

MASSACHUSETTS WORKFORCE DEVELOPMENT SYSTEM

Mass Workforce Issuance

100 DCS 18.105

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development 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: June 16, 2017

Subject: Income Inclusions/Exclusions for Low-Income Determination

Purpose: To notify Local Workforce Development Boards, One-Stop Career Center Operators and other local workforce development partners of income inclusions and exclusions for the purpose of determining low-income eligibility for participation in Workforce Innovation and Opportunity Act (WIOA) Title I activities.

Background: WIOA requires that individuals who must be low-income as a condition of eligibility or priority of service are in accordance with the definition of low-income provided in WIOA sec. 3 (36) A. When calculating whether an individual is low-income based on the Poverty Income Guidelines or 70 percent of the Lower Living Standard Levels (LLSIL) certain types of income must be included while other income must be excluded from the income calculation.

The attached list of WIOA Title I Income Inclusions and Exclusions contains the types of income to include or exclude when calculating income for the purposes of low-income eligibility determination. Pending further guidance from the USDOL on income inclusions and exclusions, the attached listing must be considered in the determination of income eligibility for WIOA Title I activities.

Senior Community Service Employment Program

The Senior Community Service Employment Program (SCSEP) is a community service and work-based job-training program for older Americans. Authorized by the Older Americans Act of 1965 Title V, the program provides training for low-income, unemployed seniors. Participants also have access to employment assistance through American Job Centers. SCSEP participants who participate in Title V projects carried out jointly under Title I are eligible under the WIOA Title I Adult program due to their low-income status.

References: Workforce Innovation and Opportunity Act (WIOA) of 2014 sec. 3 (36) (A), sec. 129 (a) (1)(B)(III) and (VIII), sec. 129 (a) (1) (C)(iii), sec. 134(c)(3)(E)

Department of Labor Employment and Training Administration:
20 CFR Parts §680.600, §680.650, §681.250, Workforce Innovation and Opportunity Act; Notice of Proposed Rule Making; Proposed Rules

[Mass Workforce Policy Issuance 100 DCS 18.106: Poverty Income Guidelines – Lower Living Standards Income Levels Calendar Year 2017](#)

Title 38, Veterans' Benefits Chapter 42 Employment and Training of Veterans – Parts §4211, §4212, §4213, §4214

[Older Americans Act of 1965 Title V Community Service Employment for Older Americans sec. 510](#)

Department of Labor TEGL 19-16 Guidance on Services:
https://wdr.doleta.gov/directives/corr_doc.cfm?docn=3851

Inquiries: All inquiries should be sent to: PolicyQA@MassMail.State.MA.US.

**WIOA TITLE I INCOME INCLUSIONS AND EXCLUSIONS
FOR THE PURPOSE OF DETERMINING LOW-INCOME AS A CONDITION OF ELIGIBILITY
OR PRIORITY OF SERVICE**

	INCOME INCLUSIONS
1	Gross wages and salaries (before deductions) including wages earned in OJT, severance pay, and wages earned while on reserve duty in the Armed Forces
2	Net receipts from non farm self-employment (receipts from a person's own incorporated business, professional enterprise, or partnership, after deductions for business expenses)
3	Unemployment insurance payments
4	Child support payments
5	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)
6	Survivor insurance benefits received under Section 202 of the Social Security Act (42 U.S.C. 402)
7	Social Security retirement (regular payments)
8	Social Security Disability Insurance (SSDI) (regular payments)
9	Railroad retirement (regular payments)
10	Strike benefits from union funds (regular payments)
11	Workers Compensation (regular payments)
12	Training Stipends (regular payments)
13	Alimony
14	Pensions (e.g., private, government, military retirement)
15	Regular insurance or annuity payments
16	College or university grants, fellowships, and assistantships (excluding needs-based scholarships)
17	Interest and dividends
18	Net rental income
19	Net royalties and/or periodic receipts from estates or trust
20	Net gambling or lottery winnings

	INCOME EXCLUSIONS
1	Cash payments under a Federal, State or local income based public assistance program, including chapter 115 benefits
2	Veterans severance pay
3	TANF Payments
4	Supplemental Security Income (SSI) from SSA
5	Foster child care payments
6	Capital gains
7	Any assets drawn down as withdrawals from a bank, sale of property, a house or a car
8	Tax refunds
9	One-time gifts, loans, and lump-sum inheritances
10	One-time payments such as for accident, death or casualty insurance payments or compensation for injury
11	Non-cash, in-kind benefits such as: employer paid fringe benefits, food stamps, Medicare, Medicaid, school meals, fuel or other housing assistance, and food or housing received in lieu of wages
12	Needs-based financial aid (Pell Grants, scholarships)
13	Income earned while on active military duty and certain other Veteran's benefits i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation and education assistance

The income exclusions are based on the WIOA Title I definitions and/or exclusions listed in the USHHS Poverty Income Level and USDOL 70% Lower Living Standard Income Level.