

## 70 PERCENT LLSIL AND POVERTY GUIDELINES FOR 2021

### EXECUTIVE SUMMARY

This policy provides guidance and establishes procedures regarding the 70 Percent Lower Living Standard Income Level (LLSIL) for 2021 published by the US Department of Labor (DOL) in the Federal Register on April 9, 2021. This policy also issues the 2021 poverty guidelines published by the US Department of Health and Human Services (HHS) in the *Federal Register* on February 1, 2021. This policy applies to all Local Workforce Development Areas (Local Area), and is effective on their dates of publication in the Federal Register, April 9, 2021, and February 1, 2021, respectively.

This policy contains some state-imposed requirements. All state-imposed requirements are indicated by ***bold, italic*** type.

This Directive finalizes Workforce Services Draft Directive *70 Percent LLSIL and Poverty Guidelines for 2021* (WSD21-227), issued for comment on June 24, 2021. The Workforce Development Community submitted no comments during the draft comment period.

This policy supersedes Workforce Services Directive *70 Percent LLSIL and Poverty Guidelines for 2019* (WSD19-07), dated January 8, 2020. Retain this Directive until further notice.

### REFERENCES

- *Workforce Innovation and Opportunity Act* (WIOA) Sections 3(36), 127(b)(2)(C), 132(b)(1)(B)(v)(IV), and 134(d)(1)(A)(x)
- *Federal Register*, Volume 86, Number 67, [WIOA 2021 LLSIL](#) (PDF) (April 9, 2021)
- *Federal Register*, Volume 86, Number 19, [Annual Update of the HHS Poverty Guidelines](#) (February 1, 2021)

### BACKGROUND

The WIOA Section 3(36)(A) sets the criteria Local Areas must use to determine whether an individual is a low-income individual. These criteria include two sets of data: the poverty guidelines as published by HHS, and the 70 percent of the LLSIL as published by the DOL. The Local Area must use the higher of these two measures to establish low-income status for eligibility purposes of the WIOA Title I programs. The WIOA requires annual revisions to both sets of data. All Local Areas use the same poverty guidelines. However, the LLSIL identifies

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

maximum qualifying income levels for residents in either of two broad geographic designations: metropolitan and non-metropolitan areas. Metropolitan income levels apply to residents living within Metropolitan Statistical Areas (MSA) as defined by the Office of Management and Budget. Non-metropolitan income levels apply to places with populations under 50,000. In addition to the broad metropolitan and non-metropolitan designations, the DOL identifies three MSAs in California that have unique LLSILs; the San Francisco/Oakland/San Jose MSA, the Los Angeles/Riverside/Orange County MSA, and the San Diego MSA.

## POLICY AND PROCEDURES

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Follow these steps to determine if a person is a low income individual:

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 non-metropolitan areas, the state has designated the higher of LLSIL figures for use in the entire Local Area.***
2. Use the higher of either 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. ***Local Workforce Development Boards must 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

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

## INQUIRIES

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If you have any questions, contact your assigned [Regional Advisor](#).

/s/ RICARDO FAVILA, Acting Chief  
Central Office Workforce Services Division

Attachment:

[70 Percent LLSIL and Poverty Guidelines for 2021 \(PDF\)](#)