



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

NATASHA JOHNSON
Director
Tel: (609) 588-2000

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 14274-17 N.L.

AGENCY DKT. NO. C152552003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 13, 2017, the Honorable Dorothy Incarvito-Garrabrant, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 4, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner voluntarily quit her last two jobs in October 2016, and March 2017, respectively. See Initial Decision at 3; see also Exhibit R-1 at 12-13. To avoid eviction, Petitioner withdrew and depleted her 401(k) funds and on September 1, 2017, she and her husband became homeless. See Initial Decision at 3. The Agency approved Petitioner for EA benefits in the form of emergency placement on September 1, 2017, but after learning that unemployment benefits were denied to Petitioner for voluntarily leaving her employment, it terminated the EA benefits, effective September 21, 2017. See Initial Decision at 2; see also Exhibit R-1 at 8-13. Petitioner claims, without any substantiating documentation, that she quit her most recent job in March 2017, due to a demotion and pay cut that barely covered the commuting and household expenses. See Initial Decision at 3. Based on the foregoing, the ALJ found that Petitioner voluntarily quit employment, without good cause. See Initial Decision at 3, 5; see also N.J.A.C. 10:90-6.1(c)(3). Therefore, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, was proper and must stand. See Initial Decision at 5; see also Exhibit R-1 at 8-11, and N.J.A.C. 10:90-6.1(c)(3). I agree.

No Exceptions to the Initial Decision were received.

As the Director of the 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, because Petitioner has been receiving continued assistance pending the outcome of this hearing, the six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



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

Officially approved final version.

JAN 22 2018

Natasha Johnson

Director

