# 70 PERCENT LLSIL AND POVERTY GUIDELINES FOR 2023

## EXECUTIVE SUMMARY

This policy provides the guidance and establishes the procedures regarding the 70 Percent Lower Living Standard Income Level (LLSIL) for 2023 published by the US Department of Labor (DOL) in the Federal Register on May 8, 2023. This policy also issues the 2023 poverty guidelines published by the US Department of Health and Human Services (HHS) in the Federal Register on January 19, 2023. This policy applies to all Local Workforce Development Areas (Local Area) and is effective on their dates of publication in the Federal Register, May 8, 2023, and January 19, 2023, 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 and Poverty Guidelines for 2023* (WSDD-248), issued for comment on June 30, 2023. The Workforce Development Community submitted one comment during the draft comment period. A summary of comments, including all changes, is provided as Attachment 2.

This policy supersedes Workforce Services Directive *70 Percent LLSIL and Poverty Guidelines for 2022* (WSD21-06), dated June 14, 2022. Retain this Directive until further notice.

## REFERENCES

* 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 88, Number 88, WIOA 2023 LLSIL (PDF) (May 8, 2023)
* Federal Register, Volume 88, Number 12, *Annual Update of the HHS Poverty Guidelines* (January 19, 2023)

## 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 Diego – Carlsbad MSA, the Los Angeles – Long Beach – Anaheim MSA, and the San Francisco – Oakland – Hayward 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 one of the five tables in the attachment. ***In those instances where a Local Area encompasses both metropolitan and nonmetropolitan 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 impacted staff of the changes to the LLSIL and poverty guidelines in this Directive.

## INQUIRIES

If you have any questions, contact your assigned [Regional Advisor](https://edd.ca.gov/en/Jobs_and_Training/Regional_Advisor_Listing).

/s/ JAVIER ROMERO, Deputy Director

Workforce Services Branch

Attachments:

1. [70 Percent LLSIL and Poverty Guidelines for 2023 (DOCX)](https://edd.ca.gov/siteassets/files/jobs_and_training/pubs/wsd23-02att1.docx)
2. [Summary of Comments (DOCX)](https://edd.ca.gov/siteassets/files/jobs_and_training/pubs/wsd23-02att2.docx)