

Technical Assistance Guidance

TAG 66-2024

Issued Date: July 30, 2024

Subject: Update – Sufficient Earnings/Self-sufficiency for Employed Individuals and Work-Based Training

Purpose

This TAG provides sub-recipients with a tool to improve quality of service, effective management practices and ensure compliance with Federal, State and local regulations. This TAG rescinds WC TAG 35-2019.

Background

Workforce Innovation and Opportunity Act (WIOA) Title I **work-based training**, such as on-the-job training and customized training, may be provided for employed individuals provided they meet eligibility requirements described below.

References

29 U.S.C. Sec. 3174 (C) (3), Public Law (P.L.) WIOA 113-128 Sec. 134, 20 CFR Parts 680 and 683, TEGL 16-16 One-Stop Operations Guidance for the American Job Center Network, TEGL 19-16 Services Provided Through the Adult and Dislocated Worker Programs Under Title I of WIOA, State Compliance Policy (SCP) 1.6, Workforce Connections' Policies ADW-030-01, ADW-030-02, ADW-030-05, GEN-050-08, and GEN-050-10

Guidance

Consistent with section 134(c)(3)(A) of WIOA and codified in 20 CFR §680.710, work-based training services may be provided to an employed individual when the **employee is not earning a self-sufficient wage, or wages comparable to, or higher than, wages from previous employment. Employment status is determined prior to the start of the work-based training service. This policy is not intended to establish eligibility for WIOA Title I services.**

Workforce Connections has established criteria for sufficient employment earnings as:

- Earnings that provide the individual without dependent(s) with an income before deductions that:
 - Is greater than \$18.11 per hour; **AND**
 - Annual income that is greater than \$37,665.
- OR**
- Earnings that provide an individual with dependent(s) with an income before deductions that:
 - Is greater than \$29.33 per hour; **AND**
 - Annual income that is greater than \$61,014.
- OR**

- Earnings that provide the individual an income which is at least 80% of the individual's income at any prior employment within the prior five-year period.
- **Exception: Alternate calculation of income and income limits may be authorized on a case-by-case basis with prior written approval by Workforce Connections.**

Work-Based Training Eligibility Criteria

This policy defines a self-sufficient income; however, to be eligible for work-based training documentation must document **only one** of the five criteria below:

1. Earnings that provide the individual without dependent(s) with an income before deductions that is less than, or equal to, \$18.11 per hour.
2. Earnings that provide the individual without dependent(s) with an annualized income that is less than \$37,665.
3. Earnings that provide the individual with dependent(s) with an income before deductions that is less than, or equal to, \$29.33 per hour.
4. Earnings that provide the individual with dependent(s) with an annualized income that is less than \$61,014.
5. Earnings that provide the individual an income which is not at least 80% of the individual's income at any prior employment within the prior five-year period.

Please note: Only income from current employment is to be used to calculate annualized income. Other income is not includable.

Required Documentation

Documentation must be dated within 30 days prior to the WC authorized signature date for the On-the-Job Obligation Form, or the date a work-based training contract is fully executed. Acceptable documentation includes the following:

- Family Size (required only for individual with dependents to meet criteria 3 and 4)
 - Rental/Lease Agreement
 - Social Service Records
 - Most Recent Tax Return
 - Self-attestation
- Hourly Rate/Annual Income
 - Paycheck stub(s) dated within 30 days prior to the WC authorized signature date for the On-the-Job Obligation Form, or the date a work-based training contract is fully executed.
 - Employment verification, clearly listing the hourly rate and hours worked per week, properly signed and dated by the employer.

Action

Please share this information with all WIOA Title I staff and other interested parties.

WC will continue to provide technical assistance to support the workforce system. For more information and/or updates, please contact your contract administrator at your earliest convenience.

Technical Assistance

Available upon request.