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Date: May 13, 2013  
To: Workforce Development Board Executive Directors  
From: Chytania Brown, Section Chief   
Bureau of Workforce Training  
Subject: **Workforce Investment Act Policy Update 13-07: Federal Poverty Guidelines**

### Purpose

This transmits the U.S. Department of Health and Human Services' (DHHS) Annual Update of the DHHS Poverty Guidelines to account for last calendar year's increase in prices as measured by the Consumer Price Index. Annually, the U.S. DHHS issues poverty guidelines that all federal programs must use if said programs include income-related criteria based on the federal poverty guidelines. These guidelines are for use in determining Workforce Investment Act (WIA) youth program eligibility and local income-related policies. These local policies include those related to determining priority of service, defining self-sufficiency, interim employment, and providing needs-related payments under the WIA.

In addition, the U.S. Department of Labor requires Department of Workforce Development to quarterly report income information for adults and youth. This information is pulled from applicable Automated System Support for Employment and Training (ASSET) data fields completed by local Workforce Development Boards (WDB) and case managers.

### Legislative/Regulatory References

- Federal Register/Volume 78, NO. 16/Thursday, January 24, 2013/Notices, [pp. 5182-5183];
- WIA 1998 Public Law 105-220, Section 101 (9), (13), (25), and (36);
- WIA 1998 Public Law 105-220, Section 127(b)(2)(C);
- WIA 1998 Public Law 105-220, Section 132(b)(1)(B)(v)(IV);
- WIA 1998 Public Law 105-220, Section 134(d)(3)(A)(ii);
- WIA 1998 Public Law 105-220, Section 134(d)(4)(E);
- WIA 1998 Public Law 105-220, Section 134(e)(3)(C)(ii);
- WIA 1998 Federal Rules and Regulations, Section 663.230;
- WIA 1998 Federal Rules and Regulations, Section 663.600;
- WIA 1998 Federal Rules and Regulations, Section 663.840; and
- WIA 1998 Federal Rules and Regulations, Section 664.200.

### Policy

For WIA programs, the federal poverty guidelines must be considered in determining eligibility for youth program services and can be used for determining priority of services for adults and dislocated workers to receive intensive and training services. The federal poverty guidelines may also be considered in the development of local definitions for self-sufficiency, eligibility for needs-related payments, interim employment, and other income-related policies.

Effective immediately, WIA Policy 13-07 shall be used as the foundation for determining eligible youth for WIA services to meet the "low income individual" requirement (with the exception, per WIA 664.250, of "low income" determination for "an individual with a disability.") For Adult and Dislocated Worker intensive and training services, this policy should be considered for WIA's "priority of services" in the event that funds allocated to a local area are limited.

The following figures represent annual income:

### 2013 Federal Poverty Guidelines

Persons in the family/household	100% Annually
1	\$11,490
2	\$15,510
3	\$19,530
4	\$23,550
5	\$27,570
6	\$31,590
7	\$35,610
8	\$39,630
<b>Each additional person beyond 8 add</b>	<b>\$4,020</b>

#### ASSET Reporting

*For use with Youth, the following required fields are to be completed:*

In ASSET Manage Programs, Title 1 Youth tab:

1. "Enter Family Size"
2. "Income Previous Six Months": Select the appropriate choice from the dropdown menu: At or below Federal Poverty Level (FPL), At or below Lower Living Standard Income Level (LLSIL), or Not Low Income (NLI)

*For use with Adults, the following required fields are to be completed:*

In ASSET Manage Programs, Title 1 Adult tab:

1. "Enter Family Size"
2. "Income Previous Six Months": Select the appropriate choice from the dropdown menu: At or below FPL, At or below LLSIL, or NLI.

**NOTE:** At or below FPL means the individual is at or below 100% FPL. At or below the LLSIL means the individual is at or below 70% LLSIL. Individuals with income levels above 100% FPL or 70% LLSIL should be checked as not low income. This is not based on the local WDBs definition of low income or self-sufficiency. Instead it is based on the definition of low income contained in the Workforce Investment Standardized Record Data (WIASRD).

## **EXAMPLE OF INCOME CALCULATION:**

Date of Eligibility Determination: 12/15/12

Family Size: Six

Income Past 6 Months: 6/15/12 – 12/15/12 is \$10,000

Calculation:  $\$10,000 \times 2 = \$20,000$  which is the annualized income. Apply this to a family size of six. Per the chart above, 100% of FPL for a family of six is \$31,590 annually. At an annual income of \$20,000, this family is below 100% of the FPL, therefore they meet the definition of low income.

### **Action Required**

Review and implement these revised federal poverty guidelines for the WIA youth eligibility and other income-related policies. Distribution of this policy should also be directed to all service providers for your local area.

### **Questions and/or Technical Assistance and Training**

If you have any questions regarding this policy, please contact the Local Program Liaison assigned to your area.

For an electronic version of WIA Policy 13-07 click on the following link:

<http://dwd.wisconsin.gov/dwdwia/policy.htm>

For additional information pertaining to WIA Eligibility Determination and Documentation, as well as Participant Case File Documentation click on the following links.

Guide to Workforce Investment Act (WIA) Title 1B Eligibility Determination and Documentation

[http://dwd.wisconsin.gov/dwdwia/PDF/eligibility\\_documentation083011.pdf](http://dwd.wisconsin.gov/dwdwia/PDF/eligibility_documentation083011.pdf)

Workforce Investment Act (WIA) Title 1B Adult and Dislocated Worker Programs Guide to Participant Case File Documentation

[http://dwd.wisconsin.gov/dwdwia/PDF/adult\\_dislocated\\_documentation083011.pdf](http://dwd.wisconsin.gov/dwdwia/PDF/adult_dislocated_documentation083011.pdf)

Workforce Investment Act (WIA) Title 1B Youth Program Guide to Participant Case File Documentation

[http://dwd.wisconsin.gov/dwdwia/PDF/youth\\_documentation083011.pdf](http://dwd.wisconsin.gov/dwdwia/PDF/youth_documentation083011.pdf)