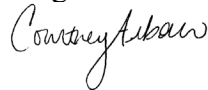


TEXAS WORKFORCE COMMISSION
Workforce Development Letter

ID/No:	WD 15-16, Change 1
Date:	March 18, 2024
Keyword:	WIOA; WorkInTexas.com
Effective:	WF CMS Implementation

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Courtney Arbour, Director, Workforce Development Division

Subject: Workforce Innovation and Opportunity Act: Low-Income Guidelines and Determining Minimum Self-Sufficiency Levels—Update

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on accessing:

- the updated Workforce Innovation and Opportunity Act (WIOA) Low-Income Guidelines; and
- the 100 percent Lower Living Standard Income Level (LLSIL) guidelines used to determine minimum self-sufficiency wage levels for WIOA participants.

This updated letter provides clarifications relating to the implementation of WorkInTexas.com as the Texas Workforce Commission’s (TWC) workforce case management system, specifically the Low-Income Guidelines and determining minimum self-sufficiency levels. The letter also clarifies where income tables are located on the TWC website.

RESCISSIONS:

WD Letter 15-16

BACKGROUND:

The US Department of Labor’s (DOL) LLSIL guidelines and the US Department of Health and Human Services’ (HHS) poverty guidelines are each updated annually. Accordingly, TWC updates its website twice a year to reflect the new income guidelines and effective dates.

The following two income guidelines are combined and use the higher dollar amount for each family-size unit to establish WIOA low-income eligibility guidelines:

- HHS poverty guidelines
- DOL 70 percent LLSIL guidelines

TWC updates its website once a year to reflect the minimum wage levels Boards must use when determining local self-sufficiency levels.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

WIOA Low-Income Guidelines

NLF: Boards must use the [WIOA Low-Income Guidelines](#) to determine income eligibility for WIOA Title I youth and adult services.

NLF: Boards must be aware that TWC will notify Boards through a WorkInTexas.com broadcast message when:

- the WIOA Low-Income Guidelines have been updated; and
- the new HHS poverty levels and 70 percent LLSIL guidelines have been programmed into WorkInTexas.com.

NLF: Boards must be aware that previous versions of low-income guidelines:

- will be maintained in the Previous Low-Income Guidelines section of TWC’s WIOA Low-Income Guidelines web page; and
- may be used for monitoring purposes and to support enrolled participants whose eligibility was determined by the previous eligibility guidelines.

NLF: Boards must be aware that TWC uses the higher of the HHS Poverty level or 70 percent LLSIL values by family size to determine the WIOA Low-Income level for each of the following areas as listed on TWC’s WIOA Low-Income Guidelines web page:

- Dallas-Fort Worth-Arlington Metropolitan Statistical Area (MSA)
- Houston-The Woodlands-Sugar Land MSA
- Texas Non-Metro
- Texas Metro

NLF: Boards must ensure that Workforce Solutions Office staff uses the higher of the poverty or 70 percent income values from the income table in WorkInTexas.com to determine low-

income status for WIOA participants. The values will match the TWC-published low-income levels at the time of the participant's eligibility determination.

LLSIL Guidelines for Determining Self-Sufficiency Levels

NLF: Boards must use the [100 percent LLSIL table](#) available in the Resources section of TWC's WIOA Low-Income Guidelines web page to ensure the local workforce development area's (workforce area) self-sufficiency levels are not less than the WIOA Minimum Self-Sufficiency Wage Levels.

NLF: TWC will notify Boards through a WorkInTexas.com broadcast message when the WIOA Low-Income Guidelines web page has been updated with the current 100 percent LLSIL table.

LF: Boards may set their self-sufficiency wage levels above the DOL 100 percent LLSIL, if warranted by economic conditions in their workforce areas.

NLF: To determine whether a WIOA participant is receiving local self-sufficiency wages, Boards must compare the participant's current wages earned to the locally determined self-sufficiency wage levels that must be no lower than the DOL 100 percent LLSIL. Current wages are the hourly, weekly, or monthly earnings at the time of the eligibility determination.

LF: Boards may divide their self-sufficiency wage level tables into smaller increments. However, it is recommended that wages not be divided into increments smaller than one week. (For example, a local self-sufficiency wage level of \$20,800 per year for a family of one could be measured as a \$10 per hour wage. However, a participant currently earning \$10 per hour would reach self-sufficiency wage levels only if his or her job consisted of at least 40 hours of employment per week.)

LF: Boards may determine self-sufficiency wage levels for distinct geographic areas within their workforce area, such as counties or MSAs.

LF: It is recommended that Boards retain all previous versions of self-sufficiency wage levels for monitoring purposes.

NLF: Boards must ensure that Workforce Solutions Office staff members consider an individual's ability to achieve self-sufficiency when determining eligibility for WIOA training services.

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENTS:

Attachment 1: Revisions to WD Letter 15-16 Shown in Track Changes

REFERENCES:

Workforce Innovation and Opportunity Act §§3(36), 127(b)(2)(C), and 132(b)(1)(B)

US Department of Labor [Lower Living Standard Income Level Guidelines](#)
Health and Human Services [Poverty Guidelines](#)
Fraud Deterrence and Compliance Monitoring (FDCM) Letter 02-23, issued March 1,
2023, and titled “Agency Board Agreement Policy and Procedure Uploads”