

BILL RICHARDSON
GOVERNOR



DON B. MANNING
Director

CONROY CHINO
SECRETARY

NEW MEXICO DEPARTMENT OF LABOR
JOB TRAINING DIVISION
1596 Pacheco Street, Suite 201
P.O. Box 4218
Santa Fe, New Mexico 87502
(505) 827-6827

July 16, 2003

WORKFORCE INVESTMENT ACT (WIA)
STATE ADMINISTRATIVE ENTITY (SAE)
SAE INFORMATION NOTICE NO. 43-03
(SIN No. 43-03)

SUBJECT: WIA 2003 LOWER LIVING STANDARD INCOME LEVEL (LLSIL) TABLES TO DETERMINE INCOME ELGIBILITY AND TO ESTABLISH PRIORITY OF SERVICES WHEN FUNDS ARE LIMITED

1. **PURPOSE:** To transmit an updated table for determining income eligibility for youth programs and for establishing priority of services to adults when funds are limited to New Mexico Workforce Development Areas/Local Workforce Development Boards (NMWDAs/LWDBs). This table is to be used by WIA One-Stop Operators, Adult and Youth Services Providers in determining income eligibility for WIA intensive and training services as appropriate.
2. **BACKGROUND:** Eligibility requirements for youth are defined in WIA Section 101(13) and 20 CFR 664.200. 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 listed in 20 CFR 664.200. Section 134(d)(4)(E) of WIA stipulates that in the event that funds allocated to a local area for adult employment and training services are limited, priority for intensive and training services funded with Title I adult funds must be given to recipients of public assistance and other low-income individuals in the local area. Section 663.600(b) of the WIA Regulations adds: " Since funding is generally limited, States and local areas must establish criteria by which local areas can determine the availability of funds and the process by which any priority will be applied..." Section 663.600(c) requires that States and local areas give priority for adult intensive and training services to recipients of public assistance and other low-income individuals, unless the local area has determined that funds are not limited. This does not mean, however, that only these individuals may receive

WIA services when funds are limited. The local priority policy should include other individuals meeting eligibility requirements.

The U.S. Department of Health and Human Services (HHS) Poverty Guidelines and the U.S. Department of Labor (DOL) Lower Living Standard Income Level (LLSIL) guidelines are combined at their higher levels. The resulting income criteria table is based on family size and is to be used when determining an applicant's annualized income received during the 6-month period prior to application.

3.

DEFINITIONS:

- a. Lower Living Standard Income Level (LLSIL) – means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary (U.S. Department of Labor) based on the most recent lower living family budget issued by the Secretary.
- 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 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);
 - (5) is a foster child on behalf of whom State or local government payments are made; or
 - (6) in cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph

(1) or in subparagraph (2), but who is a member of a family whose income does not meet such requirements.

4. **ACTION:** The attached income tables (Exhibit I) shall be used (as appropriate) to determine income eligibility for enrollment in youth programs or to establish priority of services for adults when funds are limited. Refer to SAE Rule No. 11.2.13 NMAC “Workforce Investment Act (WIA) Participant Eligibility” and any amendments thereto, regarding eligibility determination and verification requirements and procedures.
5. **EFFECTIVE DATE:** This SIN is effective immediately and will remain in effect until further notice.
6. **RECISSIONS:** None. However, this State Information Notice supersedes SIN No. 43-02 dated June 17, 2003.
7. **CONTACT:** Inquiries regarding this notice should be directed to the Job Training Division in Santa Fe at (505) 827-6827.

DON B. MANNING
DIRECTOR

2003 INCOME TABLE

70% LLSIL

(Combines 70% LLSIL and Poverty Income Guidelines)

This table is to be used for determining eligibility for youth services and for establishing priority of intensive and training services for adults.

Family Size	1	2	3	4	5	6
Metro*	(\$8,980)	\$13,070	\$17,950	\$22,150	\$26,140	\$30,570
Non-Metro	(\$8,980)	\$12,630	\$17,330	\$21,390	\$25,250	\$29,520

* Metro Areas include Albuquerque, Santa Fe, Las Cruces and Farmington-San Juan County. All other areas are Non-Metro Areas.

For families greater in size than 6, add \$4,430 for each additional member for metro areas and add \$4,270 for each additional member for non-metro areas.

100% LLSIL

This table may be used for determining whether employed adults and dislocated workers need intensive or training services to obtain or retain self-sufficient employment as defined in the local plan.

Family Size	1	2	3	4	5	6
Metro	\$11,400	\$18,680	\$25,640	\$31,650	\$37,350	\$43,680
Non-Metro	\$11,000	\$18,030	\$24,750	\$30,550	\$36,050	\$42,160

* Metro Areas include Albuquerque, Santa Fe, Las Cruces and Farmington-San Juan County. All other areas are Non-Metro Areas.

For families greater in size than 6, add \$6,330 for each additional member for metro areas and add \$6,110 for each additional member for non-metro areas.

EXHIBIT I