



State of New Jersey

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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 **01458-23 D.Z.**

AGENCY DKT. NO. **C152247003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that Petitioner failed to comply with the required WFNJ 28-day work activity, without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Hearings were initially scheduled for March 22, 2023, and April 10, 2023, but were adjourned. On May 16, 2023, the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record closed that day, but reopened on June 1, 2023, in order to allow the parties to re-record portions of the May 16, 2023, hearing which were inaudible. The re-recording occurred on June 13, 2023, and the record then closed.

On June 30, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 1-10. Specifically, the ALJ found that Petitioner was properly noticed by the Agency that he was required to complete the mandatory WFNJ 28-day work activity, in order to be eligible for WFNJ/GA benefits, unless otherwise deferred. See Initial Decision at 2-5, 8; see also Exhibit R-1 at A-20, B-26, 27, and N.J.A.C. 10:90-1.2(f)(8). Petitioner acknowledged receipt of the July 16, 2022, letter advising him of the required work activity. See Initial Decision at 5; see also Exhibit R-1 at A-20. Such deferral from the work activity required Petitioner to provide the Agency with a MED-1 form indicating Petitioner's inability to participate in said work activity. See Initial Decision at 5, 7-8; see also N.J.A.C. 10:90-1.2(f)(8), -2.9(a)(2)(x)(1). The ALJ also found that Petitioner had failed to comply with the required work activity, and had failed to provide a MED-1 form, without good cause. See Initial Decision at 2-9; see also Exhibit P-1 at 3, 5-9, Exhibit R-1 at B-25, 28, C-35-38, and N.J.A.C. 10:90-4.10(a)(2). Based on the foregoing, the ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits, and as such, the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 8-10; see also Exhibit R-1 at C-29-34. I 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, it appears from the record that Petitioner now has an executed MED-1 form, and Petitioner is advised that he is without prejudice to reapply for WFNJ/GA benefits, if he has not already done so. See Exhibit P-1 at 14.

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

Officially approved final version. August 15, 2023

Natasha Johnson
Assistant Commissioner

