



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 **10107-22 M.K.**

AGENCY DKT. NO. **C083115015 (OCEAN COUNTY BOARD 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 he failed to comply with the mandatory WFNJ 28-day work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 29, 2022, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On December 13, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on August 19, 2022, the Agency provided Petitioner with a notice advising him that he had a scheduled telephonic appointment to attend his required WFNJ 28-day work activity orientation with a One-Stop Employment Services staff member on September 6, 2022, and that someone would be calling him between the hours of 9:00 a.m. and 1:00 p.m. on that date. See Initial Decision at 2; see also Exhibit R-3, and Division of Family Development ("DFD") Instruction 22-09-03. The ALJ found the Agency credible when it testified that on September 6, 2022, One-Stop staff had attempted to contact Petitioner by telephone, but were unable to reach him. See Initial Decision at 2; see also Exhibit R-5, R-7. Petitioner testified that he had never received said telephone call, and that when he tried to call the Agency representative the next day, there was no answer, he got a busy signal, and he was unable to leave a message. See Initial Decision at 2. The ALJ found that Petitioner's testimony was not credible, and further found that Petitioner did not answer the Agency representative's telephone call, and did not comply with the required work activity. *Id.* at 3. Based on the foregoing, the ALJ concluded that Petitioner had failed to comply with the required 28-day work activity, and that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. *Id.* at 3-4; see also Exhibit R-6, and N.J.A.C.10:90-1.5(a)(1), -1.2(f)(8). I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, as the 30-day period of ineligibility to reapply for said benefits expired on September 15, 2022. See Initial Decision at 2; see also Exhibit 6, and N.J.A.C. 10:90-1.2(f)(8).

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

Officially approved final version.

January 25, 2023

Natasha Johnson
Assistant Commissioner

