

70 PERCENT LLSIL AND POVERTY GUIDELINES FOR 2022

EXECUTIVE SUMMARY

This policy provides the guidance and establishes the procedures regarding the 70 Percent Lower Living Standard Income Level (LLSIL) for 2022 published by the US Department of Labor (DOL) in the *Federal Register* on April 6, 2022. This policy also issues the 2022 poverty guidelines published by the US Department of Health and Human Services (HHS) in the *Federal Register* on January 21, 2022. This policy applies to all Local Workforce Development Areas (Local Area), and is effective on their dates of publication in the Federal Register, April 6, 2022, and January 21, 2022, respectively.

This policy contains some state-imposed requirements. All state-imposed requirements are indicated by ***bold, italic*** type.

This Directive finalizes Workforce Services Draft Directive *70 Percent LLSIL Poverty Guidelines for 2022* (WSDD-229), issued for comment on May 11, 2022. The Workforce Development Community submitted one (1) comment during the draft comment period. A summary of the comment and response is provided as Attachment 2.

This policy supersedes Workforce Services Directive *70 Percent LLSIL and Poverty Guidelines for 2021* (WSD21-01), dated August 16, 2021. Retain this Directive until further notice.

REFERENCES

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- *Workforce Innovation and Opportunity Act* (WIOA) Sections 3(36), 127(b)(2)(C), 132(b)(1)(B)(v)(IV), and 134(d)(1)(A)(x)
 - *Federal Register*, Volume 87, Number 66, WIOA 2022 LLSIL (PDF) (April 6, 2022)
 - *Federal Register*, Volume 87, Number 14, Annual Update of the HHS Poverty Guidelines (PDF) (January 21, 2022)

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

BACKGROUND

The WIOA Section 3(36)(A) sets the criteria Local Areas must use to determine whether an individual is a low-income individual. These criteria include two sets of data: the poverty guidelines as published by HHS, and the 70 percent of the LLSIL, as published by the DOL. The Local Area must use the higher of these two measures to establish low-income status for eligibility purposes of the WIOA Title I programs. The WIOA requires annual revisions to both sets of data. All Local Areas use the same poverty guidelines. However, the LLSIL identifies maximum qualifying income levels for residents in either of two broad geographic designations: metropolitan and non-metropolitan areas. Metropolitan income levels apply to residents living within Metropolitan Statistical Areas (MSA) as defined by the Office of Management and Budget. Non-metropolitan income levels apply to places with populations under 50,000. In addition to the broad metropolitan and non-metropolitan designations, the DOL identifies three MSAs in California that have unique LLSILs: the San Francisco/Oakland/San Jose MSA, the Los Angeles/Riverside/Orange County MSA, and the San Diego MSA.

POLICY AND PROCEDURES

Follow these steps to determine if a person is a low-income individual:

1. Select the appropriate table for use by your Local Area from the five tables in the attachment. ***In those instances where a Local Area encompasses both metropolitan and non-metropolitan areas, the state has designated the higher of LLSIL figures for use in the entire Local Area.***
2. Use the higher of either 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. ***Local Workforce Development Boards must 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 Local Area.***

ACTION

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

INQUIRIES

If you have any questions, contact your assigned [Regional Advisor](#).

/s/ JAVIER ROMERO, Deputy Director
Workforce Services Branch

Attachments:

1. [70 Percent LLSIL and Poverty Guidelines for 2022 \(PDF\)](#)
2. [Summary of Comments \(DOCX\)](#)