



## State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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*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 **11004-24 C.N.**

AGENCY DKT. NO. **S563682012 (MIDDLESEX 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 because Petitioner failed to lift a sanction. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 15, 2024, the Honorable Deirdre Hartman-Zohlman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On August 16, 2024, the ALJ issued 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.

In order to maintain eligibility for receipt of WFNJ benefits, a recipient must cooperate with, and participate in, the WFNJ work activity requirements. See N.J.A.C. 10:90-4.1(a). If a WFNJ recipient fails to comply with their work activities without good cause, the recipient is subject to a sanction resulting in a pro-rata reduction of WFNJ benefits for the first month. See N.J.A.C. 10:90-4.13(b). Thereafter, if the WFNJ benefits recipient is still non-compliant, without good cause, the WFNJ benefits will be suspended for one month. See N.J.A.C. 10:90-4.13(b)(1). If the non-compliance continues, the recipient's case will close the month after the suspension of WFNJ benefits. See N.J.A.C. 10:90-4.13(b)(2).

Following the loss of WFNJ cash assistance benefits due to noncompliance with work activities, the individual must re-apply for WFNJ benefits, satisfactorily complete sanction obligations and comply with work activities in order to be eligible for WFNJ benefits. See N.J.A.C. 10:90-2.2(e).

Here, the record shows that Petitioner had previously received WFNJ/GA benefits, but her case had been closed due to a sanction. See Exhibit R-1. Petitioner reapplied for WFNJ/GA benefits on July 2, 2024. Ibid. The Agency notified Petitioner that she must comply with the WFNJ program requirements in order to lift the sanction. See Exhibit R-2. Thereafter, the Agency advised Petitioner, via email, that she was scheduled for a work activity, to be held virtually due to Petitioner's lack of transportation, on July 15, 2024. See Initial Decision at 2; see also Exhibit R-3. Petitioner did not appear for the virtual appointment on July 15, 2024, nor on July 16, 2024. See Exhibit R-4. As a result, by notice dated July 30, 2024, the Agency denied Petitioner WFNJ/GA benefits for failing to lift the sanction. See Initial Decision at 2; see also Exhibit R-5. While Petitioner stated that she had no internet to attend the virtual appointment, the ALJ in this matter found that that did not constitute good cause for failing to attend the appointment. See Initial Decision at 3. As such, the ALJ concluded that



the Agency's determination to deny Petitioner's application for WFNJ/GA benefits for failure to lift the sanction was proper and must stand. Ibid.; see also N.J.A.C. 10:90-4.11, -4.13. I agree.

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

Officially approved final version. August 27, 2024

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Natasha Johnson  
Assistant Commissioner

