



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **00706-23 M.B.**

AGENCY DKT. NO. **C087949015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, and denial of Emergency Assistance ("EA") benefits. Upon redetermination, the Agency terminated Petitioner's WFNJ/GA due to a voluntary quit of employment, and denied EA benefits to Petitioner because he refused appropriate housing placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 25, 2023, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. Also on January 25, 2023, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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.

"An adult recipient [of Work First New Jersey ("WFNJ") cash benefits] who voluntarily quits a job, without good cause, shall render the entire assistance unit ineligible for WFNJ cash assistance benefits for a period of two months from the date [the Agency] makes the determination that the recipient quit the job." See N.J.A.C. 10:90-4.14(a). Further, N.J.A.C. 10:90-4.14(b) provides that the "voluntary cessation of employment by [WFNJ] recipients, without good cause, may include, but are not limited to, situations where individuals were discharged from employment due to an action or inaction on his or her part in violation of the employer's written rules or policies, or lawful job related instructions."

Here, the ALJ found, and the record substantiates, that Petitioner voluntarily quit employment, without good cause. See Initial Decision at 2-3, 5; see also Exhibit GA R-3. Of note, even though Petitioner claimed that he was fired from his employment and had not voluntarily quit his employment, and his employer stated to the Agency that Petitioner had quit and was not fired, such facts are irrelevant, as both instances may be grounds for finding a voluntary quit of employment. *Ibid.*; see also N.J.A.C. 10:90-4.14(b). The record also reflects that Petitioner refused placement at a residential healthcare facility, which the ALJ found to be an appropriate Agency placement considering Petitioner's mental



health issues. See Initial Decision at 2-3, 5-6; see also Exhibits EA R-4, EA R-5, and N.J.A.C. 10:90-6.3(a)(1). Although Petitioner claimed that he was capable of, and wanted to live on his own, the ALJ found that Petitioner had failed to provide any documentation to support his claim. See Initial Decision at 3, 6. Based on the testimonial and documentary evidence presented, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits for a period of two-months was proper and must stand. See Initial Decision at 3, 6; see also Exhibit GA R-1, and N.J.A.C. 10:90-4.14(a). I agree. The ALJ also found that Petitioner had refused appropriate housing placement, and as such, concluded that the Agency's denial of EA benefits to Petitioner was also proper and must stand. I also agree. See Initial Decision at 2-3, 6; see also Exhibit EA R-1, and N.J.A.C. 10:90-6.3(a)(1).

By way of comment, Petitioner is advised that he may reapply for WFNJ/GA and EA benefits on, or after, February 28, 2023. See Initial Decision at 2. Petitioner is further advised that it is the Agency who determines the appropriate form of housing, and that his failure to accept offered housing may result in another denial of EA benefits, and a six-month period of ineligibility for EA benefits. See N.J.A.C. 10:90-6.1(c)(3), -6.3(a)(1).

By way of further of comment, although the ALJ affirmed a termination of Supplemental Nutrition Assistance Program ("SNAP") benefits in the "Order" section of the Initial Decision, I find that a termination of SNAP benefits was not a transmitted issue, was not discussed by the ALJ in the Initial Decision, and appears to have been stated in the Initial Decision in error. See Initial Decision at 6. Accordingly, this issue is not addressed in this Final Agency Decision.

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

Officially approved final version. February 2, 2023

Natasha Johnson
Assistant Commissioner

