



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 03466-21 J.B.

AGENCY DKT. NO. C389280007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that she had failed provide required documentation in a timely manner, and denied Petitioner EA benefits because she was not a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 3, 2021, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

Also on May 3, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, Petitioner applied for WFNJ/GA benefits on December 19, 2020, and was required to provide documentation needed to determine WFNJ/GA benefits eligibility by February 8, 2021. See "Notice of Verification," and "Application and Affidavit for Work First New Jersey;" see also N.J.A.C. 10:90-2.2(a) (5). The Agency claimed that Petitioner had failed to provide the required documentation, and consequently, by notice dated March 15, 2021, denied WFNJ/GA benefits to Petitioner, and as a result, Petitioner was also ineligible for EA benefits. See Initial Decision at 3; see also "Notification Form," and N.J.A.C. 10:90-2.2(a)(5), -6.2(a). However, the ALJ found Petitioner credible when she testified that she had dropped off all required documentation in the Agency drop box, which was located outside of the Agency office, as advised by the Agency, because the office was closed to the public due to COVID-19. See Initial Decision at 3. The record also reflects that the Agency had admitted that it does not scan drop box documents into its computer data base, so there was no way of confirming if Petitioner's documents were received and placed in her physical file. Ibid. Further, Petitioner testified that the Agency had advised her that due to understaffing it was still working on December 2020, EA applications in March 2021. Ibid. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA and EA benefits to Petitioner was improper and must be reversed. Ibid.; see also "Notification Form." I agree. Additionally, the ALJ ordered the Agency to provide Petitioner with immediate need WFNJ/GA benefits, and immediate need EA benefits for an additional 60 days, giving time for new WFNJ/GA and EA benefits applications to be processed. See Initial Decision at 4. I also agree.

No Exceptions to the Initial Decision were received.



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As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED.

Officially approved final version.

MAY 13 2021

Natasha Johnson

Assistant Commissioner

