



Workforce Innovation and Opportunity Act (WIOA) Policies and Procedures

WIOA Title I Income Eligibility Standards

POLICY NUMBER: P-1008 Rev. 2

REVISION DATE: April 26, 2022

SUPERSEDES: WIOA Adult and Youth Programs-Low Income Eligibility Standards, Rev. 1 issued 3/26/21

PURPOSE

The Workforce Innovation and Opportunity Act (WIOA) establishes income eligibility thresholds for individuals enrolled in the following WIOA Title I program categories:

- **WIOA Title I Adult Program:**
 - **1st Priority**– Eligible veterans and their eligible spouses
 - **2nd Priority**– Eligible individuals who are not veterans or their spouses
- **WIOA Title I 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 or to secure or hold employment.

This policy communicates WorkForce Central's 2022 Lower Living Standard Income Level (LLSIL) by family size and provides:

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

BACKGROUND

The WIOA establishes the use of the LLSIL when determining eligible income thresholds. 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 2022, the HHS standard for a family of one is higher than the standard for a family of one at 70% of the 2022 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.acf.hhs.gov/sites/default/files/documents/ocs/CED-HHS-Poverty-Guidelines-2022.pdf>
- **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

2022 Low-Income Eligibility Standards:

Family Size	70% of 2022 LLSIL Annual Income Level
1	\$13,590 HHS Poverty Guidelines
2	\$22,110 LLSIL Guidelines
3	\$30,356 LLSIL Guidelines
4	\$37,471 LLSIL Guidelines
5	\$44,220 LLSIL Guidelines
6	\$51,712 LLSIL Guidelines
7	\$59,204 LLSIL Guidelines
8	\$66,696 LLSIL Guidelines
Families of 9 or more	Add \$7,492 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.

Washington’s Marriage Equality Act ([RCW 26.60](#)) expands the definition of a “married couple” beyond that of a male and female couple. The US Department of Justice will no longer defend the federal “Defense of Marriage Act” as a number of courts have held it is unconstitutional, including the 1st and 2nd Circuit Court of Appeals. Accordingly, with respect to this policy, the definition of married couple extends beyond that of a male and female.

This expanded definition applies to all WIOA Title I policy guidance and specifically impacts family size, eligible spouses (Priority of Service), military spouses (Dislocated Worker Program eligibility), and displaced homemakers (Dislocated Worker Program eligibility).

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 Title I Youth and WIOA Title I 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 ages 18-19 who are full-time students in a secondary school or equivalent and are residing with their parents or guardians.
- **Example 3:** Youth ages 18-21 who are not full-time students and are residing 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 ages 18-21 and residing with their parents or guardians are to be considered independent and not dependent. WorkForce Central has determined youth ages 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 ages 18-21 who are personally receiving TANF, food stamps, or Social Security benefits.
- Youth ages 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 ages 18-21 who are supporting their parents or other family members who are unemployed or unable to work.

Individuals with Disabilities: Per 20 CFR 663.640 and 664.250, even if the family of an individual with disabilities does not meet the income eligibility criteria, the individual with a disability may be considered a low-income individual if their own income meets the income criteria for program eligibility. The individual 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
- 2022 HHS Poverty Guidelines
- Public Law 113-128, Workforce Innovation and Opportunity Act of 2014, Section 3(36)
- ESD WIN 0056, Change 9, April 12, 2022

APPROVED



Katie Condit (Apr 26, 2022 20:09 PDT)

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Katie Condit, WFC CEO

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WorkForce Central is an equal opportunity employer/program.

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