




**DISTRICT OF COLUMBIA
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
WORKFORCE IMPLEMENTATION GUIDANCE LETTER (WIGL)**

DATE: April 20, 2017

NO: DC-WIGL-2017-009-IncomeInclusionsandExclusions

TO: LOCAL WORKFORCE DEVELOPMENT SYSTEM STAKEHOLDERS
AMERICAN JOB CENTERS
WIOA YOUTH SERVICE PROVIDERS
WIOA ELIGIBLE TRAINING PROVIDERS
DEPARTMENT OF EMPLOYMENT SERVICES (DOES)
OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)
DEPARTMENT ON DISABILITY SERVICES (DDS)
DEPARTMENT OF HUMAN SERVICES (DHS)

FROM: DIANE PABICH 
Interim Executive Director, Workforce Investment Council (WIC)

SUBJECT: INCOME INCLUSIONS/EXCLUSIONS FOR LOW-INCOME STATUS
DETERMINATION

1. Purpose.

To notify Local One-Stop Center operators and other local workforce partners of income inclusions and exclusions for the purpose of determining low-income eligibility for participation in WIOA title I activities.

2. References.

WIOA Section 3 (36)(A)
WIOA Section 129 (a)(1)(B)(III) and (VIII)
WIOA Section 129 (a)(1)(C)(iii)
WIOA Section 134(c)(3)(E)
WIOA Final Rule 20 CFR §675.300
WIOA Final Rule 20 CFR §680.600
WIOA Final Rule 20 CFR §680.640
WIOA Final Rule 20 CFR §681.250
Jobs for Veterans Act 38 U.S.C. 4215 (2)
DC-WIGL-2017-008-PovertyGuidelinesandLLSIL





All Policy Guidance to be housed at <http://dcworks.dc.gov>

3. Definitions.

WIGL – Workforce Implementation Guidance Letter

WIC – District of Columbia Workforce Investment Council

DOES – District of Columbia Department of Employment Services

AJC – American Job Center

LWDA – Local Workforce Development Area

LWDB – Local Workforce Development Board (the DC WIC)

WIA – Workforce Investment Act

WIOA – Workforce Innovation and Opportunity Act

USDOL – United States Department of Labor

R – Revised. When updates are made to WIGL letters, the R will serve as an indicator that a revision has been made, along with a revision number if multiple adjustments are made.

4. Background.

Family size and income must be determined and verified when calculating whether an individual is low-income based on the Poverty Income Guidelines or 70 percent of the Lower Living Standard Income Level (LLSIL) when determining eligibility and priority of service for participation in WIOA activities.

5. Guidance.

Family means two or more persons 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: (1) A married couple and dependent children; (2) A parent or guardian and dependent children; or (3) A married couple.

A dependent child is a child, related by blood, marriage, or decree of court, living in a single residence with his/her parent(s) or guardian. If a college student is not claimed as a dependent on anyone else's tax return, they are **not** a dependent child.

A guardian is an individual related by blood, marriage, or decree of court, living in a single residence, where the parents are not present in the residence.

In certain cases, an individual may be considered a "family of one" for the purpose of eligibility determination. This includes individuals with a disability whose family income may exceed the income criteria, but whose own income meets the income criteria.



Individuals ordinarily included in the definition of family, but no longer claiming to be dependent shall complete an applicant statement attesting to individual status. Such statements should be corroborated by the head of household in which the individual resides. (S)He shall also show source of his/her support. The individual shall provide over 50% of his/her support to be considered a family of one. Income tax records are also a good source of documentation to support that the youth is not claimed by the parents.

Income is the amount of all reportable income for each family member for the prior six (6) months, **not including the current month**. The amount multiplied by two is the total annualized family income.

Family income means all includable income actually received from all sources by all members of the family during the income determination period. However, when computing family income, the income of a spouse and/or other family members shall only be counted for that portion of the income determination period that the person was actually a part of the family of the applicant. Family size for the determination period is the maximum size of the family during such period. All items not expressly excluded are includable income. Applicants having minimum or no income should complete an applicant statement that describes their means of support in the last six months.

When calculating whether an individual is low-income based on the Poverty Income Guidelines or 70 percent of the Lower Living Standard Income Levels (LLSIL) certain types of income must be included while other income must be excluded from the income calculation. The following list contains the types of income to include or exclude when calculating income for the purposes of low-income eligibility determination.

INCLUDE in family income:

- Money wages and salaries before any deductions;
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expenses);
- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends;
- Alimony;
- Military family allotments or other regular support from an absent family member



- or someone not living in the household;
- Pensions whether private or government employee (including Military retirement pay);
- Regular insurance or annuity payments **other than** Supplemental Security Income disability (SSI) or veterans' disability;
- College or university grants, fellowships, and assistantships;
- Net gambling or lottery winnings;
- Social Security Disability Insurance payments (SSDI)
 - SSDI pays benefits to individuals that have worked in the past, paid Social Security taxes, and are currently unable to work for a year or more because of a disability. SSDI is considered income replacement and must be included in family income.

EXCLUDE from family income:

- Unemployment compensation;
- Child support payments;
- Public Assistance cash payments (including Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), Refugee Case Assistance (RCA), and General Assistance (GA));
 - (SSI) is a program that pays benefits to disabled adults and children who have limited income and resources. It is also paid to people 65 and older without disabilities who meet the financial limits. SSI is considered cash assistance and individuals receiving SSI are automatically income eligible the same as individuals receiving TANF or SNAP. A WIOA applicant on SSI is a family of one. Refer to the Adult or Youth Verification Worksheets for acceptable documentation for SSI recipients.
- Foster care child payments;
- Title IV of the Higher Education Act (i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants (FSEOG), and Federal Work-Study (FWS));
- Needs-Based scholarship assistance;
- Income earned while [the veteran was] on active military duty and certain veteran's benefits (i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance);
- Severance pay;
- Capital gains;
- Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;



- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
- Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, school meals, and housing assistance;
- Tribal Government Payments (i.e., Per Capita Payments, Lease Payments, Individual Indian Money (IIM));
- Old age and survivors insurance benefits received under section 202 of the Social Security Act (42 USC 402). Old age and survivors insurance benefits include:
 - Social Security Survivor Benefits – these are benefits paid to people up to age 18 who have had a parent die and the parent paid wages into the system; and
 - Social Security Retirement Benefits – these are benefits that are paid to people who reached their social security age and have wages paid in the system.

The income exclusions are based on the WIOA title I definitions and/or exclusions listed in the USHHS Poverty Income Level and USDOL 70% Lower Living Standard Income Level.

6. Action Requested.

Pending further guidance from the USDOL on income inclusions and exclusions, the listed must be considered in the determination of income eligibility for WIOA title I activities.

7. Attachments.

None.

8. Inquiries.

Inquiries regarding this guidance should be directed to:

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9. Expiration.

Continuing.