	<b>\$11,880</b> <i>(\$5,940 for 6-months prior to enrollment)</i>
**2	<b>\$18,594</b> <i>(\$9,297 for 6-months prior to enrollment)</i>
**3	<b>\$25,529</b> <i>(\$12,765 for 6-months prior to enrollment)</i>
**4	<b>\$31,512</b> <i>(\$15,756 for 6-months prior to enrollment)</i>
**5	<b>\$37,189</b> <i>(\$18,595 for 6-months prior to enrollment)</i>
**6	<b>\$43,490</b> <i>(\$21,745 for 6-months prior to enrollment)</i>
<b>**Families of 7 or more</b>	<b>Add \$6,301 for each additional family member</b>

**Explanation for Determining Income Levels:** WIOA income eligibility is determined using the higher income level for poverty guidelines released by the Department of Health and Human Services (HHS) and the Lower Living Standard Income Levels (LLSIL) released by the Department of Labor Employment and Training Administration (DOLETA) for the Workforce Innovation and Opportunity Act (WIOA) of 2014. The higher income for a family of one has regularly resided with the Dept. of Health and Human Services poverty guidelines while the higher income for a family of 2 or more has resided with the ETA LLSIL. HHS releases the poverty guidelines in late January and ETA releases the LLSIL in late March.

**\*Family Size 1** Income Level is based on the Department of Health and Human Services Poverty Guidelines released **January 25, 2016** at <https://www.federalregister.gov/articles/2016/01/25/2016-01450/annual-update-of-the-hhs-poverty-guidelines>.

**\*\*Family Size 2 or more Income Level** is based on the DOL 70% Lower Living Standard Income Level Guideline (LLSIL) released **March 25, 2016** <https://www.doleta.gov/llsil/LLSIL%20Webpage%20Tables%204%20and%205.pdf>

**Determining Family Size:** Refer to Section A. Definitions (p. 3) for full explanation for determining family size.

**Reference:**

- Federal Register/Vol. 81, No 15, Monday, January 25, 2016/Notices
- Federal Register/Vol. 81, No. 58, Friday, March 25, 2016/Notices
- WorkSource Information Notice (WIN) 0056, Change 3, March 28, 2016





**E. WorkForce Central  
WIOA Adult Program 4<sup>th</sup> Priority Enrollment Authorization Request**

Priority of WIOA Adult Program individualized career and training services shall be given to:

- **1<sup>st</sup> Priority:** Covered persons (veterans and eligible spouses) who are low income, or recipients of public assistance, or who are basic skills deficient.
- **2<sup>nd</sup> Priority:** Non-covered persons who are low income, or recipients of public assistance, or who are basic skills deficient.
- **3<sup>rd</sup> Priority:** Veterans and eligible spouses who are not low income, not recipients of public assistance, and not basic skills deficient.
- **4<sup>th</sup> Priority –** Individuals (non-covered persons) who do not meet the above priorities.

On an exception basis, WIOA eligible individuals (non-covered persons) who do not meet the WIOA Adult Program eligibility for priorities 1, 2 or 3 may be served under the 4<sup>th</sup> priority. The request for 4<sup>th</sup> Priority must be submitted in writing using this form. The WIOA eligible adult must meet one or more of the following categories of an individual with a barrier to employment:

- Displaced homemakers;
- Low-income individuals;
- Indians, Alaska Natives, and Native Hawaiians;
- Individuals with disabilities;
- Older individuals;
- Ex-offenders;
- Homeless individuals;
- Individuals who are English language learners, low levels of literacy, and/or facing substantial cultural barriers;
- Eligible migrant and seasonal farm workers;
- Individuals within 2 years of exhausting lifetime TANF eligibility;
- Single parents (including single pregnant women);
- Long-term unemployed individuals.

**Fourth Priority Enrollment Request**

I (Case Manager), \_\_\_\_\_, am requesting enrollment into the WIOA Adult

Program 4<sup>th</sup> Priority for (Applicant Name): \_\_\_\_\_

who has the following barriers to self-sufficient employment:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Services to be provided to the participant are documented on the Individual Employment Plan (IEP) located in the participant file and in SKIES (or its future replacement).

Estimated amount of WIOA Adult funds to be used: \$ \_\_\_\_\_

\_\_\_\_\_  
WIOA Case Manager Signature                      Date

\_\_\_\_\_  
WIOA Program Manager or Designee                      Date

## F. SELF-SUFFICIENCY - WIOA ADULT & DISLOCATED WORKER PROGRAMS

Under WIOA sec. 134(c)(3)(A), training services may be made available to employed and unemployed adults and dislocated workers who, among other criteria, are:

- Unlikely or unable to obtain or retain employment that leads to **economic self-sufficiency** or wages comparable to or higher than wages from previous employment through career services, and
- Are in need of training services to obtain or retain employment leading to **economic self-sufficiency** or wages comparable to or higher than wages from previous employment.

**WIOA Adult Program Self-Sufficiency:** WorkForce Central defines **self-sufficiency** for the WIOA Adult program as having family income equal to or exceeding 100% of the Lower Living Standard Income Level (LLSIL) based on the Department of Labor (DOL) 100% LLSIL released March 25, 2016 <https://www.doleta.gov/llsil/LLSIL%20Webpage%20Tables%204%20and%205.pdf>

**WIOA Dislocated Worker Self-Sufficiency:** WorkForce Central defines **self-sufficiency** for the WIOA Dislocated Worker program as having family income equal to or exceeding 125% of the Lower Living Standard Income Level (LLSIL) based calculations of the Department of Labor (DOL) 100% LLSIL released March 25, 2016 <https://www.doleta.gov/llsil/LLSIL%20Webpage%20Tables%204%20and%205.pdf>

Family Size	WIOA Adult Program 100% LLSIL	WIOA Dislocated Worker Program 125% LLSIL
1	\$16,217	\$20,271
2	\$26,563	\$33,204
3	\$36,470	\$45,588
4	\$45,018	\$56,273
5	\$53,127	\$66,409
6	\$62,128	\$77,660
7 or more	Add \$9,001 for each additional family member	Add \$11,251 for each additional family member