

TECHNICAL ASSISTANCE

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Contact: policy@dwd.in.gov
Program: WIOA Title I Adult and Dislocated Worker Eligibility
Subject: DWD Technical Assistance 2021-20
Income and Definition of Family for Adult and Dislocated Program Eligibility.
Supplemental Guidance to DWD Policy 2021-03

Purpose

The purpose of this guidance is to define the term “family” and provide examples of excludable and includable income for determining WIOA Title I Adult and Dislocated Worker eligibility. This guidance is intended to supplement DWD Policy 2021-03 *Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Dislocated Worker Program Eligibility*.

Rescission

- Attachment C - *Includable and Excludable Income for Determining Eligibility (Only)* of DWD MEMORANDUM *Interim Guidance on Eligibility and Data Validation, Except Youth and Adult Education - Version 3*, issued 12/2/2015

References

- TEGL 26-13 *Impact of the U.S. Supreme Court’s Decision in United States v. Windsor on Eligibility and Services Provided Under Workforce Grants Administered by the Employment and Training Administration*

Content

For purposes of determining family income for eligibility, “family” is defined as: 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) Spouses and their dependent children;
- 2) A parent or guardian and dependent children;
- 3) Spouses.

Per TEGL 26-13, the Department of Labor’s policy is to recognize lawful same-sex marriages as broadly as possible to the extent that federal law permits, and to recognize all marriages valid in the jurisdiction where the marriage was celebrated - i.e., the ‘state of celebration.’ ETA interprets gender specific terms of marriage such as “widow,” “widower,” “husband,” and “wife,” to include married same-sex spouses.

ETA will recognize the marriage even if the marriage is not recognized in the state where the married individual resides

The documents used to calculate an individual's or family's income level are generally valid for a one-month period. All eligibility documentation must be maintained within the DWD's case management system.

Once low-income eligibility has been established for an adult income-based program, the customer must receive a service under the funding source within 30 calendar days.

Attachments

Attachment A - Types of Includable and Excludable Income for Determining Eligibility

Additional Information

Questions regarding the content of this publication should be directed to policy@dwd.in.gov.

Attachment A
Types of Includable and Excludable Income for Determining Eligibility

NOTE: The lists below are not exhaustive.

Excludable Income	
1	Needs-based scholarship assistance
2	Educational financial assistance under Title IV of the Higher Education Act (20 USC 1087)
3	Public assistance (TANF, SSI, RCA, and GA)
4	Foster childcare payments
5	Non-cash benefits such as employer-paid or union-paid portion or health insurance or other employee fringe benefits
6	Cash value of food or housing received in lieu of wages from an employer
7	Allowance, earnings, and payments made to individuals participating in WIOA programs or any other workforce development program for which eligibility is based upon a needs and/or income test
8	U. S. Housing and Urban Development (HUD) housing assistance
9	Subsidies for childcare made on behalf of a family participating in the childcare voucher program
10	Certain one-time cash payments including tax refunds; one-time gifts; loans, which are debt and not income; assets from the sale of a home, property, or car; one-time insurance settlements; lump sum inheritances; one-time compensation for injury; etc.
11	Income earned while a veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, family compensation for service-connected death, vocational rehabilitation, and education assistance ¹
12	IRA withdrawals
13	Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparent Program, YouthWorks/AmeriCorps Programs, and Retired Senior Volunteer Program
14	Job Corps payments
15	Assets drawn down as withdrawals from a bank
16	Medicaid/Medicare

When a federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIOA eligibility determination.

¹ 38 USC 4213

Includable Income	
1	Wages and salaries before deductions
2	Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expenses).
3	Net receipts from farm self-employment (receipts from a farm that one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses).
4	Regular payments from railroad retirement benefits, strike benefits from union funds, worker's compensation, and training stipends
5	Alimony
6	Military family allotments or other regular support from an absent family member or someone not living in the household
7	Pensions whether private or government employee (including military retirement pay)
8	Regular insurance or annuity payments other than SSI or veteran's disability
9	College or university grants or scholarships based on merit, fellowships, and assistantships;
10	Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings
12	Social Security Disability (SSDI) Insurance payments
13	State and federal unemployment insurance compensation
14	Old-age survivors insurance benefits
15	Child support payments