



Workforce Innovation and Opportunity Act (WIOA) Policies and Procedures

WIOA Adult and Youth Programs- Low-Income Eligibility Standards

POLICY NUMBER: P-1008 Rev. 1

REVISION DATE: 3-26-21

Supersedes: WIOA Adult and Youth Programs-Low Income Eligibility Standards issued on 4/30/20

PURPOSE

The Workforce Innovation and Opportunity Act (WIOA) requires individuals enrolled in the following program categories to meet specific low-income eligibility standards:

- **WIOA Adult Program:**
 - **1st Priority**– Low-income veterans and eligible spouses
 - **2nd Priority**– Low-income individuals other than veterans & spouses
- **WIOA Youth Program:**
 - All in-school youth.
 - 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.
 - An out-of-school youth who requires additional assistance to enter or complete an educational program to secure or hold employment.

This policy communicates WorkForce Central's 2021 Lower Living Standard Income Level (LLSIL) by family size and provides:

- The process for calculating the LLSIL for families with more than six members.
- U.S. Department of Health and Human Services (HHS) poverty guideline for a family of one in place of the corresponding LLSIL as the former is the higher standard.

BACKGROUND

The WIOA establishes the use of the LLSIL when determining low-income standards. The U.S. Department of Labor (DOL) annually updates and publishes LLSIL tables and the State is responsible for designating the appropriate LLSIL within the parameters established by DOL. WorkForce Central is responsible for ensuring our local policies, procedures and definitions align with current LLSIL criteria.

The U.S. Department of Health and Human Services (HHS) annually updates and publishes Federal Poverty Guidelines and the State holds that the HHS standard applies when it is higher than the LLSIL for the corresponding family size. For 2021, the HHS standard for a family of one is higher than the standard for a family of one at 70% of the 2021 LLSIL for the Seattle-Tacoma-Bremerton Metropolitan Statistical Area (MSA).

- **Family Size 1-** Income level is based on the Department of Health and Human Services Poverty Guidelines at: <https://www.federalregister.gov/documents/2021/02/01/2021-01969/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) at: <https://www.dol.gov/agencies/eta/llsil>

POLICY

2021 Low-Income Eligibility Standards:

Family Size	70% of 2021 LLSIL Annual Income Level
1	\$12,880 HHS Poverty Guidelines
2	\$21,077 LLSIL Guidelines
3	\$28,938 LLSIL Guidelines
4	\$35,720 LLSIL Guidelines
5	\$42,154 LLSIL Guidelines
6	\$49,297 LLSIL Guidelines
Families of 7 or more	Add \$7,143 for each additional family member

Determining Family Size: “Family” under WIOA 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.

Defining Dependent: WIOA does not define dependent. To avoid uncertainty in making eligibility decisions regarding family size and income, the State has identified examples in which a youth must be considered as a dependent of parent(s) or guardian(s) for the purpose of determining family size for WIOA Youth and Adult Program eligibility. These instances are:

- **Example 1:** 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).
- **Example 2:** 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.
- **Example 3:** Youth age 18-21 who are not full-time students and are living “at home” with their parents or *guardians, and who are primarily supported by their parents.

*A legal 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.

WDCs have the authority to identify instances in which youth age 18-21 and “living at home” with their

parents or guardians are to be considered as independents and not dependents. WorkForce Central has determined youth age 18-21 who reside with their parents or guardians and who fall into one or more of the following categories can be considered independent for income eligibility determination:

- Youth age 18-21 who are personally receiving TANF, food stamps, or Social Security benefits.
- Youth age 18-21 who are attending post-secondary education and who qualify as an independent student on the Free Application for Federal Student Aid (FAFSA), or
- Youth age 18-21 who are supporting their parents or other family members who are unemployed or unable to work.

Individuals with Disabilities: Based on 20 CFR 663.640 and 664.250, even if the family of an individual with disabilities does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their own income meets the income criteria of WIOA Section 101(25)(A) or 101(25)(B). The individual with a disability would be considered a family of one and only that individual's income would be considered when determining low-income.

REFERENCES

- U.S. Department of Labor Lower Living Standard Income Level Guidelines
- 2021 HHS Poverty Guidelines
- Public Law 113-128, Workforce Innovation and Opportunity Act of 2014, Section 3(36)
- ESD WIN 0056, Change 8, March 23, 2021

APPROVED

Katie Condit

[Katie Condit \(Mar 26, 2021 15:19 PDT\)](#)

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EQUAL OPPORTUNITY - EQUAL ACCESS

WorkForce Central is an equal opportunity employer/program.

Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.