



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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 **09181-22 A.T.**

AGENCY DKT. NO. **C431600016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, and imposed an ineligibility period for said benefits for a period of 90 days, contending that she voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 3, 2022, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On November 4, 2022, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found Petitioner credible when she testified that she had voluntarily quit her employment due to a lack of available child care. See Initial Decision at 2-4; see also Exhibit R-1 at 9. Based on Petitioner's credible testimony, and the Agency's failure to provide proof that it had considered any good cause reason for Petitioner's voluntary quit from employment, the ALJ concluded that Petitioner did not voluntarily quit employment, without good cause, and as such, concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner, and the imposition of a 90-day penalty period for said benefits, were improper and must be reversed. See Initial Decision at 6-7; see also N.J.A.C. 10:90-1.15, -4.11(a) (3). I agree.

However, while the denial of WFNJ/TANF benefits to Petitioner has been reversed in this matter, and Petitioner is therefore entitled to WFNJ/TANF retroactive benefits to the date of her application, the record also reflects that on September 11, 2022, Petitioner began receiving Unemployment Insurance Benefits ("UIB") in the amount of \$411 per week and that she currently continues receive said benefits. See Initial Decision at 2; see also Exhibit R-1 at 10. Therefore, it appears that Petitioner would no longer be eligible for WFNJ/TANF benefits upon her receipt of UIB. See N.J.A.C. 10:90-3.1(a), (b), -3.2, -3.3(a).

Exceptions to the Initial Decision were filed by the Agency on November 23, 2022.



As Assistant Commissioner, 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, I have reviewed the Agency's Exceptions, and 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 REVERSED.

Officially approved final version. December 15, 2022

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Natasha Johnson  
Assistant Commissioner

