



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 **00779-23 E.D.**

AGENCY DKT. NO. **S644174012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

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 failed to comply with the mandatory WFNJ 28-day work activity, and failed to provide required documentation. The Agency denied Petitioner EA benefits because she was not a WFNJ, or a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 27, 2023, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On January 30, 2023, the ALJ issue an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Eligibility for WFNJ/GA cash assistance benefits for an employable applicant shall commence after the applicant has completed a minimum of 28 days in an employment-related activity through Labor and Workforce Development. See N.J.A.C. 10:90-1.2(f)(8). An employable applicant's failure to comply with the employment-related activity requirement, without good cause, shall result in a denial of the applicant's WFNJ/GA application and a 30-day period of ineligibility. Ibid.

Only WFNJ cash assistance recipients and SSI benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that Petitioner applied for WFNJ/GA, and EA, benefits and was required to complete the mandatory 28-day work activity in order to be eligible for said benefits. See Initial Decision at 2-4; see also Exhibit R-1 at 4, and N.J.A.C. 10:90-1.2(f)(8), -6.2(a). As part of the application process, Petitioner was also required to provide proof that she had applied for United States ("U.S.") citizenship,



required pursuant to N.J.A.C. 10:90-1.6(a)(2)(i). See Initial Decision at 3; see also Exhibit R-1 at 4. The record also reflects that Petitioner failed to comply with the required work activity, failed to provide the required documentation, and consequently, the Agency denied Petitioner WFNJ/GA benefits, and imposed a 30-day ineligibility penalty prohibiting Petitioner from reapplying for WFNJ/GA benefits during that penalty period. See Initial Decision at 2-4; see also N.J.A.C. 10:90-1.2(f)(8), -1.6(a)(2)(i). Petitioner failed to provide any testimony or substantiating documentation to establish good cause for her failure to comply with the required work activity. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits, and the imposition of a 30-day ineligibility penalty, were proper and must stand. See Initial Decision at 5. I agree. Further the ALJ found that Petitioner was ineligible for EA benefits because she was not a WFNJ or SSI benefits recipient, and on that basis, concluded that the Agency's denial of EA benefits to Petitioner was also proper and must stand. *Ibid.*; see also Exhibit R-1 at 6, and N.J.A.C. 10:90-6.2(a). I also agree.

By way of comment, Petitioner may reapply for WFNJ/GA and EA benefits after the expiration of her 30-day WFNJ benefits ineligibility penalty period, on February 3, 2023. See Exhibit R-1 at 6; see also N.J.A.C. 10:90-1.2(f)(8). Petitioner is advised that she must provide the Agency with all required documentation, including proof that she has applied for U.S. citizenship. See N.J.A.C. 10:90-1.6(a)(2)(i), -2.2(a)(5).

By way of further comment, Petitioner is further advised that if, or when, she reapplies for WFNJ/GA and EA benefits, she may request that the Agency assist her with the U.S. citizenship application process, including assistance with the application fee. Petitioner is also advised to visit the following website for assistance with the application fee: [Fee Waivers for Citizenship Application \(Form N-400\) | Justia](#)

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

Officially approved final version.

February 7, 2023

Natasha Johnson

Assistant Commissioner

