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(SN 45)

**WIOA BULLETIN NO. 45-21**

**DATE:** April 30, 2021  
**TO:** WIOA Partners  
**SUBJECT:** 2021 Lower Living Standard Income Level Guidelines  
**RESCISSION:** WIOA Bulletin No. 36-20, issued July 31, 2020  
**Effective:** Immediately

**Purpose**

The purpose of this bulletin is to transmit the 2021 Lower Living Standard Income Level (LLSIL) guidelines.

**Background**

The Workforce Innovation and Opportunity Act (WIOA) Section 3(36)(A) sets forth criteria for local areas to determine whether a person is a low-income individual and is eligible to participate in the WIOA Title I programs. The criteria include two sets of data: (1) the Poverty Guidelines published by the U.S. Department of Health and Human Services (HHS) and (2) the Lower Living Standard Income Level (LLSIL) determined by the U.S. Department of Labor (USDOL). Individuals whose annual income level is less than 70 percent of the LLSIL are eligible for WIOA Title I programs. Employed workers whose annual income level is less than 225 percent of the LLSIL are eligible for training services. The USDOL revises the LLSIL Guidelines annually to reflect cost of living increases. The USDOL's 2021 LLSIL was published in the Federal Register, Vol. 86, No. 67, on April 9, 2021. The HHS' update of the poverty guidelines was published in the Federal Register, Vol. 86, No. 19, on February 1, 2021.

**Policy**

When determining an individual's WIOA eligibility based on low-income status as defined in WIOA Section 3(36)(A), service providers must use the higher of income guidelines issued by the Poverty Guidelines (see Attachment 1) or 70 percent of the LLSIL (see Attachment 2).

The Program Year (PY) 2021 chart for 225 percent of the LLSIL (see Attachment 2)

should be used to determine eligibility for training of employed workers. Both charts attached to this bulletin will be updated annually. These LLSIL Guidelines supersede those issued under WIOA Bulletin No. 36-20.

## **Procedures**

To determine low-income individuals, use the higher annual income level of the poverty guidelines or 70 percent of the LLSIL according to the appropriate family size. In addition, use 225 percent of the LLSIL to assess eligibility of employed workers for enrollment in training services. Refer to the *Appendix* for definitions related to this guidance.

### New Requirement:

For monitoring purposes, the participant's physical case file must contain documentation showing what calculation and poverty guideline table were used to determine program eligibility. Include any and all information that was used to determine low-income status.

## **Disclaimer**

The poverty guidelines and LLSIL should not be used for any statistical purposes, and are valid only for the purpose of meeting the requirements specified by WIOA as defined in the law and regulations.

## **Inquiries**

Inquiries regarding this bulletin may be directed to Edward Uechi by e-mail at [edward.y.uechi@hawaii.gov](mailto:edward.y.uechi@hawaii.gov).

## **Attachments/Additional Resources**

- Attachment 1: The HHS Poverty Guidelines for Hawaii issued February 1, 2021 and effective January 13, 2021
- Attachment 2: The USDOL's 70% and 225% Lower Living Standard Income Levels for 2021 issued and effective April 9, 2021.
- Appendix: Low Income and Self-Sufficiency Related Definitions



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ALLICYN C.H. TASAKA  
Executive Director

C: ASO-WIOA Unit

Attachment 1

2021 POVERTY GUIDELINES FOR HAWAII\*

Persons in family/household	Poverty guideline
1	\$14,820
2	\$20,040
3	\$25,260
4	\$30,480
5	\$35,700
6	\$40,920
7	\$46,140
8	\$51,360

For families/households with more than 8 persons, add \$5,220 for each additional person.

\*The poverty guidelines updated periodically in the **Federal Register** by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2)

Attachment 2

**HAWAII  
70% LOWER LIVING STANDARD  
INCOME LEVEL FOR 2021**

<b>FAMILY UNIT</b>	<b>HONOLULU</b>	<b>NEIGHBOR ISLANDS</b>
<b>1</b>	<b>\$14,638</b>	<b>\$16,041</b>
<b>2</b>	<b>\$23,980</b>	<b>\$26,288</b>
<b>3</b>	<b>\$32,925</b>	<b>\$36,084</b>
<b>4</b>	<b>\$40,640</b>	<b>\$44,545</b>
<b>5</b>	<b>\$47,959</b>	<b>\$52,565</b>
<b>6</b>	<b>\$56,091</b>	<b>\$61,474</b>
<b>For each additional family member add:</b>	<b>\$8,132</b>	<b>\$8,909</b>

**HAWAII  
225% LOWER LIVING STANDARD  
INCOME LEVEL FOR 2021**

<b>FAMILY UNIT</b>	<b>HONOLULU</b>	<b>NEIGHBOR ISLANDS</b>
<b>1</b>	<b>\$47,052</b>	<b>\$51,562</b>
<b>2</b>	<b>\$77,080</b>	<b>\$84,498</b>
<b>3</b>	<b>\$105,830</b>	<b>\$115,986</b>
<b>4</b>	<b>\$130,628</b>	<b>\$143,180</b>
<b>5</b>	<b>\$154,154</b>	<b>\$168,961</b>
<b>6</b>	<b>\$180,293</b>	<b>\$197,595</b>
<b>For each additional family member:</b>	<b>\$26,139</b>	<b>\$28,634</b>

## APPENDIX

### Low-Income and Self-Sufficiency Related Definitions

1. **Adult** - means an individual who is:
  - a. age 18 or older. [Reference: WIOA § 3(2)]
  - b. with respect to individualized career services [Reference: WIOA § 134(c)(2)(A)(xii)] and training services funded with WIOA adult funds, priority of service must be given to [Reference: WIOA § 134(c)(3)(E); CFR § 680.150]
    - i. recipients of public assistance,
    - ii. other low-income individuals, or
    - iii. individuals who are basic skills deficient as defined in WIOA § 3(5).
  - c. be a citizen or noncitizen authorized to work in the United States [Reference: WIOA § 188(a)(5)]; and
  - d. meet Military Selective Service registration requirements (males only) [Reference: WIOA § 189(h)]
  
2. **Disadvantaged Youth** - means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of
  - a. the poverty line; or
  - b. 70 percent of the lower living standard income level. [Reference: WIOA § 127(b)(2)(C)]
  
3. **Family** - Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories:
  - a. A husband, wife, (including same-sex spouses) and dependent children.
  - b. A parent or guardian and dependent children.
  - c. A husband and wife (including same-sex spouses).[Reference: WIOA Section 101 (15) will be used until a replacement under WIOA is provided]

Note: A stepchild or stepparent is considered related by marriage and is therefore to be included when determining family income.

4. **Individual with a Disability** - An individual who has a physical (motion, vision, hearing) or mental (learning or developmental) impairment which substantially limits one or more of such person's major life activities and has a record of such an impairment, or is regarded as having such an impairment and the individual's physical or mental impairment constitutes or results in a substantial impediment to employment. (Americans with Disabilities Act). [Reference: WIOA § 3(25)]

If the family of an individual with a disability does not meet the WIOA Adult or Youth Program income criteria, the individual with a disability may be considered a low-income individual if his/her own income meets low income guidelines.

Individuals with a disability would be considered a family of one and only their income is considered when determining low-income. [Reference: WIOA § 3(36)(A)(vi)]

5. **In-School Youth** - means an individual who is [Reference: WIOA § 3(27) and §

129(a)(1)(C) for exact wording and more detailed information on items 5a-5d)-

- a. attending school (as defined by State law);
- b. not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;
- c. low-income, as defined by WIOA § 3(36), or *lives in a high-poverty area*; and [Reference: WIOA § 129(a)(2)]
- d. one or more of the following:
  - i. Basic skills deficient, as defined in WIOA § 3(5)
  - ii. An English language learner.
  - iii. An offender.
  - iv. A homeless individual, a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under § 477 of the Social Security Act (42 U.S.C. § 677), or in an out-of-home placement.
  - v. Pregnant or parenting.
  - vi. Disabled; or [Reference: WIOA § 3(25)]
  - vii. Requires additional assistance to enter or complete an educational program or to obtain or retain employment.

**6. Low-Income Individual** - an individual who [Reference: WIOA § 3(36)(A) for exact wording and more detailed information on items 6a-6f]:

- a. receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through SNAP, TANF or SSI or State or local income-based public assistance;
- b. is in a family with total family income that does not exceed the higher of
  - i. the poverty line; or
  - ii. 70 percent of the lower living standard income level;
- c. is a homeless individual, or a homeless child or youth;
- d. receives or is eligible to receive a free or reduced-price lunch under the National School Lunch Act;
- e. is a foster child, as defined in Hawaii Administrative Rules § 17-161 7-2, on behalf of whom State or local government payments are made; or
- f. is an individual with a disability whose own income meets WIOA's income requirements, even if the individual's family income does not meet the income requirements.
- g. Special Rule: for the purpose of the Youth Program participant eligibility determination, the term "low-income," used with respect to an individual, also includes a youth living in a high-poverty area. [Reference: WIOA § 129(a)(2)]

**7. Lower Living Standard Income Level** - means that income level (adjusted for regional, metropolitan, urban, and rural differences, and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary. [Reference: WIOA § 3(36)(B)]

**8. Out-of-School Youth** - means an individual who is [Reference: WIOA § 3(46) and § 129(a)(1)(B) for more detailed information on items 8a-8h]

- a. not attending any school (as defined under State law);
- b. not younger than age 16 or older than age 24; and
- c. one or more of the following:
  - i. A school dropout, as defined by the state (a youth attending alternative school at the time of enrollment is not considered a dropout)

- ii. Within the age of compulsory school attendance (ages 6-18) but has not attended school for at least the most recent complete school year calendar quarter.
  - iii. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual or lives in a high-poverty area and is either- [Reference: WIOA § 129(a)(2)]
    - basic skills deficient, as defined in WIOA § 3(5); or
    - an English language learner.
  - d. subject to the juvenile or adult justice system.
  - e. a homeless individual, a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under § 477 of the Social Security Act (42 U.S.C. § 677), or in an out-of-home placement.
  - f. pregnant or parenting.
  - g. disabled; or [Reference: WIOA § 3(25)]
  - h. low-income or *lives in a high-poverty area*, who requires additional assistance to enter or complete an educational program or to obtain or retain employment. [Reference: WIOA § 129(a)(2)]
9. **Poverty Line** - means the poverty line (as defined by the Office of Management and Budget, and revised annually) applicable to a family of the size involved. [Reference: WIOA § 3(49) for related citation]
10. **Public Assistance** - means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test. [Reference: WIOA § 3(50)]
11. **SNAP** -supplemental nutrition assistance program established under the Food and Nutrition Act of 2008
12. **SSI** - or the supplemental security income program established under Title XVI of the Social Security Act
13. **TANF** - the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act