



# Montana Department of LABOR & INDUSTRY

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2 **Division: Workforce Services Division**  
3 **Category: WIOA**  
4 **Effective Date: TBD**  
5 **Last Revised: N/A**  
6 **Policy No.: TBD**

## 7 Family Size and Income Determination Policy

8 **Background:** To be eligible for Workforce Innovation and Opportunity Act (WIOA) programs and services,  
9 individuals must meet WIOA eligibility requirements. When determining an individual's WIOA eligibility based on  
10 low-income status, service providers use the income guidelines identified by the U.S. Department of Labor's  
11 (DOL) Lower Living Standard Income Level (LLSIL) guidelines and the U.S. Department of Health and Human  
12 Services' (HHS) Poverty Guidelines. Each of these guidelines are updated annually.

13 **Scope:** This policy applies to all service providers operating WIOA Title I programs and WIOA Title I program  
14 manager(s). This policy is effective (*insert date upon SWIB approval*).

### 15 **Policy:**

#### 16 **Family Size:**

- 17 • Family size must be determined and verified only if using family income to determine low-income status.  
18 Family size will be determined by counting the maximum number of family members in the residence  
19 during the last 6 months, not including the current month.
- 20 • A family, for eligibility purposes, means 2 or more persons related by blood, marriage, or decree of  
21 court, who are living in a single residence. Family may also include a parent or guardian and dependent  
22 children.
- 23 • In certain cases, an individual may be considered a "family of one" for the purpose of eligibility  
24 determination. This includes individuals with a disability whose family income may exceed the income  
25 criteria, but whose own income meets the income criteria.

#### 26 **Income Determination:**

- 27 • Income is the amount of all reportable income for each family member for the prior 6 months, not  
28 including the current month. This amount multiplied by 2 is the total annualized family income.
- 29 • Family income means all includable income received from all sources by all members of the family  
30 during the income determination period. However, when computing family income, the income of a  
31 spouse and/or other family members shall only be counted for that portion of the income determination  
32 period that the person was a part of the family of the applicant. Family size for the determination period  
33 is the maximum size of the family during such period. All items not expressly excluded are includable  
34 income.
- 35 • Applicants having minimum or no income should complete an applicant statement that describes their  
36 means of support in the last six months.

#### 37 **Include in Family Income:**

- 38 • Money, wages and salaries before any deductions;

- 1 • Net receipts from non-farm self-employment (receipts from a person’s own unincorporated business,
- 2 professional enterprise, or partnership after deductions for business expense);
- 3 • Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter,
- 4 or sharecropper, after deductions for farm operating expenses);
- 5 • Regular payments for railroad retirement, strike benefits from union funds, worker’s compensation, and
- 6 training stipends;
- 7 • Alimony;
- 8 • Military family allotments or other regular support from an absent family member or someone not living
- 9 in the household;
- 10 • Pensions whether private or government employee (including military retirement pay);
- 11 • Regular insurance or annuity payments other than Supplemental Security Disability Income (SSDI) or
- 12 veterans’ disability;
- 13 • College or university grants, scholarships and assistantships;
- 14 • Net gambling or lottery winnings;
- 15 • Social Security Disability Insurance payments;
- 16 • Old age and survivors insurance benefits received under section 202 of the Social Security Act
- 17 including:
  - 18 ○ Social Security Survivor Benefits – these are benefits paid to people up to age 18 who have had
  - 19 a parent die and the parent paid wages into the system; and
  - 20 ○ Social Security Retirement Benefits – these are benefits that are paid to people who reached
  - 21 their social security age and have wages paid in the system;
- 22 • Unemployment compensation; and
- 23 • Child Support payments.

24 *Exclude from Family Income:*

- 25 • Public Assistance cash payments (including Temporary Assistance to Needy Families (TANF),
- 26 Supplemental Security Income, Refugee Case Assistance (RCA), and General Assistance (GA));
- 27 • Foster care child payments;
- 28 • Title IV of the Higher Education Act (i.e. Pell grants, Federal Supplemental Educational Opportunity
- 29 Grants, and Federal Work-Study);
- 30 • Needs-based scholarship assistance;
- 31 • Income earned while on military duty and certain veteran’s benefits (i.e. compensation for service
- 32 connected disability, compensation for service connected death, vocational rehabilitation and education
- 33 assistance);
- 34 • Capital gains;
- 35 • Any asset drawn down as withdrawals from a bank, the sale of property, a house or a car;
- 36 • Tax refunds, gifts. Loans, lump-sum inheritances, one-time insurance payments, or compensation for
- 37 injury;
- 38 • Non-cash benefits such as business paid fringe benefits, food or housing received in lieu of wages,
- 39 Medicare, Medicaid, school meals, and housing assistance;
- 40 • Tribal Government payments (i.e. Per Capita payments; lease payments, Individual Indian Money (IIM));

41 *Income Table for Adults and Youth:*

Family Size	Annual Non-Metro Area	6 Month Non-Metro Area
1	\$12,060	\$6,030
2	\$17,282	\$8,641
3	\$23,727	\$11,863
4	\$29,287	\$14,643
5	\$34,565	\$17,282
6	\$40,424	\$20,212

- 1       • All families larger than 6 persons add the amount equal to the difference between the sixth and fifth
- 2       person family income levels, \$5,860, for each additional person in the family.

3    **Monitoring and Evaluation:**

- 4       • A formal monitoring will be conducted on an annual basis by the entity designated by SWIB.

5    **References:**

- 6       • [Family of One Criteria - Adult and Dislocated Worker 20 CFR 680.640](#)
- 7       • [Family of One Criteria - Youth 20 CFR 681.280](#)