



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director
Tel. (609) 588-2000

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 6857-14 M.P.

AGENCY DKT. NO. C226877 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of his Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits because he failed to comply with the WFNJ work activity requirements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 24, 2014, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 28, 2014, the ALJ issued his Initial Decision affirming the Agency determination.

No exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and the Conclusions of Law as contained in the Initial Decision.

WFNJ/TANF adult recipients, unless specifically deferred, shall cooperate with and participate in the WFNJ work requirements for up to 40 hours per week as a condition of eligibility for receipt of cash assistance benefits. N.J.A.C. 10:90-4.1(a). When a WFNJ recipient fails to cooperate with the WFNJ program or participate in work activities under the program without good cause, the recipient shall lose their cash assistance benefits in accordance with the sanction provisions at N.J.A.C. 10:90-4.13(b).

Here, Petitioner was assigned to a work activity, which required his participation from 9:00 AM to 5:00 PM, Monday through Friday. In March 2014, Petitioner was advised by the Agency that that he had two weeks to comply with the work activity requirements or his case would be sanctioned due to his attendance. Subsequently, Petitioner missed seven days of his work activity in April 2014 and seventeen days of his work activity in May 2014. See Exhibit R-1. The ALJ did not find Petitioner's testimony that he had missed those days due to court appearances and truancy matters related to his children to be credible. In contrast, the ALJ found that the Agency representative credibly testified that a conference was held with Petitioner on May 5, 2014, advising him of the importance of his participation in his assigned work activity. As such, the ALJ concluded, and I agree, that the Agency properly sanctioned, and then terminated, the Petitioner's WFNJ/TANF benefits.

Accordingly, the Agency action is AFFIRMED.

AUG 27 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director