



## State of New Jersey

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*Governor*

**DEPARTMENT OF HUMAN SERVICES**  
**DIVISION OF FAMILY DEVELOPMENT**

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**NATASHA JOHNSON**  
*Assistant Commissioner*

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 **02918-20 J.M.**

AGENCY DKT. NO. **S433955002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of his Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, due to his failure to comply with the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 7, 2020, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On July 9, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed by either party.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Pursuant to N.J.A.C. 10:87-10.16(a), if the Agency determines that an individual has failed to comply with his SNAP Employment and Training Program ("ETP") work requirement, the individual is rendered ineligible to participate in the SNAP program, and is treated as an ineligible household member in accordance with N.J.A.C. 10:87-7.7. A first violation "results in a disqualification of either one month, or until the individual complies with the work registration of NJ SNAP ETP requirement, which he or she failed to perform, whichever is later." N.J.A.C. 10:87-10.16(a)(1).

Here, the record reflects that in January, 2020, Petitioner reported that he was employed for seasonal holiday work in December, 2019. See Initial Decision at 2; see also Exhibits R-2, R-9. To this end, the Agency requested that Petitioner provide copies of paystubs, showing proof of employment in December, 2019. Ibid. Petitioner never provided the requested paystubs. Ibid. Additionally, Petitioner was required to attend work activity meetings scheduled on December 20, 2019, and on January 6, 2020. Ibid. Petitioner did not attend either scheduled work activity meeting. Ibid. Accordingly, on January 28, 2020, the Agency notified Petitioner that, effective March 1, 2020, his SNAP benefits would be terminated, for failing to comply with the SNAP work activity requirement. See Initial Decision at 2; see also Exhibit R-3, and N.J.A.C. 10:87-10.15, -10.16. Petitioner was also advised that, because



this is his first violation, he would be ineligible for SNAP benefits for one month, or until he complies with the work activity requirement, whichever is later. See Initial Decision at 3; see also Exhibit R-3; and N.J.A.C. 10:87-10.16(a)(1).

While Petitioner acknowledged that he did not provide the requested paystubs to the Agency, and that he did not attend the scheduled meetings, the ALJ concluded that Petitioner did not demonstrate good cause for his non-compliance with the work activity, and that the Agency had properly terminated Petitioner's SNAP benefits. See Initial Decision at 3; see also N.J.A.C. 10:87-10.15, -10.16. I agree.

By way of comment, as Petitioner has been receiving continued assistance of SNAP benefits pending the outcome of this fair hearing, the termination of Petitioner's SNAP benefits shall be effective as of the date of the issuance of this Final Agency Decision. Petitioner is advised that, although the Agency's termination of Petitioner's SNAP benefits is affirmed, he may reapply for SNAP benefits, and will not be subject to the disqualification period, for previously having been found to have failed to comply with the work registration requirement. See N.J.A.C. 10:87-10.13(a)(1); see also DFDI Instruction ("DFDI") 20-07-01. If Petitioner's SNAP case has already been closed for failing to meet the work activity requirement, the Agency is to reopen Petitioner's case and to expedite his new application for SNAP benefits. See DFDI 20-07-01.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, and the Agency's action is AFFIRMED, as outlined above.

Officially approved final version.

SEP - 1 2020

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Natasha Johnson  
Assistant Commissioner

