

# DIRECTIVE

## WORKFORCE SERVICES

Number: WSD08-3

Date: August 20, 2008

69:123:cs:12127

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: 2008 70 PERCENT LLSIL AND POVERTY GUIDELINES

### EXECUTIVE SUMMARY:

#### Purpose:

This directive issues the 2008 70 percent Lower Living Standard Income Level (LLSIL) published by the Secretary of Labor in the Federal Register on April 25, 2008. It also issues the 2008 poverty guidelines published by the U.S. Department of Health and Human Services (HHS) in the Federal Register on January 23, 2008.

#### Scope:

The LLSIL and poverty guidelines are used to establish low-income status for Workforce Investment Act (WIA) Title I programs. Local Workforce Investment Areas (LWIA) use the LLSIL to determine eligibility for youth, eligibility for employed adults for certain services, self-sufficiency, and eligibility for the Work Opportunity Tax Credit. The LWIAs should consult the WIA and its regulations, and preamble for more specific guidance.

#### Effective Date:

The 2008 LLSIL and 2008 poverty guidelines became effective on their dates of publication in the Federal Register, April 25, 2008 and January 23, 2008, respectively.

### REFERENCES:

- WIA Section 101(24), 101(25), 127(b)(2)(C), 132(b)(1)(B)(v)(IV), 134(d)(3)(A)(ii)
- Title 20 Code of Federal Regulations (Title 20 CFR) Section 663.230
- Federal Register, Volume 73, Number 112, WIA; LLSIL; Correction (June 10, 2008)
- Federal Register, Volume 73, Number 81, WIA; LLSIL (April 25, 2008)
- Federal Register, Volume 73, Number 15, Annual Update of the HHS Poverty Guidelines (January 23, 2008)

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## **STATE-IMPOSED REQUIREMENTS:**

This directive contains one State-imposed requirement, which is in ***bold italic*** print.

## **FILING INSTRUCTIONS:**

This directive supersedes WIA Directive WIAD06-22, dated June 29, 2007, and finalizes Workforce Services Draft Directive WSDD-12 issued for comment on July 7, 2008. The Workforce Services Division received one comment during the draft comment period; the comment received did not result in any substantive changes to this directive. A summary of the comment is provided as Attachment 2. Retain this directive until further notice.

## **BACKGROUND:**

The WIA Section 101(25)(B) sets the criteria LWIAs use in determining whether an individual is a low-income individual. This criteria includes two sets of data: the poverty guidelines, as published by HHS, and 70 percent of the LLSIL, as determined by the Secretary of Labor. The LWIAs use the higher of these two measures to establish low-income status for eligibility purposes of WIA Title I Programs. The WIA requires annual revisions to both sets of data.

All LWIAs use the same poverty guidelines. However, the LLSIL identifies maximum qualifying income levels for residents in either of two broad geographic designations: metropolitan and nonmetropolitan areas. Metropolitan income levels apply to residents living within Metropolitan Statistical Areas (MSA) as defined by the Office of Management and Budget. Nonmetropolitan income levels apply to places with populations under 50,000. In addition to the broad metropolitan and nonmetropolitan designations, the Department of Labor identifies three MSAs in California that have unique LLSILs: the San Diego MSA, the Los Angeles/Riverside/ Orange County MSA, and the San Francisco/Oakland/San Jose MSA.

## **POLICY AND PROCEDURES:**

1. Select the appropriate table for use by your LWIA from the five tables in Attachment 1. ***(In those instances where a LWIA encompasses both metropolitan and nonmetropolitan areas, the State has designated the higher of the LLSIL figures for use within the entire LWIA).***
2. Use the higher of either the 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. The WIA, together with Title 20 CFR 663.230, requires LWIBs to 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 LWIA.

**ACTION:**

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

**INQUIRIES:**

If you have any questions, please contact your [Regional Advisor](#) at (916) 654-7799.

/S/ BILL BURKE  
Assistant Deputy Director  
Workforce Services Branch

/S/ BOB HERMSMEIER  
Chief  
Workforce Services Division

Attachments



**Table 2—Los Angeles/Riverside/Orange County Metropolitan Statistical Area**

<b>LWIAs</b>	Anaheim Foothill E&T Consortium Pacific Gateway (formerly Long Beach City) Los Angeles City	Los Angeles County Orange County Riverside County Santa Ana City San Bernardino City	San Bernardino County SELACO Consortium South Bay Consortium Ventura County Verdugo Consortium				
<b>Family Size</b>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	Each Add'l add
<b>70% LLSIL</b>							
Annual	\$ 9,774	\$ 16,017	\$ 21,991	\$ 27,148	\$ 32,036	\$ 37,470	\$ 5,434
6 Months	\$ 4,887	\$ 8,009	\$ 10,996	\$ 13,574	\$ 16,018	\$ 18,735	\$ 2,717
100%	\$ 13,963	\$ 22,882	\$ 31,416	\$ 38,783	\$ 45,765	\$ 53,528	\$ 7,763
<b>Poverty Guidelines</b>							
Annual	\$ 10,400	\$ 14,000	\$ 17,600	\$ 21,200	\$ 24,800	\$ 28,400	\$ 3,600
6 Months	\$ 5,200	\$ 7,000	\$ 8,800	\$ 10,600	\$ 12,400	\$ 14,200	\$ 1,800

**Table 3—San Francisco/Oakland/San Jose Metropolitan Statistical Area**

<b>LWIAs</b>	Alameda County Contra Costa County Marin County Napa County NOVA Consortium	Oakland City Richmond City San Benito San Francisco City/Co. San Jose/Silicon Valley	San Mateo County Santa Cruz County Solano County Sonoma County				
<b>Family Size</b>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	Each Add'l add
<b>70% LLSIL</b>							
Annual	\$ 9,809	\$ 16,073	\$ 22,060	\$ 27,233	\$ 32,138	\$ 37,587	\$ 5,449
6 Months	\$ 4,904	\$ 8,037	\$ 11,030	\$ 13,617	\$ 16,069	\$ 18,794	\$ 2,725
100%	\$ 14,013	\$ 22,961	\$ 31,514	\$ 38,904	\$ 45,911	\$ 53,696	\$ 7,500
<b>Poverty Guidelines</b>							
Annual	\$ 10,400	\$ 14,000	\$ 17,600	\$ 21,200	\$ 24,800	\$ 28,400	\$ 3,600
6 Months	\$ 5,200	\$ 7,000	\$ 8,800	\$ 10,600	\$ 12,400	\$ 14,200	\$ 1,800

**Table 4— Metropolitan Areas**

<b>LWIAs</b>	Fresno County Golden Sierra Consortium Imperial County Kern/Inyo/Mono Consortium Kings County Madera County Merced County	Monterey County NoRTEC Consortium North Central Consortium Sacramento City/Co. San Joaquin County San Luis Obispo County Santa Barbara County	Stanislaus County Tulare County Yolo County				
<b>Family Size</b>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Each Add'l add</b>
<b>70% LLSIL</b>							
Annual	\$ 9,240	\$ 15,142	\$ 20,790	\$ 25,665	\$ 30,285	\$ 35,422	\$ 5,137
6 Months	\$ 4,620	\$ 7,571	\$ 10,395	\$ 12,833	\$ 15,143	\$ 17,711	\$ 2,569
100%	\$13,200	\$21,632	\$ 29,700	\$ 36,664	\$ 43,264	\$ 50,603	\$ 7,339
<b>Poverty Guidelines</b>							
Annual	\$ 10,400	\$ 14,000	\$ 17,600	\$ 21,200	\$ 24,800	\$ 28,400	\$ 3,600
6 Months	\$ 5,200	\$ 7,000	\$ 8,800	\$ 10,600	\$ 12,400	\$ 14,200	\$ 1,800

**Table 5—Nonmetropolitan Areas**

<b>LWIAs</b>	Humboldt County Mendocino County	Mother Lode Consortium					
<b>Family Size</b>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Each Add'l add</b>
<b>70% LLSIL</b>							
Annual	\$ 8,924	\$ 14,626	\$ 20,081	\$ 24,786	\$ 29,252	\$ 34,212	\$ 4,960
6 Months	\$ 4,462	\$ 7,313	\$ 10,041	\$ 12,393	\$ 14,626	\$ 17,106	\$ 2,480
100%	\$ 12,749	\$ 20,894	\$ 28,687	\$ 35,409	\$ 41,789	\$ 48,875	\$ 7,086
<b>Poverty Guidelines</b>							
Annual	\$ 10,400	\$ 14,000	\$ 17,600	\$ 21,200	\$ 24,800	\$ 28,400	\$ 3,600
6 Months	\$ 5,200	\$ 7,000	\$ 8,800	\$ 10,600	\$ 12,400	\$ 14,200	\$ 1,800

**Summary of Comments and Resolution of Comments Regarding Directive  
“2008 70 Percent LLSIL and Poverty Guidelines”**

There was one commenter to the draft version of this directive.

Commenter #1 expressed concern that the 2008 Lower Living Standard Income Level (LLSIL) and poverty guidelines published for Los Angeles City and Los Angeles County are extremely low. The commenter stated that as a result of the low LLSIL and poverty guidelines, many poor citizens in the local area are not eligible for services. The commenter suggested that these two areas be removed from their current Metropolitan Statistical Area (MSA) and placed into their own MSA to properly reflect the high cost of living of the area.

Resolution: The Employment Development Department (EDD) understands the concerns of the commenter; however, the EDD does not have any decision making authority over the determination of the LLSIL or the poverty guidelines. Rather, these determinations rest within the purview of the U.S. Secretary of Labor and the Office of Management and Budget, respectively. The EDD serves only to disseminate the information to the local areas for their use in establishing low-income status for their Workforce Investment Act Title 1 programs. Therefore, in order for local areas to affect change, they should direct comments relating to the determination of the LLSIL and/or the poverty guidelines to the appropriate Federal entity.