



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 10640-14 A.W.

AGENCY DKT. NO. C128656 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's imposition of a penalty affecting her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and its denial of Emergency Assistance ("EA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 28, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On August 29, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

As Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

"An adult recipient who voluntarily quits a job, without good cause, shall render the entire assistance unit ineligible for WFNJ cash assistance benefits for a period of two months from the date [the Agency] makes the determination that the recipient quit the job." N.J.A.C. 10:90-4.14(a). There is sufficient credible evidence Petitioner was terminated from her job for excessive absenteeism. In particular, I note Petitioner's admission that "every morning I was coming in late so they had to let me go." Exhibit R-1 at 8.

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A WFNJ/TANF recipient is ineligible for EA under the HHE pilot if he or she incurred a sanction within 12 months of their application date. N.J.A.C. 10:90-6.9(c)(1). In June 2014, the Agency imposed a disqualifying sanction because Petitioner failed to participate in a scheduled WFNJ work activity, less than 12 months before her August EA application. N.J.A.C. 10:90-4.13. Petitioner timely appealed, but failed to present any evidence she had good cause for non-compliance. N.J.A.C. 10:90-4.11. I note Petitioner was contemporaneously serving a 6-month period of EA ineligibility based upon a violation of her service plan. N.J.A.C. 10:90-6.6(a).

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

SEP 11 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director