

DIRECTIVE
WORKFORCE SERVICES

Number: WSD13-12

Date: May 16, 2014
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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: 70 PERCENT LLSIL AND POVERTY GUIDELINES FOR 2014

EXECUTIVE SUMMARY:

Purpose:

This directive issues the 70 percent Lower Living Standard Income Level (LLSIL) for 2014 published by the Secretary of Labor in the Federal Register on March 27, 2014. It also issues the 2014 poverty guidelines published by the U.S. Department of Health and Human Services (HHS) in the Federal Register on January 22, 2014.

Scope:

The LLSIL and poverty guidelines are used to establish low-income status for Workforce Investment Act (WIA) Title I programs. Local Workforce Investment Areas (local areas) use the LLSIL to determine eligibility for youth, eligibility for employed adults for certain services, self-sufficiency, and eligibility for the Work Opportunity Tax Credit. The local areas should consult the WIA and its regulations, and preamble for more specific guidance.

Effective Date:

The 2014 LLSIL and 2014 poverty guidelines became effective on their dates of publication in the Federal Register, March 27, 2014, and January 22, 2014, respectively.

REFERENCES:

- WIA Section 101(24), 101(25), 127(b)(2)(C), 132(b)(1)(B)(v)(IV), and 134(d)(3)(A)(ii)
- Title 20 Code of Federal Regulations (CFR) Section 663.230
- Federal Register, Volume 79, Number 59, WIA; LLSIL (March 27, 2014)

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

- Federal Register, Volume 79, Number 14, Annual Update of the HHS Poverty Guidelines for 2014 (January 22, 2014)

STATE-IMPOSED REQUIREMENTS:

This directive contains one State-imposed requirement, which is in ***bold italic*** print.

FILING INSTRUCTIONS:

This directive supersedes Directive WSD12-15, dated May 23, 2013, and finalizes Draft Directive WSDD-100, issued for comment on April 10, 2014. The Workforce Services Division received two comments during the draft period. These comments resulted in substantive changes to Attachment 1 of the directive which can be viewed as highlighted text. A summary of comments is provided as Attachment 2. Retain this directive until further notice.

BACKGROUND:

The WIA Section 101(25)(B) sets the criteria local areas use in determining whether an individual is a low-income individual. This criterion includes two sets of data: the poverty guidelines, as published by HHS, and 70 percent of the LLSIL, as determined by the Secretary of Labor. The local areas use the higher of these two measures to establish low-income status for eligibility purposes of WIA Title I programs. The WIA requires annual revisions to both sets of data.

All local areas use the same poverty guidelines. However, the LLSIL identifies maximum qualifying income levels for residents in either of two broad geographic designations: metropolitan and nonmetropolitan areas. Metropolitan income levels apply to residents living within Metropolitan Statistical Areas (MSAs) as defined by the Office of Management and Budget. Nonmetropolitan income levels apply to places with populations under 50,000. In addition to the broad metropolitan and nonmetropolitan designations, the Department of Labor identifies three MSAs in California that have unique LLSILs: the San Diego MSA, the Los Angeles/Riverside/Orange County MSA, and the San Francisco/Oakland/San Jose MSA.

POLICY AND PROCEDURES:

1. Select the appropriate table for use by your local area from the five tables in the Attachment. ***(In those instances where a local area encompasses both metropolitan and nonmetropolitan areas, the State has designated the higher of the LLSIL figures for use within the entire local area.)***
2. Use the higher of either the LLSIL or the poverty guideline for the appropriate family size to determine low-income status. A comparison of the applicant's actual family income during the six-month income determination period with the six-month figures on the charts enables the reviewer to immediately determine income status.

3. The WIA, together with Title 20 CFR 663.230, requires Local Workforce Investment Boards to set the criteria for determining whether employment leads to self-sufficiency. At a minimum, such criteria must provide that self-sufficiency means employment that pays at least 100 percent of the LLSIL established for a local area.

ACTION:

Notify all affected staff of the changes to the LLSIL and poverty guidelines in this directive.

INQUIRIES:

If you have any questions, please contact your [Regional Advisor](#) at 916-654-7799.

/S/ JOSÉ LUIS MÁRQUEZ, Chief
Workforce Services Division

Attachments are available on the Internet:

1. [70 Percent LLSIL and Poverty Guidelines for 2014](#)
2. [Summary of Comments](#)