

# Mass Workforce Issuance

---

**100 DCS 19.105**

☒ **Policy**

☐ **Information**

---

**To:** Chief Elected Officials  
Workforce Board Chairs  
Workforce Board Directors  
Title I Administrators  
Career Center Directors  
Title I Fiscal Officers  
DCS Operations Managers

**cc:** WIOA State Partners

**From:** Alice Sweeney, Director  
Department of Career Services

**Date:** April 4, 2016

**Subject:** **5% Income Exception for Non Low-Income “Covered Individuals.”**

---

**Purpose:** To notify Local Workforce Boards, One-Stop Career Center Operators, Youth Service Providers, and other local workforce partners of the definition of “covered individuals” and the 5% income exception calculation for non-low income “covered individuals.”

**Background:** WIOA allows a 5% income exception for “covered individuals” who are not low-income to participate in WIOA Title I Youth Services.

A “covered individual” is an individual that must be low-income to be eligible for participation in WIOA Title I Youth Services. In accordance with WIOA sec. 129 (a) (3) (A) (ii), in each local area not more than five percent (5%) of “covered individuals” who are not low-income are allowed be eligible for WIOA Title I Youth services.

WIOA sec. 129 (a) (3) (A) (i) defines an in-school youth and the following two categories of out-of-school youth as “covered individuals:”

- A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is basic skills deficient or an English language learner.
- A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

For in-school and out-of-school youth who require additional assistance, local areas must use the Local Workforce Board approved definition of “requires additional assistance.”

The 5% income exception for “covered individuals” is calculated based on 5 percent of youth enrolled in a given year that would ordinarily need to be low-income to be eligible for participation in WIOA Title I Youth Services.

**Policy:** Each local workforce area must not enroll more than 5% of “covered individuals” who are not low-income into the WIOA Title I Youth program at any given time. The total number of youth included in the 5% income exception calculation includes new enrollments and youth carried in from previous years that would need to be low-income at the point of eligibility.

As the 5% income exception is a criterion for participant eligibility, local workforce areas that exceed the 5% income exception may be subject to disallowed costs. The Department of Career Services will review possible disallowed costs on a case by case basis.

**Action**

**Required:** Local workforce areas must be in compliance and practice with this policy issuance. A report showing local area compliance with this policy, “WIOA Non Low Income Participants v05”, is available on the <http://www.mass.gov/massworkforce/resources/crystal-reports-project/wia/> website.

**Effective:** Immediately

**Inquiries:** Please email all questions to [PolicyQA@detma.org](mailto:PolicyQA@detma.org). Also, indicate the Issuance number and description.

**References:** [Training and Employment Guidance Letter WIOA 8-15: Operating Guidance for the Workforce Innovation and Opportunity Act](#)

[100 DCS 19.104 Youth Requires Additional Assistance Policy](#)