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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 18727-17 T.H.

AGENCY DKT. NO. C291762016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, for a period of two months, the denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that Petitioner voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 8, 2018, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 9, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that in August 2017, Petitioner reported to the Agency that she had found a job, and her employment began on September 1, 2017. See Initial Decision at 3; see also Exhibit R-3 at 1-3. On October 9, 2017, Petitioner abandoned her employment. See Initial Decision at 3; see also Exhibit R-1 at 10. On November 17, 2017, Petitioner reapplied for WFNJ/TANF and EA benefits, stating that she could no longer work because of lack of transportation, and that she was in the process of being evicted from her apartment, at which time, the Agency reopened Petitioner's WFNJ/TANF case. See Initial Decision at 3; see also Exhibit R-3 "Cover Page." On that same date, the Agency authorized the payment of WFNJ/TANF benefits to Petitioner, and increased her Supplemental Nutrition Assistance Program ("SNAP") benefits. See Initial Decision at 3; see also Exhibit R-3 at 5-6.

Thereafter, the Agency received information that Petitioner had abandoned her job. See Initial Decision at 3; see also Exhibit R-3 at 4, 10. Upon processing that information, the Agency terminated Petitioner's WFNJ/TANF benefits, for a period of two months, denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, finding that she abandoned her job without good cause. See Initial Decision at 2, 4; see also Exhibits R-1, R-3 at 7, 11-12, and N.J.A.C. 10:90-4.14(a), (c)(1), -6.1(c)(3). Although Petitioner testified that she had quit her job because could not figure out a bus transportation route to travel to work, the Agency provided internet printouts of New Jersey Transit bus itineraries, rebutting Petitioner's claim. See Initial Decision at 4; see also Exhibits R-4, R-5. The ALJ found that Petitioner did not exercise diligence in solving her transportation issues, and that transportation was available to her. See Initial Decision at 4, 7. Based on the foregoing, the ALJ concluded that Petitioner voluntarily quit employment, without good cause, and that the Agency's termination of Petitioner's WFNJ/TANF benefits, denial of EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 7; see also Exhibits R-1, R-3 at 11-12, and N.J.A.C. 10:90-4.14(a), (c)(1), -6.1(c)(3). I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on January 12, 2018.



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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 conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from December 11, 2017, the date of the Agency's denial of EA benefits, through June 11, 2018. See Exhibit R-1.

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.

Also, by way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.

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

JAN 22 2018

Officially approved final version.

Natasha Johnson
Director

