



## POLICIES AND PROCEDURES

POLICY TYPE: WIOA Adult and Dislocated Worker Eligibility
EFFECTIVE: April 1, 2023
REVISED:

### PURPOSE

The purpose of this policy is to provide guidance for determining participant eligibility for enrollment in a Workforce Innovation and Opportunity Act (WIOA) Title 1 Adult and Dislocated Worker (DW) Program. The policy guidance is based on WIOA legislation, U.S. Department of Labor (DOL) regulations, and the State of Oregon policies.

### REFERENCES:

Lane Workforce Partnership's eligibility certification process is based on the Department of Labor and State of Oregon official source documents.

- DOL Final Rules and Resources: [Laws | U.S. Department of Labor \(dol.gov\)](#)
- DOL Notices of Proposed Rule-Making (NPRMS): [Federal Register :: Workforce Innovation and Opportunity Act](#)
- DOL Training and Employment Guidance Letters (TEGLs): [ETA Advisories, Employment & Training Administration \(ETA\) - U.S. Department of Labor \(doleta.gov\)](#)
- State of Oregon Policies: <https://www.wioainoregon.org/policies-and-guidance.html>

### BACKGROUND

In Oregon, under the integrated workforce service delivery system, WIOA Adult and DW eligibility has been conducted through the WOMIS customer registration system. Beginning in Program Year 22/23, the responsibility for conducting eligibility will be returned to the local workforce areas to manage. This means that all eligibility policies will be those of the local Workforce Development Board (WDB).

### POLICY

It is the policy of Lane Workforce Partnership (LWP) that the contracted WIOA Adult and DW Service Provider(s) determine eligibility of applicants prior to provision of a WIOA funded individualized or training service. The Service Provider must be familiar with and follow the requirements as set in this eligibility policy. It is the responsibility of the Service Provider to ensure that a well-developed eligibility certification system is maintained that is sufficient to guard against serving ineligible individuals and risking disallowed costs. The WIOA Service Provider must also apply priority of service as required by Lane Workforce Partnership's Priority of Service Policy.

### DOCUMENTATION

Required documentation will be collected at the time of eligibility determination and stored in Lane Workforce Partnership's electronic system, eBridge. In the event that a participant is being co-enrolled,

and eligibility has been conducted by another local area, LWP and its Service Provider(s) will accept required documentation secured by the other local area for purposes of co-enrollment. Any liability for any documentation problems or findings by State or Federal monitors stays with the local area that collected the eligibility documents.

## **ELIGIBLE PARTICIPANTS**

### WIOA Adult

Adults must meet the following WIOA eligibility criteria to move from Basic Career Services to Individualized Career Services and/or Training Services. (See Lane Workforce Partnership's WIOA Services Policy for more information.)

Adult eligibility criteria:

- Age 18 Years or older;
- Meets Selective Service registration requirements (if applicable);
- Must be assessed for priority of service. (Refer to the Lane Workforce Partnership's Priority of Services Policy for additional information.)

### WIOA Dislocated Worker

The following categories outline the requirements within which an applicant may be defined as a Dislocated Worker. Dislocated Workers must meet the eligibility criteria to move from Basic Career Services to Individualized Career Services and/or Training Services if funded through the WIOA Dislocated Worker Formula Fund.

Dislocated Worker Categories:

- Terminated or Laid-off Worker
- Laid off due to Business Closure or Substantial Lay-Off
- Self-Employed Business Closure
- Displaced Homemaker
- Displaced Military Spouse
- Separating Service Member

## **ELIGIBILITY DETERMINATION PROCESS**

### Adult Eligibility Determination

- 1) Verify date of birth of the applicant. Applicant must be age 18 or over to be eligible for WIOA Adult funded services.
- 2) Verify applicant is in compliance with Selective Service Registration requirement.
- 3) Assess for the applicant's Priority of Service status.

### Dislocated Worker Eligibility Determination

- 1) Verify date of birth of the applicant.
- 2) Verify applicant is in compliance with Selective Service Registration requirement.
- 3) Assess for the applicant's dislocated worker status.

Policy definitions for each of the Dislocated Worker eligibility elements are:

To determine eligibility under the Terminated or Laid-Off Worker category, an individual must meet **each** of the following categories:

- Has been terminated or laid off, or has received a notice of termination or layoff, from employment, including a separation notice from active military service (refer to Separating Service Member for additional information); and
- Is either eligible for or has exhausted their unemployment insurance compensation or has been employed for a period of at least three months to show attachment to the workforce, but is not eligible for unemployment insurance compensation due to insufficient earnings or having worked for an employer that is not covered under the State unemployment compensation law; and
- Is unlikely to return to their previous industry or occupation. This can be due to any of the following circumstances:
  - Because of negative economic conditions or sudden economic impact on industries or occupations (such as the pandemic).
  - Because there is a decline in the previous occupations in the local market.
  - Because of circumstances that cause significant barriers to employment, such as criminal background, lack of high school diploma or GED, disability, homelessness, cultural or language barriers, older worker (55+) or deficient in basic skills.
  - Because their previous industry or occupation has been eliminated or the applicant has been unable to secure a position at a compensation level comparable to their previous occupation.
  - Because they exhausted their unemployment benefits and have been unable to find a job in their previous industry or occupation.
  - Because they were seasonally employed and unlikely to return because of mechanization or significant variance to normal seasonal employment patterns, resulting in uncertain return-to-work duties.

Determination by a Service Provider staff that an individual's likelihood of returning to their previous industry or occupation is unlikely due to circumstances that cause significant barriers to employment. Barriers to employment include:

- Offender
- High school dropout
- Homeless
- Cultural or language barrier
- Older worker (55+)
- Basic skills deficient
- Lack of necessary skills to become reemployed due to the current requirements of the industry or occupation (to be identified by an assessment of the individual's current skills and abilities and compared to current labor market demands, or rejection letters from employers for lack of necessary skills)
  - Because a WIOA-funded assessment cannot be conducted until after WIOA Dislocated Worker eligibility has been established, a self-assessment by the

individual, or a prior assessment of the individual's skills, abilities and experiences by another qualified entity must be used.

#### Laid off due to Business Closure or Substantial Lay-Off

The applicant must meet one of the following requirements:

- Has been terminated or laid off from employment, or has received notice of termination or layoff, because of the permanent closure of, or any substantial layoff (defined as 10 or more affected workers) at the company (includes a plant, facility, military installation or business enterprise); or
- Is employed at a company where the employer has made a general announcement that the company or location will close within 180 days. A general announcement may include media coverage, filing of a Worker Adjustment and Retraining Notification (WARN) with the State, corporate written notice of intent to close within 180 days (written notice includes email communication, employer website and/or social media postings).

#### Self-employed Business Closure

The applicant must meet the following requirement:

- Was self-employed (including employment as a farmer, rancher, fisherman, or an independent contractor or consultant not technically an employee of a firm or agency) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.

#### Additional Guidance for Determining Self-Employed Business Closure:

To assist an applicant in determining if they meet this Dislocated Worker definition, consider the following.

A person is self-employed when they meet one of the following conditions:

- Files taxes as self-employed for their business on their personal taxes:
- Is considered an independent contractor by the business:
- Meets all the following criteria:
  - Is not required by the business to complete an IRS W-4 form:
  - Is not required to pay federal income tax or FICA payments from their paycheck(s):
  - Liability or workers' compensation insurance for the individual is not paid by the business:
  - Either creates or provides the products or services they sell, or sets the price for the products or services they sell:
  - Is responsible for the business expenses and losses: and
  - Receives profits from the business.

Economic condition is defined as the present situation in the overall economy of the area where the individual resides. When a local economy contracts or is weakened, it may impact self-employed individuals. Examples include recession, impacts of pandemic, impacts of major employers that support a high percent of employment and local purchasing power, such as:

- Failure of one or more businesses to which the self-employed individual supplied a substantial portion of products or services;
- Failure of one or more businesses from which the self-employed individual obtained substantial portion of products or services;
- Substantial layoffs from, or a permanent closure of, one or more plants or facilities that support a significant portion of the local economy;
- Unemployment rate for the county exceeds the State overall unemployment rate; or
- Depressed prices or markets for articles produced by the self-employed individual.

### Displaced Homemaker

An applicant is eligible as a WIOA Displaced Homemaker – which also equates to Dislocated Worker eligibility status – if one of the following situations applies:

- The applicant has been providing unpaid services to their family in the home and has been dependent on the income of another family member but is no longer supported by that income;
- The applicant has been providing unpaid services to their family in the home and is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station or the service-connected death or disability of the service member; or
- The applicant has been providing unpaid services to their family members in the home and is unemployed or underemployed and is having trouble obtaining or upgrading employment.

An applicant may also meet one of the other Dislocated Worker eligibility types and be a Displaced Homemaker – the eligibility types are not mutually exclusive.

### Displaced Military Spouse

The applicant must meet one of the following requirements:

- Is the spouse of a member of the Armed Forces on active duty, and has experienced a loss of employment as direct result of relocation to accommodate a permanent change in duty station of such member; or
- Is the spouse of a member of the Armed Forces on active duty and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

### Separating Service Member

The applicant must meet the following requirement and documentation with a DD-214 is required:

- Is a member of the Armed Forces who is separating from service to enter or re-enter the civilian labor force (being discharged), and the discharge is for any reason other than dishonorable.

## **Other Eligibility Criteria Definitions**

### Priority of Service

WIOA Individualized Career and Training services shall be provided to eligible participants in the following priority order:

1. Veterans and eligible spouses who are included in the groups given statutory priority for WIOA Adult formula funding (see 2.).
2. Individuals who are not veterans or eligible spouses and who meet one of the statutory priorities for WIOA Adult formula funding:
  - a. Individuals who are recipients of public assistance
  - b. Individuals who are low income
  - c. Individuals who are basic skills deficient
  - d. English language learners
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Priority populations established by the Governor and/or the local workforce development board.
5. Non-covered persons outside the groups given priority under WIOA.

The characteristics for Veteran Status, Public Assistance Recipient and Basic Skills Deficient must be documented to report as a characteristic and to receive priority of service benefits. *Lack of documentation does not preclude participants from receiving Individualized Career or Training services* but does eliminate the priority of service benefit. Documentation may come after enrollment.

Refer to Lane Workforce Partnership's Priority of Service Policy for additional information.

### Selective Service Registration Requirements

Compliance with the Selective Service registration requirements must be documented for participants who are required to register – defined as:

- Sex-assigned male at birth;
- AND a US Citizen OR immigrant residing in the US between the ages of 18 and 25;
- AND are age 18 or older;
- AND were born on or after January 1, 1960.

If documentation under one of the categories outlined below cannot be collected, the participant is not eligible to enroll. Participants who would like additional information regarding Selective Service registration may be referred to this website: <https://www.sss.gov/Registration-Info>.

### **Selective Service Exempt**

Participants exempt from Selective Service registration:

- Sex-assigned female at birth;
- OR born before 1960;
- OR currently under the age of 18 (will be required to register within 30 days of 18<sup>th</sup> birthday);
- OR are a seasonal agricultural worker on a H-2A visa;
- OR are a lawful non-immigrant on a current non-immigrant visa;

- OR were incarcerated/hospitalized/institutionalized continuously between 18<sup>th</sup> and 26<sup>th</sup> birthdays;
- OR were not living in the United States between 18<sup>th</sup> and 26<sup>th</sup> birthdays;
- OR was on active US Military, Coast Guard duty or a student in an Officer Procurement Program continuously between 18<sup>th</sup> and 26<sup>th</sup> birthdays.

### **Not Required/Exempt Documentation Requirements**

Sex assigned female at birth; participant currently under age 18; participant born before 1960 – Customer attestation.

Non-Immigrant/Immigrant Status – Regardless of current U.S. Citizenship status, some immigrants may be exempt from registration:

- Participants sex-assigned male at birth and holding a valid seasonal agricultural worker H-2A visa must provide a copy of the visa.
- Participants sex-assigned male at birth who are between the ages of 18 and 26 may be exempt if they are on a current non-immigrant visa. Acceptable forms of supporting documentation can be found at this website [Non-Immigrant/Immigrant Allowable Documents](#).
- Participants who are sex-assigned male at birth and came into this country for the first time after their 26th birthday are not required to register for Selective Service. Acceptable forms of supporting documentation that establish first date of entry into the United States can be found at this website [Non-Immigrant/Immigrant Allowable Documents](#). The appropriate supporting document must show an entry date after the participant's 26<sup>th</sup> birthday.

Incarceration/Hospitalization/Institutionalization – Participants who were required to register but can provide documentation that they were incarcerated, hospitalized and/or institutionalized from their 18<sup>th</sup> birthday to their 26<sup>th</sup> birthday are exempt from registration. **However, please note:** If at any time between their 18<sup>th</sup> and 26<sup>th</sup> birthdays the participant was not incarcerated, hospitalized or institutionalized then they were required to register, and the exemption does not apply. If the participant did not register, then documentation must follow the requirements under “Required to Register and Did Not.”

Military Service – If the participant was in the US Military, Coast Guard or Officer Training between their 18<sup>th</sup> and 26<sup>th</sup> birthday they are not required to register and their DD-214 Military Separation Record is the documentation. **However, please note:** If at any time between their 18<sup>th</sup> and 26<sup>th</sup> birthdays the participant was not in the US Military, Coast Guard or Officer Training, then they were required to register, and the exemption does not apply. If the participant did not register, then documentation must follow the requirements under “Required to Register and Did Not.”

### **Required to Register and Did Not**

Participants who are required to be registered, who are over age 26, and cannot document that they are registered through one of the means listed above must complete the Selective Service System's [Request for Status Information Letter](#) and attach copies of the documentation required for their reason for non-registration.

Request Completed and Not Yet Submitted – Subrecipients of WIOA funding are delegated the authority to make a determination for “not knowing and willful.” A copy of the letter and supporting documents may be provided to Lane Workforce Partnership’s Director of Workforce Programs. Upon review, the Director of Workforce Programs may determine that the participant has established by a preponderance of the evidence that the failure to register was not knowing and willful. If this determination is made, the Request for Status Information Letter and documents are to be filed with all other eligibility documentation with the Director of Workforce Programs approval signature.

The participant should be instructed to submit the Letter and documents as directed on the form for a formal determination by the Selective Service System. **Note:** It is not required that staff follow-up to assure the submission occurs nor is it required that the Selective Service System response be returned and filed. The WIOA program is authorized to make the determination at the time of WIOA documentation.

Request Submitted/Selective Service Response Received – If the participant already completed the Request for Status Information Letter process with the Selective Service and has their Status Information Letter determination returned from Selective Service which says that they are found to be exempt from the requirement, a copy of the Response Letter is to be maintained as documentation.

#### Self-Sufficiency Definition

20 CFR 680.210 supports training services being made available to employed Adults and Dislocated Workers where staff determine that all these elements apply:

- The participant is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
- They need training services to obtain or retain employment leading to self-sufficiency or wages comparable to or higher than wages from previous employment; and
- They have the skills and qualifications to participate successfully in training services.

#### Under-Employed Definition

TEGL 19-16 (section 11 Employment Status Clarification) encourages local policy development to define under-employed for purposes of supporting the provision of training services to employed participants. The TEGL provides under-employed examples as follows:

- Individuals employed less than full-time who are seeking full-time employment;
- Individuals who are employed in a position that is inadequate with respect to their skills and training;
- Individuals who are employed who meet the definition of a low-income individual in WIOA section 3 (36); or
- Individuals who are employed, but show their current earnings are not sufficient compared to their previous earnings from their previous employment.

#### Determining Low Income



With respect to individualized career services and training services funded with WIOA adult funds, priority of service must be established at the time of eligibility determination for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Designation of meeting a priority of service category at the point of eligibility does not change during the period of participation. The Adult priority of service does not apply to the Dislocated Worker population. Veteran and eligible spouses who meet the WIOA Adult program eligibility criteria receive priority of service among all eligible individuals, however, they must meet the WIOA adult program eligibility criteria.

Low-Income is defined as an individual who meets one of the four criteria below:

- Receives, or in the past six months has received, or is a member of a family that is receiving, or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), program supplemental security income program, or state or local income-based public assistance;
- In a family with a total income that does not exceed the higher of the poverty line or 70 percent of the Lower Living Standard Income Level (LLSIL);
- A homeless individual; or
- An individual with a disability whose own income does not exceed the income requirement but is a member of a family whose total income does.

The low-income guidelines and poverty guidelines are used to establish low-income status for WIOA Title I programs. Lane Workforce Partnership uses the LLSIL to determine priority of service eligibility of Adult applicants. Income received during the six-month period immediately prior to the individual's application for WIOA funded services is used for income determination. Applicant's actual family income during the six-month income determination period must be compared with the six-month figures on the Oregon Workforce Innovation and Opportunity Act Income Eligibility Table to determine eligibility.

**2022 Oregon Income Eligibility Table  
Combined 70% LLSIL and HHS Poverty Income Guidelines**

**Metropolitan Areas:** Includes Multnomah, Washington, Clackamas, Marion, Polk, Yamhill, Lane, Jackson, and Josephine counties:

Family Size	1	2	3	4	5	6
Annual Income	\$17,692	\$28,995	\$39,809	\$49,143	\$57,989	\$67,826
Six Month Income	\$8,846	\$14,497	\$19,904	\$24,571	\$28,994	\$33,913

For families larger than 6 people: Add \$9,837 (annual) or (4,918 (six month) to the family of six income for each additional person in the family.

**Non-Metropolitan Areas:** Includes Baker, Benton, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Lincoln, Linn, Malheur, Morrow, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, and Wheeler counties.

Family Size	1	2	3	4	5	6
Annual Income	\$17,408	\$28,530	\$39,170	\$48,348	\$57,061	\$66,736
Six Month Income	\$8,704	\$14,265	\$19,585	\$24,174	\$28,530	\$33,368

For families larger than 6 people: Add \$9,675 (annual) or \$4,837 (six month) to the family of six income for each additional person in the family.

Applicable Federal Register notices, LLSIL tables, and HHS poverty levels are available at: <https://www.dol.gov/agencies/eta/llsil>

**National Dislocated Worker Grant**

- Dislocated Worker Grant eligibility – refer to Lane Workforce Partnership National Dislocated Worker Grant (DWG) Eligibility Policy.

## ELIGIBILITY PROCESS

Applicants in need of WIOA funded Individualized Career or Training Services must be determined eligible *prior* to the provision of such services. The eligibility process includes:

- 1) Conduct eligibility determination based on one or more of the criteria defined above;
- 2) Collect required eligibility documentation at the time of eligibility determination (see Documentation Requirements table below);
- 3) Provide applicant with a copy of Lane Workforce Partnership's Grievance Policy and Form;
- 4) Have applicant sign the Media Release Form;
- 5) Complete the i-Trac application as required by the funding source for which the applicant will be enrolled and follow all required i-Trac data entry protocols (established in the i-Trac Management Information Data System);
- 6) Upload the i-Trac application and all supporting eligibility documents to LWP's eBridge. Documents may also be uploaded to i-Trac following the document management protocols.

## DOCUMENTATION REQUIREMENTS

Category	Element	Allowable Documents
WIOA Adult Eligibility and Enrollment	Date of Birth	Baptismal Record Birth Certificate DD-214/Report of Transfer or Discharge Paper Driver's License Family Bible Government Issue ID, including Tribal ID Hospital Record of Birth Passport Public Assistance/Social Service Records School Records or ID Card Self-Attestation
	Selective Service Registration	See below
WIOA Dislocated Worker Eligibility and Enrollment	Date of Birth	Baptismal Record Birth Certificate DD-214/Report of Transfer or Discharge Paper Driver's License Family Bible Government Issue ID, including Tribal ID Hospital Record of Birth Passport Public Assistance/Social Service Records School Records or ID Card
	Selective Service Registration	See below
	Separating Service Member	DD-214
Priority of Service	Veteran Status	DD-214 Crossmatch with Dept. of Defense Records Crossmatch with Veterans Service database A letter from the Veterans' Administration
	Public Assistance Recipient TANF SNAP SSI/SSDI Other Public Assistance	Verification letter Crossmatch with public assistance records
	Deficient in Basic Skills	Assessment by staff Assessment test results Education institution records
Selective Service Required to Register	Registered	Selective Service Registration Acknowledgement Letter Selective Service Registration Card Stamped Post Office Receipt of Registration
	Not Registered – Not willful	Request for Status Information Letter and Supporting documentation

		Selective Service Status Information Letter
	Not Registered – Chose not to register	Not eligible
Selective Service Not Required/Exempt	Not Required to Register	Applicant Attestation (Age/Sex at Birth) DD-214 Military Separation Record Immigrant/Non-Immigrant Allowable Documents Records of Incarceration, hospitalization or institutionalization

## HOUSEHOLD INCOME CALCULATION METHODOLOGY

Calculating household income methodology includes the following:

1) Establish Household Size:

- To determine total family income, intake staff must calculate income received by all members of the individual's family for the previous six months prior to WIOA participation. (Household members include all individuals in the household related by blood or marriage as defined by WIOA.)
- To determine total income for an individual with a disability, an intake staff must calculate income received by the individual (only) for the previous six months prior to WIOA participation, regardless of the income level of his/her family.

2) Computing and Documenting Family Income:

- Documentation should be provided for each applicable included and excluded income source received by the applicant, and each family member, for the six-month income period immediately preceding the application and eligibility determination date.
- An applicant or family member who claims little or no income must submit an applicant statement that attests that little or no income was received during the past six months, and/or that they were unemployed for that period.
  - a. In this situation, they should be included as a family member and \$0 income may be listed.
- The following items should be documented, verified, computed, and included with the eligibility documentation:
  - a. Eligibility determination period: Enter dates of the six-month period.
  - b. Family Members: List all family members (as defined by WIOA) and the income they have received within the last six months prior to application. In addition to documentation of family size, additional documentation may be required to establish that the family is living in a single residence.
  - c. Dates: List the dates of receipt of the income. The whole determination period should be covered. During periods when no income was received, means of support must be explained and verified (e.g. applicant has been supported by parent(s) or friend(s) or living on savings from previous earnings, etc.).

- d. Source of Income: Indicate how the income was earned, and/or the source that generated the income.
- e. Amount of Income: Indicate the dollar amount received during the six-month period. This may require adding up several pay stubs submitted for that period to arrive at the six-month amount;
- f. Documents Inspected: Indicate the document(s) submitted to verify the source of income. The document(s) must be photocopied, and a copy retained in the individual's file.

Sources of includable income are:

- Child Support Payments
- Monetary compensation for services, including wages, tips, salary, commissions, or fees before any deductions, and including overtime pay, bonuses, etc.
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expense)
- 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 (e.g., California Conservation Corp)
- Alimony, active military family allotments directly received, or other regular support from an absent family member or someone not living in the household, but included in the family size
- Private pensions, government employee pensions (including military retirement pay)
- Regular insurance or annuity payments (including state disability insurance)
- College or university scholarships grants, fellowships, and assistantships (not needs-based)
- Net gambling or lottery winnings
- Severance payments
- Terminal leave pay
- Social Security Disability insurance payments
- WIOA Title I – OJT Wages
- Generally, if an income source is not listed in the “Excluded Income” categories below, then it must be considered as “Included Income”.

Sources of excluded income are:

- Unemployment Insurance
- Foster care payments
- Need-based Public Assistance payments (including TANF, Supplemental Security Income Emergency Assistance, and non-federally funded general assistance or general relief money payments)
- Social Security Old Age and Survivors' Insurance benefit payments
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, federal Supplemental Educational Opportunity Grants and Federal Work Study (needs-based)

- Needs-based scholarship assistance
- Loans
- Veterans Benefits
- Income earned while the veteran was on active military duty and certain other Veterans benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance
- 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 insurance compensation for injury
- Non-cash benefits such as employer paid or union-paid portion of health insurance or other fringe benefits, food or housing received in lieu of wages
- The value of food and fuel produced and consumed on farms
- The imputed value of rent from owner occupied non-farm or farm housing
- Medicare, Medicaid, food stamps, school meals, and housing assistance
- Allowances, earnings and payments to individuals participating in programs under this Act (except OJT wages)

#### Methods of Calculating Income:

When calculating income, any one of the following methods may be used as appropriate. These examples are illustrative only

#### Straight Pay or Salary Method Under the Straight Pay Method

Under the straight pay method:

- The participant supplies a sample of pay stubs covering the most recent three to four months (out of the six months) of family income.
- Upon reviewing the pay stubs, the eligibility worker determines that the wages on the pay stubs are the same, with no variations.
- The worker will calculate the income based upon the wages indicated on one of the pay stubs, since there are no variations in the gross income on any of the pay stubs.
- Based upon the length of the pay period represented by the pay stubs, (weekly, bi-weekly or monthly) the gross income is multiplied by the number of pay periods in a year. That is 52 x gross wages, 26 x gross wages, or 12 x gross wages, respectively.
- The result will be the annual income.
- Divide the annual income by 2 to determine the six-month income used to determine WIOA low-income eligibility.

Example: Five (5) pay stubs are provided indicating gross wages of \$548.00 each. The pay stubs are sporadic and cover a period of (3) months. The pay frequency is bi-weekly (13 pay periods in 6 months). An eligibility staff would multiply the gross wages indicated on the pay stubs by the frequency occurrence.

Multiply:  $13 \times \$548 = \$7,124$ . This is the six-month income used to determine WIOA low-income eligibility.

#### Average Pay Method Under the Average Pay Method

Under the average pay method:

- a sample of six pay stubs are submitted which show variations in the gross earnings.
- The variations may result from overtime, lost time, or working for different employers.
- In calculating the six-month income, the eligibility staff must determine the average gross earnings based upon the number of pay stubs provided.
- To determine the average gross earnings, the eligibility staff must total the gross earnings of all the pay stubs provided and divide the result by the number of pay stubs.
- The result will be the average gross earnings per pay period.
- After determining average gross earnings per pay period, the eligibility staff will then determine the pay frequency and multiply the gross average earnings by the number of pay periods in the six-months.

Example:

- Participant provides eligibility staff with six (6) pay stubs with gross earnings of \$534, \$475, \$398, \$534, \$498.00, and \$534.
- The pay frequency is weekly.
- The eligibility staff should do the following:
  - Add:  $\$534 + \$475 + \$398 + \$534 + \$498 + \$534 = \$2973.00$ .
  - Divide:  $\$2973/6$  (6 is the number of pay stubs provided) =  $\$495.50$  – This is the average gross earnings per weekly pay period.
  - Multiply:  $\$495.50 \times 26$  (there are 26 weekly pay days in a six-month period) =  $\$12,883$ . This is the six-month income amount used to determine WIOA low-income eligibility.
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#### Year-To-Date Method

Under the Year-To-Date Method of calculating six-month gross income:

- The participant provides recent pay stubs with cumulative year-to-date gross earnings indicated on the pay stub.
- The cumulative year- to-date gross earnings indicate the gross earnings up to the date of the pay period ending date, on the pay stub.
- To compute the six-month income, the eligibility staff counts the number of pay periods that have occurred in the year-to-date period and divides that number into the gross year-to-date earnings indicated on the pay stub to get the amount of each paycheck.
- The result of this computation (average gross income per pay period) is then multiplied by the number of pay periods in a six-month period to determine the six-month gross earnings.

Example:

- Participant provides the eligibility staff with a recent pay stub showing his year-to-date earnings were \$25,200 for the 14 pay-periods so far that year.
- The date of the pay stub provided was July 3 for \$1800. His gross earnings each pay period is the same. The pay frequency is bi-weekly, every other Friday.
- There are 13 pay periods for the six (6)-month period counting back from July 3.
- Calculation of the gross annualized income would be done as follows:



- Multiply: \$1800 by 13 (No. of pay periods in 6 months) = \$23,400. \$23,400 is the 6-month income figure for this individual or family member.

**Intermittent Work Method**

When an applicant has not had steady work with one or more employers, they should supply as many pay stubs as possible and complete an Applicant Statement explaining all missing pay stubs and non-work periods during the last six months. In such cases, the eligibility worker totals all wages for the six-month period. If the applicant reports little or no includable income, they should indicate the resources relied upon for life support during the last six months, on an Applicant Statement. Such resources may include such things as unpaid debts, gifts, loans, unemployment compensation, etc.

**REQUIRED ACTION**

Lane Workforce Partnership's funded service provider(s) shall follow this policy when determining participant eligibility for enrollment in a WIOA funded service. This policy will remain in effect from the date of issue until such time that a revision is required.

**ISSUED:**

**Date: April 1, 2023**

**LWP Director of Workforce Programs**