



November 1, 2022

EASTERN CAROLINA LOCAL AREA ISSUANCE NO. 2022-03

SUBJECT: Guidance on serving individuals that are not Low Income under the WIOA Title I Adult Program

PURPOSE: To provide guidance and an income chart identifying the 200% of Federal Poverty level income guidelines for use in determining income eligibility for individuals under the Workforce Innovation and Opportunity Act (WIOA) Title I Adult program that do not meet the definition of “low-income” individual and rescind Eastern Carolina Local Area Issuance No. 2021-12 dated May 18, 2022.

BACKGROUND: The Workforce Innovation and Opportunity Act (WIOA) has established a priority of service for adults. Priority consideration for services must be given to individuals who are public assistance recipients, other low-income individuals and for individuals who are basic skills deficient. Veterans, as defined under WIOA sec. 3(63)(A) and 38 U.S.C. 101 receive priority of service in all Department of Labor funded training programs under 38 U.S.C. 4215 and described in 20 CFR part 1010. A veteran still must meet each program’s eligibility criteria to receive services under the respective employment and training program. These priorities exist at all times, not just when funds are limited. Priority for services does not preclude service to individuals who are not low-income, not receiving public assistance, basic skills deficient or a veteran, but rather establishes the order of precedence for service as provided at § 680.600 and § 680.650.

The income eligibility for individuals that do not meet the definition of a “low-income” individual to receive services based on family income and size cannot exceed 200% of the Federal poverty level income for the applicant’s family size. Poverty levels for 2022 were published in the Federal Register on January 21, 2022.

ACTION: All Workforce Innovation and Opportunity Act (WIOA) Title I service providers are to use the attached 2022 200% Income Chart to determine eligibility for individuals that do not meet the definition of “low-income” as noted in WIOA Section 3(36) for WIOA Adult services. All WIOA Title I Adult service providers must secure documentation of income and family size. The income chart reflects annual income by family size. WIOA Title I Adult service providers are to collect income documentation for the prior six (6) months and multiply it by two (2) to determine if the individual is within the 200% poverty income guideline for their family size. Service providers must ensure that they are following priority of service in serving those individuals that are low-income, receiving public assistance, basic skills deficient or a veteran. No service provider should have all of their participants, including carryover eligibility determined based on the 200% guideline.

EFFECTIVE DATE: April 6, 2022

EXPIRATION DATE: Indefinite

DISTRIBUTION: WIOA Adult Service Providers

Tammy Childers, Executive Director

Attachment: 2022 Income Chart Identifying 200% of Federal Poverty Level

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An Equal Opportunity/Affirmative Action Employer

**INCOME CHART IDENTIFYING 200% OF FEDERAL POVERTY LEVEL INCOME GUIDELINES
FOR USE IN DETERMINING INCOME ELIGIBILITY
OF INDIVIDUALS NOT DEFINED AS “LOW-INCOME” INDIVIDUALS
FOR WIOA TITLE I ADULT PROGRAM**

Adjustments for Annual Family Size Differences

Published January 21, 2022		Effective April 6, 2022 for this WIOA Title I program	
FAMILY SIZE		ANNUAL AMOUNT	
1		\$ 27,180	
2		\$ 36,620	
3		\$ 46,060	
4		\$ 55,500	
5		\$ 64,940	
6		\$ 74,380	
7		\$ 83,820	
8		\$ 93,260	
FOR EACH ADDITIONAL FAMILY MEMBER ADD		\$ 9,440	