

The Mississippi Partnership WIOA Low Income Determination Guidelines

The purpose of these guidelines is to ensure that low income determinations are conducted in a consistent, accurate, and well-documented manner that aligns with applicable provisions of the WIOA law and associated federal regulations, as well as guidance issued by the U.S. DOL.

WIOA Staff is responsible for collecting and verifying all required documentation, evaluating family composition and income, and clearly documenting the rationale used to determine that a participant is low income. Low Income determinations must be supported by sufficient source documentation and case notes that demonstrate compliance with federal, state, and local policy, and that can withstand monitoring reviews.

A. WIOA LOW INCOME DEFINITION

WIOA defines a “low income individual” as an individual who—

- a. receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received:
 - 1) SNAP Assistance
 - 2) TANF Assistance
 - 3) Supplemental Security Income (SSI)
 - 4) State or local income-based public assistance;

OR
- b. is in a family with total family income that does not exceed the higher of—
 - 1) the poverty line; or
 - 2) 70 percent of the lower living standard income level;

OR
- c. is a homeless individual (as defined under the Violence Against Women Act of 1994), or a homeless child or youth (as defined under the McKinney-Vento Homeless Assistance Act);

OR
- d. receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act;

OR
- e. is a foster child on behalf of whom State or local government payments are made;

OR
- f. is an individual with a disability whose own income meets the income requirement of clause b., but who is a member of a family whose income does not meet this requirement.

OR
- g. a youth who lives in a county with at least 25% poverty rate

B. WIOA FAMILY DEFINITION

WIOA regulations explain that “family” means two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- (1) A married couple and dependent children;
- (2) A parent or guardian and dependent children; or
- (3) A married couple.

WIOA does not define what a dependent child is. The MS Partnership offers the following guidelines in determining the dependent status of an individual who is 18 years old or older who lives at home with his/her parent(s) or guardian(s):

1. Is the individual aged 18-24 and supporting themselves more than 50%?
2. Is the individual aged 25 or older?
3. Is the individual married or separated but not divorced?
4. Does the individual have children who receive more than half their support from the individual?
5. Is the individual on active duty in the U.S. Armed Forces for purposes other than training?
6. Is the individual a Veteran of the U.S. Armed Forces?

If the answer to all of these questions is “No”, the individual is considered a dependent child. You will include the individual in the family size or include their income.

If the answer to any of these questions is “Yes” then the individual is not considered a dependent child. You will not include the individual in the family size or include their income.

C. DETERMINING IF A WIOA PARTICIPANT IS LOW INCOME

WIOA staff should complete a **WIOA Family & Income Form** (Attachment A) during the Intake Process. **It is the staff member's responsibility to ensure that acceptable documentation is obtained if the participant is low income.** Please refer The MPWDA Eligibility and Documentation Policies for a list of acceptable documentation.

The process to determine if a participant is low income is detailed below.

STEP 1 – Determine Family Size

Using the WIOA definition of a Family, determine what the family size is and complete the **Family Size Determination** section on the WIOA Family & Income Form.

Remember to only include individuals in the family who are related by blood, marriage, or court decree.

STEP 2 – Review Automatic Low Income Qualifiers

WIOA allows for several “automatic low income qualifiers.” Staff should review these automatic qualifiers and complete the **Review of Low Income Automatic Qualifiers** section on the WIOA Family & Income Form. **If a participant meets any of the automatic qualifiers, WIOA staff must obtain documentation.**

Automatic Low Income Qualifiers Include:

1. A youth living in a High Poverty County
2. An in-school youth who receives free or reduced lunch based on individual eligibility criteria
3. A foster child on behalf of whom state or local government payments is made.
4. Homeless Individual (as defined by Violence Against Women Act of 1994 or the McKinney-Vento Homeless Assistance Act)
5. An individual, or a member of a family, who is currently receiving or has received within the past 6 months:
 - a. SNAP Benefits
 - b. TANF Benefits
 - c. Supplement Security Income (SSI)

STEP 3 – Determine the Family Income

WIOA staff need to determine what family members have earnings from allowable sources and enter the income in the **Total Gross Income** section on the WIOA Family & Income Form. Family Income calculations should be based on the person's **gross wages**. WIOA staff should utilize the Income Inclusions & Exclusions list (Attachment C) for a full list of what is counted as income.

NOTE: Income should be calculated using the GROSS income. Gross income is the total money received before any taxes, deductions, or other expenses are taken out.

If the income information that is given by the participant indicates that they are low income and the participant does not have an automatic low income qualifier documented, WIOA staff must obtain documentation of the family income. This means you must obtain check stubs for every family member who has worked, proof of unemployment benefits received, child support payments received, etc.

In extreme circumstances, a participant may have a family income of \$0 and not meet any of the low income automatic qualifiers. In such circumstances, you will need to complete the WIOA Zero Income Form (Attachment B) in addition to the WIOA Family & Income Form (Attachment A).

Methods of Calculating Income Using Check Stubs

WIOA staff may use The MS Partnership Income Calculation Excel Spreadsheet to assist in calculating income when check stubs are provided. WIOA Staff should write on each check stub how the income was determined so that it is easily understood by monitors who may review the file.

When calculating income from check stubs, WIOA staff may use any of the following methods as appropriate:

1. Year-to-Date Method

If the check stub has cumulative Year-to-Date Earnings shown, this is the method you will use.

For each check stub, you will need to determine the number of weeks the individual worked, calculate the average weekly pay, and multiply the average weekly pay by 52 weeks.

2. Straight Pay Method

If the individual receives the same pay every pay period and there are no variations in the pay, but the check stub provided does not have cumulative Year-to-Date Earnings, you will use this method.

You will need to determine the pay period length for the check (i.e. weekly, every 2 weeks, twice a month, or monthly) and multiply the cumulative pay period earnings by the corresponding yearly length of the pay period to calculate the annual income.

Pay Period Length	Multiply Gross Earnings by
Weekly	52
Every 2 Weeks	26
Twice a month	24
Monthly	12

3. Average Pay Method

You may use the average pay method if the individual's check stub does not have cumulative Year-to-Date Earnings and the individual is not paid the same amount every pay period. If you are using this method, you will need check stubs to cover the previous 30 days.

You will need to calculate the average weekly gross income from the check stubs and multiply it by 52 weeks.

D. COMMON QUESTIONS RELATED TO INCOME

1. Are Unemployment Benefits counted as income?

Yes, Unemployment Benefits are counted as income for WIOA purposes.

2. Is Child Support counted as income?

Yes, Child Support is counted as income for WIOA purposes.

3. When is WIOA Staff required to have documentation of income (i.e. copies of check stubs, unemployment benefits received, child support payments, etc)?

If the WIOA participant is determined to be low income and there is not an automatic low-income qualifier documented, WIOA staff must have income documentation for each family member that has income.

If the WIOA participant is determined to not be low income, WIOA staff does not have income documentation.

4. Can I use the previous year's tax return or W2s to document family income?

Depending on when the participant is enrolling in WIOA, you may be able to use the previous year's tax return. For example: if someone is enrolling into WIOA in the beginning of the year (like in January), the previous year tax return or W2s may be used. However, if someone is enrolling into WIOA later in the year (such as June), the previous year's tax return or W2s would not cover the individual's most recent earnings.

5. Can I use the Wage Report from the MDES ReEmployMS system?

MDES ReEmployMS Wage Reports are lag time on reporting wages. Due to the lag time of the wages, it is important that the WIOA Staff ensure the Wage Report covers the appropriate dates if it is used. If someone is receiving Unemployment Benefits, the Wage Reports in conjunction to the Unemployment Verification printout may provide sufficient documentation to determine someone's annualized income.

6. What is the difference in Supplemental Security Income (SSI), Social Security Disability (SSDI), and Social Security Old-Age and Survivor Insurance (OASI)?

There are several different types of Social Security benefits that individuals may receive. These benefits include Supplemental Security Income (SSI), Social Security Disability (SSDI), and Social Security Old-Age and Survivor Insurance (OASI).

NOTE: SSI is the only Social Security benefit that is an automatic low income qualifier for WIOA participants.

a. Supplemental Security Income (SSI)

Provides financial assistance to people with limited income and resources who are aged (65+), blind, or disabled. If someone is qualifying for SSI because of blindness or being disabled, there is no age requirements.

SSI payments are not included as income.

b. Social Security Disability Insurance (SSDI)

Provides benefits to people who have worked and paid Social Security taxes and are now disabled.

SSDI payments are included as income.

c. Old-Age and Survivor Insurance (OASI)

Provides social security benefits to individuals who have reached retirement age (62+) and social security benefits to dependents or widows/widowers of a deceased worker.

OASI payments are included as income.

E. HOW LOW INCOME IS REPORTED IN MS WORKS

When a staff person enters a WIOA Enrollment in MS Works, MS Works automatically determines if the participant is low income based on the information you have keyed on the Participant Profile & WIOA Enrollment. The Low Income determination is displayed between the “Info Pane” and “Basic Information” on the WIOA Enrollment (see screenshots below).

WIOA Enrollment for FELECIA HOPKINS (3172) 🏠 🇺🇸

WIOA Enrollment for FELECIA HOPKINS (3172) 🏠 🇺🇸

⊕ Info Pane

This participant is not low income.

⊖ Basic Information

WIOA Enrollment for PELAURA HOKEY (8147) 🏠 🇺🇸

WIOA Enrollment for PELAURA HOKEY (8147) 🏠 🇺🇸

⊕ Info Pane

This participant is low income.

⊖ Basic Information

If MS Works determines that a WIOA participant is low income, then **the staff must obtain acceptable documentation** and place it in the participant's file. This applies to all WIOA participants – Adults, Dislocated Workers, and Youth – at all levels of service.

Please note: The “Low Income” Question on the Participant Profile – Additional Information Tab has to be completed by a staff person and should agree with what is shown on the WIOA Enrollment.

The Mississippi Partnership WIOA Family & Income Form

First Name	Middle Initial	Last Name
-------------------	-----------------------	------------------

Include only the following relatives who live in the same household as the participant.

FAMILY SIZE DETERMINATION		TOTAL GROSS INCOME*
Relationship to Participant	Family Member Name	Gross Income (Previous 12 months)
<input type="checkbox"/> Self		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
<input type="checkbox"/> Parent/Stepparent <input type="checkbox"/> Guardian <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling/Stepsibling <input type="checkbox"/> Child/Stepchild		\$
TOTAL HOUSEHOLD GROSS INCOME (Including Participant & Family)		\$

REVIEW OF LOW INCOME AUTOMATIC QUALIFIERS		
<i>If a participant answers Yes to any of these questions, WIOA staff must obtain documentation.</i>		
1. Is the Participant a youth who lives in a "High Poverty County"?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Is the Participant an In-School Youth who is eligible for free or reduced lunch based on individual eligibility criteria?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Is the Participant a Foster Child on behalf of whom state or local government payments are made?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Is the Participant Homeless?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Within the last 6 months, has the participant or the participant's family received the following:		
a. TANF Benefits	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. SNAP Benefits	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. SSI Payments	<input type="checkbox"/> Yes	<input type="checkbox"/> No

* NOTE: If the WIOA participant is determined to be low income and there is not an automatic low-income qualifier documented, WIOA staff must have income documentation for each family member listed above that has income.

I attest that all information provided above is true to the best of knowledge.

Applicant Signature	Date
Parent/Guardian Signature (if required)	Date
WIOA Staff Signature	Date

The Mississippi Partnership WIOA Zero Income Form

First Name	Middle Initial	Last Name
-------------------	-----------------------	------------------

NOTE: Use this form for participants whose household family income is \$0 and who do not meet any of the low income automatic qualifiers.

This is to certify that no members of my family listed on the WIOA Family & Income Form have received income from any of the following sources:

- Wages from Employment
- Income from Self-Employment
- Unemployment Compensation
- Child Support Payments
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation or training stipends
- Alimony
- Military Pay
- Pensions
- Regular insurance or annuity payments
- College or university grants, fellowship, and assistantships
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts
- Net Gambling or Lottery Winnings
- Social Security Disability Insurance (SSDI)
- TANF Benefits
- SNAP Benefits
- Supplement Security Income (SSI) payments

In order to live, my family and I have received assistance (such as money food, or shelter) from

_____.

I attest that all information provided above is true to the best of knowledge.

Applicant Signature	Date
Parent/Guardian Signature (if required)	Date
Signature of Person Providing Assistance (REQUIRED)	Date
WIOA Staff Signature	Date

The Mississippi Partnership Income Inclusions & Exclusions

WHAT IS INCLUDED IN THE INCOME CALCULATION	
Included in Income Calculation	Excluded in Income Calculation
<ul style="list-style-type: none"> – Money, wages, and salaries before any deductions (includes wages paid through the Senior Community Service Employment Program funded under Title V of the Older Americans Act) – Unemployment Compensation – Child Support Payments – Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expense) – Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses) – Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends – Alimony – Military pay for applicants on active duty, military reserves or in the National Guard – Military family allotments or other regular support from an absent family member or someone not living in the household – Pensions whether private, government employee (Including military retirement pay) – Regular insurance or annuity payments – College or university grants, fellowship, and assistantships – Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts – Net gambling or lottery winnings – Social Security Disability Insurance (SSDI) payments – Social Security Old Age and Survivor's Insurance 	<ul style="list-style-type: none"> – Public Assistance Payments (including TANF, SSI, RCA) – Capital gains – Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car – Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments or compensation for injury – Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages – Medicare, Medicaid, Food Stamps, school meals and housing assistance – WIOA income – Pell Grants, educational financial assistance received under title IV of the Higher Education Act (includes Federal Supplemental Educational Opportunity Grants and Federal Work Study and Stafford and Perkins loans which are considered debt and not income) – Needs-based scholarship assistance (based on income as opposed to athletic scholarship) – Emergency Assistance or General Relief money payments – Veteran's benefits such as compensation for service-connected disabilities compensation for service-connected death, vocational rehabilitation, and education assistance