



COMMONWEALTH OF VIRGINIA
VIRGINIA COMMUNITY COLLEGE SYSTEM

WORKFORCE INNOVATION AND OPPORTUNITY ACT

VIRGINIA WORKFORCE LETTER (VWL) 22-01

TO: Local Workforce Development Boards

FROM: Randall Stamper Associate Vice Chancellor Career Education and Workforce Development

SUBJECT: **2022 Poverty Guidelines and 70% Lower Living Standard Income Levels and Use of Economic Self-Sufficiency under the Workforce Innovation and Opportunity Act**

DATE: July 1, 2022

PURPOSE:

- 1) To provide the current Poverty Guidelines and the 70% Lower Living Standard Income Levels (LLSIL) used in determining an individual as low-income under the Workforce Innovation and Opportunity Act (WIOA).
- 2) To provide guidelines regarding the use of the current 100% Lower Living Standard Income Levels as a minimum when setting the Local Workforce Development Area's standard of economic self-sufficiency for training and employment purposes.

REFERENCES:

Workforce Innovation and Opportunity Act of 2014, Section 3 (36), Section 134 (a) (3) (A) (xii) and Section 134 (d) (1) (A) (x)

20 Code of Federal Regulations §680.600

Federal Register, January 21, 2022 – Department of Health and Human Services, Annual Update of the HHS Poverty Guidelines ([Link - https://www.federalregister.gov/documents/2022/01/21/2022-01166/annual-update-of-the-hhs-poverty-guidelines](https://www.federalregister.gov/documents/2022/01/21/2022-01166/annual-update-of-the-hhs-poverty-guidelines))

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration Workforce Innovation and Opportunity Act (WIOA) 2022 Lower Living Standard Income Level (LLSIL) ([Link - https://www.dol.gov/sites/dolgov/files/ETA/lilsil/pdfs/Federal_Register_Note_2022.pdf](https://www.dol.gov/sites/dolgov/files/ETA/lilsil/pdfs/Federal_Register_Note_2022.pdf))

REVISION HISTORY:

This guidance replaces VWL No. 21-02 - 2021 Poverty Guidelines and 70% Lower Living Standard Income Levels and Use of Economic Self-Sufficiency under the Workforce Innovation and Opportunity Act effective July 1, 2021.

DEFINITIONS:

Low-Income Individual *— The WIOA states that in general, the term “low-income individual” means an individual who—

- (i) 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 the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7.S.C. 2011 et seq.), 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 (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;
- (ii) *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;*
- (iii) *is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 H. R. 803—12 (42 U.S.C. 14043e—2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));*
- (iv) *receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);*
- (v) *is a foster child on behalf of whom State or local government payments are made; or*
- (vi) *is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.*

*** SPECIAL RULE-** *For the purpose of this subsection, the term “low-income,” used with respect to an individual, also includes a youth living in a high-poverty area.*

https://lmi.workforcegps.org/resources/2015/06/18/11/26/HHS_Poverty_Guidelines_and_Census_Poverty_Thresholds

Lower Living Standard Income Level (LLSIL) — 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.

Self-sufficiency — employment that pays **at least** 100% of the Lower Living Standard Income Level; self-sufficiency for a dislocated worker may be defined in relation to a percentage of the wage they were making when they were laid off.

Economic self-sufficiency standard – an economic standard that meets or exceeds the State’s minimum requirement (100% of the Lower Living Standard Income Level, See Attachment B) that specifies the income needs of families by family size, the number and ages of children in the family, and sub-state geographical considerations (not a performance measure).

BACKGROUND:

The WIOA establishes guidelines for the determination of low-income, based in part on the Poverty Guidelines and the Lower Living Standard Income Levels. When an individual is determined to be “low-income,” this information should be considered as one of several factors in deciding how to best serve this individual.

The WIOA also establishes that States may adopt, calculate or commission for approval an economic self-sufficiency standard. Virginia will implement 100% of the Lower Living Standard Income Level as the minimally acceptable standard. This standard is to be used to determine economic self-sufficiency levels for the purpose of determining whether a training activity may lead to employment in which the participant will be considered economically self-sufficient. Local Workforce Development Areas (LWDAs) may establish their own Local Board approved policy as long as it meets or exceeds the State’s minimum standard.

GUIDANCE:

A. Determining an Individual as Low-Income Under Section (ii) of the Definition of Low-Income Under WIOA

The guidelines in **Appendix A** are to be used when determining low-income for section (ii) of the definition of low-income individual as noted in the “Definitions” section above. Under this section, the total family income may not exceed the higher of (1) the poverty line; or (2) 70 percent of the lower living standard income level. Poverty Guidelines are to be used for the “poverty line” and the 70% Lower Living Standard Income Level appropriate to the applicant’s place of residence should be used. See **Appendix A** for Poverty Guidelines and 70% Lower Living Standard Income Levels.

B. Determining Economic Self-Sufficiency for Training and Employment Purposes

WIOA staff must consider self-sufficiency to determine if a training or employment option is recommended for all participants in their Individual Employment Plan (IEP), including employed participants.

Per 20 CFR §663.230 and in accordance with Virginia policy, Local Workforce Development Boards (LWDBs) may establish their own self-sufficiency policy for employed adults, as long as it meets or exceeds the State’s minimum standard.

LWDAs should use the current 100% Lower Living Standard Income Levels as a minimum starting point when setting the LWDA’s standard for determining whether employment leads to

self-sufficiency for employed adults. The LWDA's standard of economic self-sufficiency for training and employment purposes may be set higher than the 100% LLSIL minimum (for example at 200%), based on local economic criteria and as documented in a local self-sufficiency policy. See **Appendix B** for 100% of the Lower Living Standard Income Levels.

INQUIRIES:

Please submit inquiries regarding this VWL to the VCCS Office of Academic and Workforce Programs:

WIOA Adult & Dislocated Worker Programs State Coordinator
Academic and Workforce Programs
Virginia Community College System
Arboretum
300 Arboretum Place, Suite 200
Richmond, VA 23236
Telephone: (804) 819-1683
Fax: (804) 819-1698
Email: wioa@vccs.edu

Appendix A

Poverty Guidelines and 70% Lower Living Standard Income Levels

The following tables are used to determine low-income for section (ii) of the definition of low-income individual as noted in the “Definitions” section above.

2022 Poverty Guidelines for the 48 Contiguous States and the District of Columbia	
<u>Size of Family Unit</u>	<u>Poverty Guideline</u>
1	\$13,590
2	\$18,310
3	\$23,030
4	\$27,750
5	\$32,470
6	\$37,190
7	\$41,910
8	\$46,630

For family units with more than **8** members, add **\$4,720** for each additional member.

Federal Register, January 21, 2022 – Department of Health and Human Services, Annual Update of the HHS Poverty Guidelines

70% Lower Living Standard Income Level Metro-Level – <i>SOUTH</i> Region	
<u>Size of Family Unit</u>	<u>70% LLSIL</u>
1	(\$10,382)
2	(\$17,011)
3	\$23,349
4	\$28,826
5	\$34,021
6	\$39,790

For the values in parentheses, the Poverty level is higher for the corresponding family size. For each family member above **6** add **\$5,768**.

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration
Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)

The **Metro-Levels** apply to the following jurisdictions (Local Workforce Development Areas (LWDA)):

Blacksburg-Christiansburg-Radford, VA Metropolitan Statistical Area (MSA) -
<ul style="list-style-type: none">• Giles County (LWDA 02)• Montgomery County (LWDA 02)• Pulaski County (LWDA 02)• Radford City (LWDA 02)
Bristol, VA portion of Kingsport-Bristol-Bristol, TN, VA MSA -
<ul style="list-style-type: none">• Scott County (LWDA 01)• Washington County (LWDA 02)• Bristol City (LWDA 02)
Charlottesville, VA MSA -
<ul style="list-style-type: none">• Albemarle County (LWDA 06)• Fluvanna County (LWDA 06)• Greene County (LWDA 06)• Nelson County (LWDA 06)• Charlottesville City (LWDA 06)
Danville, VA MSA –
<ul style="list-style-type: none">• Pittsylvania County (LWDA 10)• Danville City (LWDA 10)
Harrisonburg, VA MSA –
<ul style="list-style-type: none">• Rockingham County (LWDA 04)• Harrisonburg City (LWDA 04)
Lynchburg, VA MSA -
<ul style="list-style-type: none">• Amherst County (LWDA 07)• Appomattox County (LWDA 07)• Bedford County (LWDA 07)• Campbell County (LWDA 07)• Bedford City (LWDA 07)• Lynchburg City (LWDA 07)
Richmond, VA MSA -
<ul style="list-style-type: none">• Amelia County (LWDA 08)• Caroline County (LWDA 13)• Charles City County (LWDA 09)• Chesterfield County (LWDA 09)• Dinwiddie County (LWDA 05)• Goochland County (LWDA 09)• Hanover County (LWDA 09)• Henrico County (LWDA 09)• King and Queen County (LWDA 13)• King William County (LWDA 13)• Louisa County (LWDA 06)

- New Kent County (LWDA 09)
- Powhatan County (LWDA 09)
- Prince George County (LWDA 05)
- Sussex County (LWDA 05)
- Colonial Heights City (LWDA 05)
- Hopewell City (LWDA 05)
- Petersburg City (LWDA 05)
- Richmond City (LWDA 09)

Roanoke, VA MSA –

- Botetourt County (LWDA 03)
- Craig County (LWDA 03)
- Franklin County (LWDA 03)
- Roanoke County (LWDA 03)
- Roanoke City (LWDA 03)
- Salem City (LWDA 03)

Virginia Beach-Norfolk-Newport News, VA MSA –

- Gloucester County (LWDA 14)
- Isle of Wight County (LWDA 14)
- James City County (LWDA 14)
- Mathews County (LWDA 13)
- Surry County (LWDA 05)
- York County (LWDA 14)
- Chesapeake City (LWDA 14)
- Hampton City (LWDA 14)
- Newport News City (LWDA 14)
- Norfolk City (LWDA 14)
- Poquoson City (LWDA 14)
- Portsmouth City (LWDA 14)
- Suffolk City (LWDA 14)
- Virginia Beach City (LWDA 14)
- Williamsburg City (LWDA 14)

Winchester, VA MSA –

- Frederick County (LWDA 04)
- Winchester City (LWDA 04)

70% Lower Living Standard Income Level Non-Metro-Level – <i>SOUTH</i> Region	
<u>Size of Family Unit</u>	<u>70% LLSIL</u>
1	(\$10,087)
2	(\$16,525)
3	(\$22,680)
4	\$27,997
5	\$33,039
6	\$38,638

For the values in parentheses, the Poverty level is higher for the corresponding family size. For each family member above **6** add **\$5,599**.

The **Non-Metro Levels** apply to the following jurisdictions (Local Workforce Development Areas):

Southwestern Virginia (LWDA 01) –
<ul style="list-style-type: none"> • Buchanan County • Dickenson County • Lee County • Russell County • Tazewell County • Wise County • Norton City
New River/Mount Rogers (LWDA 02) -
<ul style="list-style-type: none"> • Bland County • Carroll County • Floyd County • Grayson County • Smyth County • Wythe County • Galax City
Western Virginia (LWDA 03) -
<ul style="list-style-type: none"> • Alleghany County • Covington City
Shenandoah Valley (LWDA 04) -
<ul style="list-style-type: none"> • Augusta County • Bath County

<ul style="list-style-type: none"> • Highland County • Page County • Rockbridge County • Buena Vista City • Lexington City • Staunton City • Waynesboro City • Shenandoah County
Crater Area (LWDA 05) -
<ul style="list-style-type: none"> • Greensville County • Emporia City
Piedmont Workforce Network (LWDA 06) -
<ul style="list-style-type: none"> • Culpeper County • Madison County • Orange County • Rappahannock County
Region 2000/Central Virginia (LWDA 07) -
<ul style="list-style-type: none"> • No jurisdictions in LWDA 07 are to use the Non-Metro Income Level.
South Central (LWDA 08) -
<ul style="list-style-type: none"> • Brunswick County • Buckingham County • Charlotte County • Cumberland County • Halifax County • Lunenburg County • Mecklenburg County • Nottoway County • Prince Edward County
Capital Area (LWDA 09) -
<ul style="list-style-type: none"> • No jurisdictions in LWDA 09 are to use the Non-Metro Income Level.
West Piedmont (LWDA 10) -
<ul style="list-style-type: none"> • Henry County • Patrick County • Martinsville City
Northern Virginia (LWDA 11) -
<ul style="list-style-type: none"> • No jurisdictions in LWDA 11 are to use the Non-Metro Income Level.
Alexandria/Arlington (LWDA 12) -
<ul style="list-style-type: none"> • No jurisdictions in LWDA 12 are to use the Non-Metro Income Level.
Bay Consortium (LWDA 13) -
<ul style="list-style-type: none"> • Accomack County • Essex County • King George County • Lancaster County • Middlesex County

- Northampton County
- Northumberland County
- Richmond County
- Westmoreland County

Hampton Roads Workforce Council (LWDA 14) -

- Southampton County
- Franklin City

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)

70% Lower Living Standard Income Level Washington-Baltimore, DC/MD/VA/WV	
<u>Size of Family Unit</u>	<u>70% LLSIL</u>
1	(\$12,875)
2	\$21,099
3	\$28,961
4	\$35,749
5	\$42,191
6	\$49,343

For the values in parentheses, the Poverty level is higher for the corresponding family size. For each family member above **6** add **\$7,151**.

The above standards apply to the following jurisdictions (Local Workforce Development Areas) **only**:

Washington-Arlington-Alexandria, DC-VA-MD-WV MSA –

- Arlington County (LWDA 12)
- Clarke County (LWDA 04)
- Fairfax County (LWDA 11)
- Fauquier County (LWDA 06)
- Loudoun County (LWDA 11)
- Prince William County (LWDA 11)
- Spotsylvania County (LWDA 13)
- Stafford County (LWDA 13)
- Warren County (LWDA 04)
- Alexandria City (LWDA 12)
- Fairfax City (LWDA 11)
- Falls Church City (LWDA 11)
- Fredericksburg City (LWDA 13)
- Manassas City (LWDA 11)
- Manassas Park City (LWDA 11)

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration
Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)

Appendix B

Updated 2022 Lower Living Standard Income Level (100%) By Family Size

The following tables are used to determine the minimum level for establishing self-sufficiency criteria at the local level.

Please note that the 100% levels are NOT to be used to determine "low income" eligibility for youth or priority of service for adults.

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)

100% Lower Living Standard Income Level	
Metro Level – SOUTH Region SELF-SUFFICIENCY	
<u>Size of Family Unit</u>	<u>100% LLSIL</u>
1	\$14,832
2	\$24,302
3	\$33,355
4	\$41,180
5	\$48,602
6	\$56,843

For each family member above **6** add **\$8,241**.

The **Metro Levels** apply to the following jurisdictions (Local Workforce Development Areas):

Blacksburg-Christiansburg-Radford, VA Metropolitan Statistical Area (MSA) -
<ul style="list-style-type: none">• Giles County (LWDA 02)• Montgomery County (LWDA 02)• Pulaski County (LWDA 02)• Radford City (LWDA 02)
Bristol, VA portion of Kingsport-Bristol-Bristol, TN, VA MSA -
<ul style="list-style-type: none">• Scott County (LWDA 01)• Washington County (LWDA 02)• Bristol City (LWDA 02)
Charlottesville, VA MSA -
<ul style="list-style-type: none">• Albemarle County (LWDA 06)• Fluvanna County (LWDA 06)• Greene County (LWDA 06)• Nelson County (LWDA 06)

<ul style="list-style-type: none"> • Charlottesville City (LWDA 06)
Danville, VA MSA –
<ul style="list-style-type: none"> • Pittsylvania County (LWDA 10) • Danville City (LWDA 10)
Harrisonburg, VA MSA –
<ul style="list-style-type: none"> • Rockingham County (LWDA 04) • Harrisonburg City (LWDA 04)
Lynchburg, VA MSA -
<ul style="list-style-type: none"> • Amherst County (LWDA 07) • Appomattox County (LWDA 07) • Bedford County (LWDA 07) • Campbell County (LWDA 07) • Bedford City (LWDA 07) • Lynchburg City (LWDA 07)
Richmond, VA MSA -
<ul style="list-style-type: none"> • Amelia County (LWDA 08) • Caroline County (LWDA 13) • Charles City County (LWDA 09) • Chesterfield County (LWDA 09) • Dinwiddie County (LWDA 05) • Goochland County (LWDA 09) • Hanover County (LWDA 09) • Henrico County (LWDA 09) • King and Queen County (LWDA 13) • King William County (LWDA 13) • Louisa County (LWDA 06) • New Kent County (LWDA 09) • Powhatan County (LWDA 09) • Prince George County (LWDA 05) • Sussex County (LWDA 05) • Colonial Heights City (LWDA 05) • Hopewell City (LWDA 05) • Petersburg City (LWDA 05) • Richmond City (LWDA 09)
Roanoke, VA MSA –
<ul style="list-style-type: none"> • Botetourt County (LWDA 03) • Craig County (LWDA 03) • Franklin County (LWDA 03) • Roanoke County (LWDA 03) • Roanoke City (LWDA 03) • Salem City (LWDA 03)
Virginia Beach-Norfolk-Newport News, VA MSA –
<ul style="list-style-type: none"> • Gloucester County (LWDA 14) • Isle of Wight County (LWDA 14) • James City County (LWDA 14)

- Mathews County (LWDA 13)
- Surry County (LWDA 05)
- York County (LWDA 14)
- Chesapeake City (LWDA 14)
- Hampton City (LWDA 14)
- Newport News City (LWDA 14)
- Norfolk City (LWDA 14)
- Poquoson City (LWDA 14)
- Portsmouth City (LWDA 14)
- Suffolk City (LWDA 14)
- Virginia Beach City (LWDA 14)
- Williamsburg City (LWDA 14)

Winchester, VA MSA –

- Frederick County (LWDA 04)
- Winchester City (LWDA 04)

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration
Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)

100% Lower Living Standard Income Level	
Non-Metro-Level – <i>SOUTH</i> Region – SELF-SUFFICIENCY	
<u>Size of Family Unit</u>	<u>100% LLSIL</u>
1	\$14,410
2	\$23,606
3	\$32,400
4	\$39,996
5	\$47,199
6	\$55,198

For each family member above **6** add **\$7,999**.

The **Non-Metro Levels** apply to the following jurisdictions (Local Workforce Development Areas) **only**:

Southwestern Virginia (LWDA 01) –

- Buchanan County
- Dickenson County
- Lee County
- Russell County
- Tazewell County
- Wise County
- Norton City

New River/Mount Rogers (LWDA 02) -
<ul style="list-style-type: none"> • Bland County • Carroll County • Floyd County • Grayson County • Smyth County • Wythe County • Galax City
Western Virginia (LWDA 03) -
<ul style="list-style-type: none"> • Alleghany County • Covington City
Shenandoah Valley (LWDA 04) -
<ul style="list-style-type: none"> • Augusta County • Bath County • Highland County • Page County • Rockbridge County • Buena Vista City • Lexington City • Staunton City • Waynesboro City • Shenandoah County
Crater Area (LWDA 05) –
<ul style="list-style-type: none"> • Greensville County • Emporia City
Piedmont Workforce Network (LWDA 06) -
<ul style="list-style-type: none"> • Culpeper County • Madison County • Orange County • Rappahannock County
Region 2000/Central Virginia (LWDA 07) -
<ul style="list-style-type: none"> • No jurisdictions in LWDA 07 are to use the Non-Metro Income Level.
South Central (LWDA 08) -
<ul style="list-style-type: none"> • Brunswick County • Buckingham County • Charlotte County • Cumberland County • Halifax County • Lunenburg County • Mecklenburg County • Nottoway County • Prince Edward County
Capital Area (LWDA 09) -
<ul style="list-style-type: none"> • No jurisdictions in LWDA 09 are to use the Non-Metro Income Level.

West Piedmont (LWDA 10) -

- Henry County
- Patrick County
- Martinsville City

Northern Virginia (LWDA 11) –

- No jurisdictions in LWDA 11 are to use the Non-Metro Income Level.

Alexandria/Arlington (LWDA 12) –

- No jurisdictions in LWDA 12 are to use the Non-Metro Income Level.

Bay Consortium (LWDA 13) –

- Accomack County
- Essex County
- King George County
- Lancaster County
- Middlesex County
- Northampton County
- Northumberland County
- Richmond County
- Westmoreland County

Greater Peninsula (LWDA 14) –

- Southampton County
- Franklin City

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration
Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)

100% Lower Living Standard Income Level	
Washington-Baltimore, DC/MD/VA/WV- SELF-SUFFICIENCY	
<u>Size of Family Unit</u>	<u>100% LLSIL</u>
1	\$18,393
2	\$30,142
3	\$41,373
4	\$51,069
5	\$60,273
6	\$70,489

For each family member above 6 add **\$10,216**.

The above standards apply to the following jurisdictions (Local Workforce Development Areas) **only**:

Washington-Arlington-Alexandria, DC-VA-MD-WV MSA –
<ul style="list-style-type: none">• Arlington County (LWDA 12)• Clarke County (LWDA 04)• Fairfax County (LWDA 11)• Fauquier County (LWDA 06)• Loudoun County (LWDA 11)• Prince William County (LWDA 11)• Spotsylvania County (LWDA 13)• Stafford County (LWDA 13)• Warren County (LWDA 04)• Alexandria City (LWDA 12)• Fairfax City (LWDA 11)• Falls Church City (LWDA 11)• Fredericksburg City (LWDA 13)• Manassas City (LWDA 11)• Manassas Park City (LWDA 11)

Federal Register, April 6, 2022 – U.S. Department of Labor – Employment and Training Administration
Workforce Innovation and Opportunity Act (WIOA) 2022 - Lower Living Standard Income Level (LLSIL)