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*Governor's Office of*  
**WORKFORCE TRAINING & DEVELOPMENT**  
GENERAL INFORMATION MEMORANDUM (GIM) NO. 014-06

**DATE:** July 28, 2006

**TO:** NEW MEXICO WORKFORCE INVESTMENT ACT (WIA)  
BOARDS AND STATEWIDE WORKFORCE CONNECTION  
NETWORK

**FROM:** LEN MALRY, ACTING EXECUTIVE DIRECTOR 

**BY:** FLOYD ARCHULETA, BUREAU CHIEF

**SUBJECT:** TRANSMITTAL OF STATE INFORMATION NOTICE (SIN)  
NO. 43-06, WIA INCOME TABLES

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July 28, 2006

WORKFORCE INVESTMENT ACT (WIA)  
STATE ADMINISTRATIVE ENTITY (SAE)  
STATE INFORMATION NOTICE NO.43-06  
(SIN NO. 43-06)

**SUBJECT: WIA PROGRAM YEAR (PY) 2006 INCOME TABLES**

1. **PURPOSE:** To transmit the Program Year (PY) Income Tables as required by the Workforce Investment Act (WIA) to accomplish the following purposes:
  - a. To determine income eligibility for participation in youth programs;
  - b. To establish income criteria for Local Workforce Development Boards (LWDBs) to develop a priority of services policy for adults when funds are limited; and
  - c. To determine self-sufficiency levels for intensive services and for employment retention of adults.
2. **BACKGROUND:** Citations/references from the Workforce Investment Act, Regulations, and State WIA policy are as follows:
  - a. Youth Eligibility requirements are established at WIA Section 101(13), 20 CFR 664.200, and State Policy NMAC 11.2.13, WIA Participant Eligibility and State Technical Assistance Guide (STAG), and any amendments thereto. At the time of application, an eligible youth must: (1) be age 14 through 21; (2) be determined to be low income as defined in WIA Section 101(25), **and** (3) be assessed as having one of the Barriers to Employment listed in Section 20 CFR 664.200, and State Policy NMAC 11.2.13, WIA Participant Eligibility, and any of its amendments.

- b. Priority of Services. The Regulations at Sections 663.600(b) and (c) require states and local areas to establish criteria and a process by which a priority for service will be applied when funds are limited for adult programs. The WIA at Section 134(d)(4)(E) requires a priority for intensive and training services funded with Title I adult funds that must be given to recipients of public assistance, and other low-income individuals in the local area. This does not mean, however, that only public assistance recipients and low income individuals may receive WIA services when funds are limited; (refer to NMAC 11.2.23, Priority of Service, and any amendments thereto).
- c. Self-sufficiency is addressed at Section 134(d)(3)(A)(ii) and 20 CFR 663.230, which directs that state boards and local boards must set the criteria to determine whether employment for adults and dislocated workers leads to self-sufficiency (employment that pays at least the lower living standard income level as defined in WIA Section 101(24)). The USDOL establishes the 100% Lower Living Standard Income Level Table for this purpose. LWDBs may also establish additional criteria as provided for in 20 CFR 663.230.

### 3. DEFINITIONS:

- a. Lower Living Standard Income Level (LLSIL) – means: that income level based on the most recent lower living family budget (adjusted for regional, metropolitan, urban, and rural differences and family size) as determined and issued annually by the Secretary of the U.S. Department of Labor, and as provided for in State Policy NMAC 11.2.13, and any amendments thereto.
- b. Low Income Individual - means: an individual who:
  - (1) receives, or is a member of a family that receives cash payments under a Federal, State or local income-based public assistance program;
  - (2) received an income, or is a member of a family that received a total family income for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, Federal, State or local cash public assistance, and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)), that in relation to family size, does not exceed the higher of:
    - (a) the poverty line, for an equivalent period; or
    - (b) 70% of the lower living standard income level, for an equivalent period;
  - (3) is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
  - (4) qualifies as a homeless individual, as defined in subsections (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302); or
  - (5) is a foster child on behalf of whom State or local government payments are made;
- c. Individual with a disability is defined in the Definitions section of STAG 01-03, and any amendments thereto. An individual/applicant with a disability who is ineligible due to

documented family income criteria that exceeds the established levels shall have income eligibility re-determined identifying the person as a family of one.

- d. Metropolitan Area means: the primary populous city in a standard metropolitan statistical area (SMSA). For purposes of this policy, the New Mexico metropolitan areas are within the city limits of the cities of Albuquerque, Farmington, Las Cruces and Santa Fe.
- e. Poverty Guidelines means: guidelines required by the Omnibus Budget Reconciliation Act of 1981 for use as an eligibility criterion for the Community Services Block Grant program. The Guidelines are established by the US Department of Health and Human Services. The Workforce Investment Act requires use of the Poverty Guidelines together with the 70% LLSIL guidelines (at their highest levels) as eligibility income criteria.
- f. Self-sufficiency means: employment that pays at least the lower living standard income level, (LLSIL) as defined in WIA Section 101(24). USDOL issues the 100% LLSIL Table to determine whether adults and dislocated workers have achieved self-sufficient employment.

4. **ACTION:**

- a. The State policy is that effective immediately, LWDBs shall use the attached annual income tables in the development of local policies as follows:
  - (1) Exhibit I, Program Year (PY) 2006 NM WIA INCOME ELIGIBILITY TABLE, which contains combined data for both the 70% Lower Living Standard Income Level (LLSIL) and the Poverty Guidelines at their highest levels, shall be used by LWDBs to:
    - (a). Determine income eligibility for enrollment into youth programs; and
    - (b). Establish policy on the priority of services for adults when funds are limited.
  - (2) Exhibit II, Program Year (PY) 2006 – NEW MEXICO SELF-SUFFICIENCY INCOME TABLE shall be used to determine levels of self-sufficient employment. Exhibit II is the New Mexico 100% Lower Living Standard Income Level (LLSIL) Table. LWDBs are required to establish a self-sufficiency policy that must include, but is not limited to, use of the 100% Lower Living Standard Income Level (LLSIL) Table transmitted herein.
- b. LWDBs shall use the following SAE Rules, and any amendments thereto, to develop policies regarding: eligibility determination and verification requirements and procedures, priority of services for adults, and self-sufficiency levels:
  - (1) NMAC 11.2.13, Workforce Investment Act (WIA) Participant Eligibility and its referenced State Technical Assistance Guide (STAG) 01- 03, and
  - (2) NMAC 11.2. 23, WIA Priority of Service.
- c. WIA recipients and providers shall review all WIA applications in the existing

applicant pools dated July 1, 2006 or later, upon receipt of this policy, and re-determine income eligibility to ensure no qualified applicant is excluded from participation in WIA.

- c. Income eligibility for **all** youth applicants for WIA participation must be based on total family size using the PY 06 Income Table, labeled as EXHIBIT I. Only in the event where a youth applicant with disabilities does not qualify based on documented family income computations, may this individual be considered a family of one (refer to this SIN at section 3. DEFINITIONS, c.).
5. **EFFECTIVE DATE**: This Information Notice is effective July 1, 2006 and will remain in effect until further notice.
6. **RECISSIONS**: This State Information Notice (SIN) rescinds SIN No. 43-04, dated August 5, 2005.
7. **CONTACT**: Inquiries regarding this Information Memorandum should be directed to the Office of Workforce Training and Development (OWTD) in Santa Fe at (505) 827-6827.



LEN MALRY  
ACTING EXECUTIVE DIRECTOR

## EXHIBIT I

### PY 2006 - NEW MEXICO WIA ANNUAL INCOME ELIGIBILITY TABLE (Combined 70% LLSIL and HSD Poverty Income Guidelines)

*This table shall be used to determine eligibility for youth services and to establish priority of intensive and training services for adults, including individuals with a disability.*

Family Size	1	2	3	4	5	6	>6**
Metro*	\$9,800	\$14,110	\$19,370	\$23,910	\$28,220	\$33,000	\$4,780
Non-Metro	\$9,800	\$13,590	\$18,650	\$23,020	\$27,170	\$31,770	\$4,600

\***Metro Areas** include the cities of Albuquerque, Farmington, Las Cruces, and Santa Fe. All other areas in New Mexico are considered to be Non-Metro Areas.

\*\*For families in the **metro areas** with greater than (>) 6 members, add **\$4,780** for each additional member. For **non-metro** areas, add **\$4,600** for each additional member.

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## EXHIBIT II

### PY 2006 NEW MEXICO SELF-SUFFICIENCY ANNUAL INCOME TABLE (100% LLSIL TABLE)

*This table shall be used to determine whether employed adults and dislocated workers need intensive or training services to obtain self-sufficient employment retention as defined in the local plan/policies.*

Family Size	1	2	3	4	5	6	>6**
Metro	\$12,300	\$20,160	\$27,670	\$34,160	\$40,310	\$47,150	\$6,840
Non-Metro	\$11,850	\$19,410	\$26,650	\$32,890	\$38,820	\$45,390	\$6,570

\***Metro Areas** include the cities of Albuquerque, Farmington, Las Cruces, and Santa Fe. All other areas in New Mexico area considered to be Non-Metro Areas.

\*\*For families in the **metro areas** with greater than (>) 6 members, add **\$6,840** for each additional member. For **non-metro** areas, add **\$6,570** for each additional member.