



State of New Jersey

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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 **09244-23 D.W.**

AGENCY DKT. NO. **C232692004 (CAMDEN-CCBSS)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that Petitioner failed to comply with the required WFNJ 28-day work activity protocol, without good cause, and failed to timely provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 23, 2023, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 2, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that, as a condition for the receipt of WFNJ/GA benefits, Petitioner was required to participate in the WFNJ/GA 28-day work activity protocol ("protocol"), and that he had begun receiving WFNJ/GA benefits prior to completion of that WFNJ protocol due to a backlog for participation in said protocol program. See Initial Decision at 2-4; see also Exhibits J-2 through J-5, and N.J.A.C. 10:90-1.2(f) (8), -2.2(a)(2). The ALJ found that Petitioner was required to begin his protocol on January 12, 2023, and continue through with the protocol process by attending appointments scheduled on January 19, January 26, February 2, and providing proof of job searches on those same dates. See Initial Decision at 2-4; see also Exhibits J-2 through J-5. However, the ALJ found that Petitioner had failed to comply with the February 2, 2023, protocol when he failed to timely provide the Agency with proof of the required job searches, without good cause, and as such, concluded that Petitioner was ineligible for WFNJ/GA benefits. See Initial Decision at 3-5, 7; see also Exhibit P-1, R-1 at 10. Further, the ALJ found that Petitioner had failed to report to the required February 9, 2023, protocol meeting, however, the ALJ also found that Petitioner had good cause for such failure, as the Agency had failed to substantiate that it had noticed Petitioner of his requirement to attend the said scheduled meeting. See Initial Decision at 3-4, 7; see also Exhibit R-1 at 8-11. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits, for failure to comply with his February 2, 2023, protocol, was proper and must stand. See Initial Decision at 7; see also Exhibit R-1 at 1-4. I agree.

No Exceptions to the Initial Decision were received.



As Assistant Commissioner, Division of Family Development (“DFD”), 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, Petitioner is advised that he may reapply for WFNJ/GA benefits, and should he be denied said benefits, he is without prejudice to request another fair hearing on that denial. The Agency is advised and directed to follow the work activity instructions set forth in DFD Instruction No. 23-09-03.

Accordingly, the Initial Decision is hereby ADOPT, and the Agency’s action is AFFIRMED.

Officially approved final version. December 21, 2023

Natasha Johnson
Assistant Commissioner

