



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 **04469-23 K.P.**

AGENCY DKT. NO. **C168102003 (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 provide all required documentation, failed to apply for Unemployment Insurance Benefits ("UIB"), and 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. A hearing was initially scheduled for June 28, 2023, but was adjourned to July 19, 2023. On that rescheduled date, the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open to allow the parties the opportunity to provide supplemental submissions, and then closed on July 27, 2023.

On August 16, 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 2-11. Specifically, the ALJ found that, prior to the Agency's February 17, 2023, denial, Petitioner had applied for UIB, and had provided all required documentation except for a valid MED-1 form, required to defer Petitioner from participation in the mandatory WFNJ/GA 28-day work activity. See Initial Decision at 3-10; see also Exhibit R-1 at Exhibits C, D, and N.J.A.C. 10:90-2.2(a) (5), -4.10(a)(2). The ALJ also found that Petitioner had been 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; see also Exhibits R-1 at Exhibit B, and N.J.A.C. 10:90-1.2(f)(8), -4.10(a)(2). 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 for a period of 12-months. See Initial Decision at 3; see also N.J.A.C. 10:90-4.10(a)(2). Based on the record and testimony provided, the ALJ concluded that Petitioner had failed to comply with the required work activity, and had failed to provide a valid MED-1 form, without good cause, and on that basis, also concluded that Petitioner was ineligible for WFNJ/GA benefits. See Initial Decision at 5-10; see also Exhibits R-1 at C31, R-2, and N.J.A.C. 10:90-4.10(a)(2). Accordingly, the ALJ concluded that the



Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 10-11; see also Exhibit R-1 at Exhibit D. 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, Petitioner is advised that he may reapply for WFNJ/GA benefits if he has not already done so.

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

Officially approved final version. September 28, 2023

Natasha Johnson
Assistant Commissioner

