



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 **08232-23 D.J.**

AGENCY DKT. NO. **S647433012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioners ("D.J." and A.I.) appeal from the Respondent Agency's denial of Work First New Jersey/ General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency denied Petitioners WFNJ/GA benefits for a period of 90 days, contending that they voluntarily quit employment, and denied Petitioners EA benefits because they were not WFNJ or Supplemental Security Income ("SSI") benefits recipients. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 1, 2023, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On September 5, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioners voluntarily quit their employment when they were both terminated from employment, and failed to provide documentation to the Agency to show good cause for, or dispute, said terminations. See Initial Decision at 3-5; see also Exhibit R-2 at 20, 21, 22, 23, 25, 27, 32, and N.J.A.C. 10:90-1.15, -4.14(b), (c). Specifically, the ALJ found that being discharged from employment due to inaction or an action in violation of employer rules was considered a voluntary quit. See Initial Decision at 4; see also N.J.A.C.10:90-4.14(b). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioners for a period of 90 days was proper and must stand. See Initial Decision at 7-8; see also N.J.A.C. 10:90-1.15 and Exhibit R-2 at 1, 43. I agree.

Additionally, the ALJ found that Petitioners were ineligible for EA benefits as they were not WFNJ/GA or SSI benefits recipients, and accordingly affirmed the Agency's denial of EA benefits to Petitioner. See Initial Decision at 5-6; see also Exhibit R-1 at #6, and N.J.A.C. 10:90-6.2(a). 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 comment, Petitioners may reapply for WFNJ/GA and EA benefits following their respective 90 days penalty periods, more specifically, after September 8, 2023 for D.J. and after October 20, 2023, for A.I. See Exhibit R-2 at 1, 43.

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

Officially approved final version. September 14, 2023

Natasha Johnson
Assistant Commissioner

