



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 **04178-23 C.F.**

AGENCY DKT. NO. **C687147007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits, and the reduction of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that her employment income put her over the WFNJ/GA benefit level allowable for receipt of said benefits, terminated Petitioner's EA benefits because she was not a WFNJ benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient, and reduced Petitioner's SNAP benefits due to earned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 17 and 19, 2023, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 22, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ in this matter issued a very thorough and comprehensive Initial Decision, providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-9. Specifically, the ALJ concluded that Petitioner had failed to report her employment with the United States Postal Service ("USPS") and Starbucks within ten-days of her first paychecks with those employers, as required, in an attempt to conceal her earnings and continue to receive WFNJ/GA and EA benefits. See Initial Decision at 7-8; see also Exhibits R-1 at 24-30, R-2, and N.J.A.C. 10:90-1.13(a), (b). Further, the ALJ concluded that upon learning of Petitioner's employment, the Agency determined that said income put her over the allowable benefits level for WFNJ/GA eligibility for an assistance unit of one, and accordingly, terminated her WFNJ/GA benefits. See Initial Decision at 8; see also Exhibits R-1 at 24-30, R-2, and N.J.A.C. 10:90-1.13(a), -3.1(c), -3.5(b). The ALJ also concluded that due to Petitioner's failure to report income, she was ineligible for any income disregards. See Initial Decision at 7-8; see also N.J.A.C. 10:90-3.8. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 6-9; see also Exhibit R-1 at 4. I agree. Further, the ALJ concluded that because Petitioner was not a WFNJ or SSI benefits recipient, she was ineligible for EA benefits, and as such, concluded that the Agency's termination of Petitioner's EA benefits was also proper and must stand. See Initial Decision at 8-9; see also Exhibit R-1 at 5, and N.J.A.C. 10:90-6.2(a). I also agree. Finally, the ALJ found that the Agency's re-calculation, and



resultant reduction of Petitioner's SNAP benefits from \$281 to \$23 per month was proper, and that Petitioner had failed to provide any proofs to the contrary. See Initial Decision at 9; see also Exhibit R-1 at 31-33, and N.J.A.C. 10:87-12.4. Accordingly, the ALJ concluded that the Agency's reduction of SNAP benefits must also be affirmed. See Initial Decision at 7-9; see also Exhibit R-1 at 6. Again, I also agree.

No Exceptions to the Initial Decision were received.

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.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED.

Officially approved final version. May 30, 2023

Natasha Johnson
Assistant Commissioner

