



State of New Jersey

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**DEPARTMENT OF HUMAN SERVICES
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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 5006-17 A.M.

AGENCY DKT. NO. C221757007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits, and the denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's SNAP benefits, and denied WFNJ/GA benefits, due to non-compliance with the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 10, 2017, a hearing was scheduled but adjourned. On May 25, 2017, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held the plenary hearing, took testimony, and admitted documents.

On May 31, 2017, the ALJ issued an Initial Decision affirming the Agency's termination of Petitioner's SNAP benefits. Here, the Agency considers the Petitioner to be an Able Bodied Adult Without Dependents ("ABAWD"). See Initial Decision at 2; see also N.J.A.C. 10:87-10.20(a). Petitioner testified that she works approximately 20 hours per week at the local community college and is currently taking a certification course for nine hours per week. Ibid. However, the Agency testified that based on the submission of Petitioner's paystubs dated March 17, 2017, and March 31, 2017, Petitioner had worked an average of 14.25 hours per week and was therefore not in compliance with her 20 hour per week ABAWD work requirement. See Initial Decision at 3. The ALJ concluded that Petitioner had failed to meet the work requirements of the ABAWD program and was therefore correctly terminated from receipt of SNAP benefits. Id. at 4; see also N.J.A.C. 10:87-10.20(a)(1). I agree.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, the ALJ noted that no evidence was presented on the transmitted issue of a denial of WFNJ/GA benefits, and therefore, was not addressed by the ALJ in the Initial Decision. See Initial Decision at 2. As such, if that denial of WFNJ/GA benefits remains an issue, Petitioner may request another fair hearing on that issue alone.



Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's actions are hereby AFFIRMED.

Officially approved final version.

12/1/11

Natasha Johnson

Director

