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LSWIA INSTRUCTION NUMBER: PY11-002 Revision #11
DISTRIBUTION LIST: See below
ISSUANCE DATE: August 1, 2021
EFFECTIVE DATE: IMMEDIATELY
SUBJECT: UPDATED FEDERAL INCOME GUIDELINES

PURPOSE:

The purpose of this Instruction is to inform the Lower Savannah Workforce Development Area's (LSWDA) sub-recipient organizations and staff members of the **Updated Federal Income Guidelines, Updated WIOA Self-Sufficiency Guidelines, and the Updated Poverty Level Guidelines for determining Needs-Related Payments, as outlined in State Instruction 19-06, effective April 9, 2021.**

REFERENCE:

Workforce Innovation and Opportunity Act Section 3(36); Federal Register, Volume 86, Number 67, April 9, 2021, pp. 18555-18557, *US Department of Labor 2020 Lower Living Standard Income Level*; Federal Register, Volume 86, Number 19, February 1, 2021, pp. 7732-7734, Annual Update of the *US Department of Health and Human Services Poverty Guidelines*.

BACKGROUND:

Annually, the US Department of Labor (USDOL) determines the Lower Living Standard Income Level (LLSIL). Likewise, the Department of Health and Human Services (HHS) updates the poverty guideline. The LLSIL and poverty guidelines are used for several purposes in the WIOA programs, including determination of program eligibility, self-sufficiency, and needs-related payments.

POLICY:

THIS POLICY IS EFFECTIVE IMMEDIATELY UNTIL FURTHER NOTICE

A. PROGRAM ELIGIBILITY

WIOA defines the term "low income individual" using various criteria, including receipt of income that does not exceed the higher level of the poverty line or 70 percent of the LLSIL. The table below - WIOA Family Income Guidelines, incorporates the most recent updates to the DOL issued 70 percent LLSIL and the HHS issued poverty levels. These guidelines apply when using income as the determining criteria for "low income individuals."

B. SELF-SUFFICIENCY

WIOA allows employed individuals to receive individualized career services without self-sufficiency. Training services may be made available to employed and unemployed adults and dislocated workers who are determined:

An Equal Opportunity Employer/Program. Auxiliary aids and services are available to individuals with disabilities upon request.

- 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
- 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 allows the State, as well as Local Boards, to adopt, calculate, or commission for approval an economic self-sufficiency standard that specifies the income needs of families, by family size, the number and ages of children in the family, and sub-state geographical considerations. Until such economic self-sufficiency standard(s) are determined, local workforce development areas may continue to use the "self-sufficiency" criteria adopted under WIA. At a minimum, such criteria provides "that self-sufficiency means employment that pays at least 100 percent of the LLSIL" based on family size and income. Self-sufficiency for dislocated workers may be defined in relation to a percentage of the layoff wage. Table B, 100% LLSIL, represents updated 100 percent LLSIL amounts by family size. These guidelines, along with Local Board criteria, should be used in determining the need for training services.

C. NEEDS RELATED PAYMENTS

For adult and dislocated worker participants, WIOA allows financial assistance for the purpose of enabling individuals to participate in training. To receive needs-related payments, all participants must be unemployed, enrolled in training, and not receiving unemployment compensation or trade adjustment allowances under TAA. In addition, dislocated worker participants must be enrolled in training under WIOA by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months. For those dislocated worker participants who did not qualify for unemployment compensation or trade adjustment assistance under TAA, the enrollment in training deadlines do not apply.

Payment levels for any WIOA participants receiving needs-related payments (adult or dislocated workers) are established by each Local Workforce Development Board. In determining the level of needs-related payments for dislocated workers, payments may not exceed the greater of either:

- The applicable weekly level of unemployment compensation benefit, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation; or
- The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of the qualifying layoff. The weekly payment level must be adjusted to reflect changes in total family income, as determined by Local Board policies.

A. WIOA Family Income Guidelines for South Carolina

(Effective June 1, 2021 until further notice)

Family Size	Non-Metropolitan Counties		Metropolitan Counties *	
	Allendale/Bamberg/Barnwell/Orangeburg		Aiken/Calhoun	
	Annual	6-Months	Annual	6-Months
1	12,880	6,440	12,880	6,440
2	17,420	8,710	17,420	8,710
3	21,960	10,980	22,258	11,129
4	26,689	13,345	27,479	13,740
5	31,496	15,748	32,432	16,216
6	36,833	18,417	37,931	18,966
7	42,170	21,085	43,430	21,715
8	47,507	23,754	48,929	24,465

For families larger than 8, add for each additional person in the family:

$5,337 for non-metropolitan **$5,499 for metropolitan**

*NOTES: *The metropolitan areas of South Carolina include the following counties: Aiken, Anderson, Berkeley, Calhoun, Charleston, Darlington, Dorchester, Edgefield, Fairfield, Florence, Greenville, Horry, Kershaw, Lexington, Laurens, Pickens, Richland, Saluda, Spartanburg, Sumter, and York.*

The 70 Percent Lower Living Standard Income Level (LLSIL) and the Poverty Guidelines are used under WIOA for eligibility purposes. WIOA defines the term "low income" as one who qualifies under various criteria, including an individual who received income for a six-month period that does not exceed the higher of the poverty line or 70 percent of the lower living standard income level.

These guidelines incorporate the latest 70% Lower Living Standard Income Level (LLSIL) from the US Department of Labor and poverty levels from the US Department of Health and Human Services. The figure for a particular family size is the maximum household income the individual is permitted in order to qualify as low income under WIOA. This issuance supersedes all previously issued Family Income Guidelines. The Family Income Guidelines are updated periodically when national guidelines change. It is important that the previous copies of guidelines are kept and are not discarded. The older versions, for example, would be used to review income levels in effect at the time an individual originally applied for WIOA.

USE TO DETERMINE AN INDIVDIUAL'S LOW-INCOME STATUS FOR WIOA SERVICES

B. WIOA Self-Sufficiency Guidelines

(Effective **June 1, 2021** until further notice)

Family Size (Column 1)	100% Federal LLSIL *(Metro only)* (Column 2)	Use for all LSWDA Non-Metro & Metro Counties (200% of LLSIL)	
		Most Recent 12-Months (Column 3)	Most Recent 6-Months (Column 4)
1	**14,139**	**28,278**	**14,139**
2	**23,167**	**46,334**	**23,167**
3	**31,797**	**63,594**	**31,797**
4	**39,256**	**78,512**	**39,256**
5	**46,332**	**92,664**	**46,332**
6	**54,187**	**108,374**	**54,187**
7	**62,042**	**124,084**	**62,042**
8	**69,897**	**139,794**	**69,897**

For families larger than eight, add for each additional person in the family:

$7,625 for non-metropolitan **$7,855 for metropolitan**

*NOTES: *The metropolitan areas of South Carolina include the following counties: Aiken, Anderson, Berkeley, Calhoun, Charleston, Darlington, Dorchester, Edgefield, Fairfield, Florence, Greenville, Horry, Kershaw, Lexington, Laurens, Pickens, Richland, Saluda, Spartanburg, Sumter, and York.*

In WIOA, training services may be made available to employed and unemployed adults and dislocated workers who are determined:

- 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
- 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.

Individuals with a family income greater than the 200% LLSIL (most recent 12 months) for the corresponding family size in the table above must belong to a priority of service group under WIOA to be eligible.

WIOA allows the State, as well as Local Boards, to adopt, calculate, or commission for approval an economic self-sufficiency standard that specifies the income needs of families, by family size, the number and ages of children in the family, and sub-state geographical considerations. Until such economic self-sufficiency standard(s) are determined, local workforce development areas may continue to use the "self-sufficiency" criteria adopted under WIA. At a minimum, such criteria provides "that self-sufficiency means employment that pays at least 100 percent of the LLSIL" based on family size and income. Self-sufficiency

for dislocated workers may be defined in relation to a percentage of the layoff wage. Attachment B, 100% LLSIL, represents updated 100 percent LLSIL amounts by family size. These guidelines, along with Local Board criteria, should be used in determining the need for training services.

The USDOL 100% LLSIL is updated periodically when national guidelines change. It is important that the previous copies of the guidelines are kept and are not discarded. The older versions, for example, would be used to review income levels in effect at the time an individual originally applied for WIOA training services.

MAY BE USED TO DETERMINE AN INDIVIDUAL'S SELF-SUFFICIENCY FOR RECEIPT OF TRAINING SERVICES IN WIOA

C. POVERTY LEVEL GUIDELINES FOR SOUTH CAROLINA

(Effective **June 1, 2021** until further notice)

Size of Family	INCOME	
	Annual	6-Months
1	12,760	6,380
2	17,240	8,620
3	21,720	10,860
4	26,200	13,100
5	30,680	15,340
6	35,160	17,580
7	39,640	19,820
8	44,120	22,060

For families larger than eight add **$4,540** for each additional person in the family.

The poverty guidelines are used to determine eligibility for dislocated workers who are in need of financial assistance (Needs-Related Payments) to participate in training programs under WIOA. The level of needs-related payments under WIOA is determined by the following:

(a) The payment level for adults must be established by the Local Board

(b) For dislocated workers, payments must not exceed the greater of either of the following levels:

i). The applicable weekly level of unemployment compensation benefits, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation; or

ii). The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of the qualifying layoff. The weekly payment

level must be adjusted to reflect changes in total family income, as determined by Local Board policies.

The poverty guidelines are issued each year by the Department of HHS. It is important that the previous copies of the guidelines are kept and are not discarded. The older versions, for example, would be used to review income levels in effect at the time an individual was determined to be eligible to receive financial assistance (Needs-Related Payments) under WIOA.

USE TO DETERMINE NEEDS-RELATED PAYMENTS FOR DISLOCATED WORKERS FOR WIOA SERVICES

ACTION:
All LSWDA sub-recipient organizational staff must adhere to this instruction and replace all mentioned guidelines with the Tables contained herein. If eligibility certification staff has questions regarding the guidelines, they are urged to call the local LWDA office FIRST for guidance.

PLEASE COPY AND DISTRIBUTE TO ALL WIOA FUNDED (PARTLY or FULLY) STAFF WITHIN YOUR AGENCY.

Good Sense Tip: *Always maintain the previously issued income guideline levels for the WIOA program. The LSWDA's Self-Sufficiency Guideline is set at 300% of the current LLSIL.*

INQUIRIES:
Direct all inquiries regarding this Instruction to the Lower Savannah Council of Governments' Workforce Development Staff, Post Office Box 850, Aiken, South Carolina 29801-0850; telephone (803) 649-7981; fax (803) 649-2248; or e-mail abanderson@lscog.org.

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