



State of New Jersey

PHILIP D. MURPHY
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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
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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 **02245-22 R.D.**

AGENCY DKT. NO. **C077622008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits, as well as the termination of Petitioner's Supplemental Nutrition Assistance Program ("SNAP") benefits, and the imposition of a one-month ineligibility penalty for SNAP benefits. The Agency denied EA benefits, and imposed a six month EA ineligibility penalty, and terminated Petitioner's SNAP benefits, and imposed a one month ineligibility penalty, contending that Petitioner voluntarily quit his employment, without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 28, 2022, but Petitioner failed to call in for the scheduled hearing at the designated time. Later that day, Petitioner emailed the Agency and asked for the opportunity to be heard, and the matter was then rescheduled. On April 1, 2022, the Honorable Kathleen M. Calemno, Administrative Law Judge ("ALJ"), held the telephonic plenary hearing, took testimony, and admitted documents. On April 4, 2022, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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 determinations, based on the discussion below.

N.J.A.C. 10:87-10.5(a) provides, in pertinent part, that any individual subject to the NJ SNAP work requirements, who voluntarily quits his or her job without good cause shall not be eligible to participate in the NJ SNAP program for a period of time, as designated in N.J.A.C. 10:87-10.5(c). If it is the first instance of a violation, then the household shall be disqualified from receiving NJ SNAP benefits for a period of one month. See N.J.A.C. 10:87-10.5(c)(2)(vi)(1).

Pursuant to N.J.A.C. 10:90-1.15, an adult applicant who voluntarily quits employment, without good cause, shall render the applicant ineligible for WFNJ cash assistance benefits for a period of 90 days beginning with the date of quit.



N.J.A.C. 10:90-6.1(c)(3) states, in pertinent part, that EA benefits shall not be provided for a period of six months “when an actual or imminent state of homelessness exists as a direct result of the voluntary cessation of employment by the adult member without good cause.” This includes situations in which an applicant has been discharged from employment due to an action or inaction on his or her part in violation of the employer’s written rules or policies, or lawful job related instructions. See N.J.A.C. 10:90-1.15.

Here, the record reflects that Petitioner applied for WFNJ/GA, EA and SNAP benefits on February 15, 2022. See Initial Decision at 2. During his interview with the Agency, Petitioner indicated that he had been terminated from his employment. See Exhibit R-2. During the process of verifying information for benefits eligibility, the Agency contacted Petitioner’s former employer on March 17, 2022, and was advised by Petitioner’s former employer that Petitioner’s last day of work was December 9, 2021, and that he was no longer employed there due to the abandonment of his job. See Exhibits R-1 at 18, R-2 at 1. As a result, also on March 17, 2022, the Agency issued an adverse action notice terminating Petitioner’s SNAP benefits, effective April 1, 2022, for a period of one month, as a result of having quit his employment, and further indicating that Petitioner could reapply for SNAP benefits on May 1, 2022. See Initial Decision at 3; see also Exhibit R-2 at 21. Also on that date, the Agency issued a separate adverse action notice, denying Petitioner EA benefits, and imposing a six-month EA ineligibility penalty, also due to Petitioner having quit his employment. See Initial Decision at 3; see also Exhibit R-1 at 2. It should be noted that Petitioner was determined eligible for WFNJ/GA benefits, effective March 9, 2022, which was 90 days after he voluntarily ceased employment, without good cause. See Initial Decision at 4; see also Exhibits R-1 at 23, R-2 at 19, and N.J.A.C. 10:90-1.15. While Petitioner maintained that he had been dismissed from his former job due to being ill with COVID, he could provide no verification to support his assertion, and the ALJ found his testimony on the subject to be unpersuasive. See Initial Decision at 5. As such, the ALJ found that Petitioner had abandoned his employment on December 9, 2021, without good cause. Id. at 5, 7. Therefore, the ALJ concluded that the Agency’s determinations to terminate Petitioner’s SNAP benefits, and impose a one month period of ineligibility for SNAP benefits, as well as the Agency’s denial of EA benefits, and the imposition of a six-month period of EA ineligibility, were proper and must stand. See Initial Decision at 7-8; see also Exhibits R-1 at 2, R-2 at 21 and N.J.A.C. 10:87-10.5(c)(2)(vi)(1), N.J.A.C. 10:90-6.1(c)(3). I agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency’s determinations are AFFIRMED, as outlined above.

Officially approved final version.

April 12, 2022

Natasha Johnson
Assistant Commissioner

