



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 19271-25 T.H.

AGENCY DKT. NO. C124083002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that a prior sanction, imposed on Petitioner for failure to comply with her WFNJ/TANF work requirement, had not been lifted. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 2, 2025, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 3, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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 determination, based on the discussion below.

In order to maintain eligibility for receipt of WFNJ benefits, a recipient must cooperate with, and participate in, the WFNJ work activity requirements. See N.J.A.C. 10:90-4.1(a). If a WFNJ recipient fails to comply with their work activities without good cause, the recipient is subject to a sanction resulting in a pro-rata reduction of WFNJ benefits for the first month. See N.J.A.C. 10:90-4.13(b). For a WFNJ/TANF benefits recipient, the pro-rata reduction of benefits shall continue for six months. See DFD Instruction ("DFDI") number 24-03-04. Thereafter, if the WFNJ benefits recipient is still non-compliant, without good cause, the WFNJ benefits will be suspended for one month. See N.J.A.C. 10:90-4.13(b)(1). If the non-compliance continues, the recipient's case will close the month after the suspension of WFNJ benefits. See N.J.A.C. 10:90-4.13(b)(2).

Following the loss of WFNJ cash assistance benefits due to noncompliance with work activities, the individual must re-apply for WFNJ benefits, satisfactorily complete sanction obligations and comply with work activities in order to be eligible for WFNJ benefits. See N.J.A.C. 10:90-2.2(e).

Only WFNJ and Supplemental Security Income ("SSI") benefit recipients are eligible for Emergency Assistance ("EA") benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that Petitioner was a WFNJ/TANF recipient in 2024, at which time she failed to attend the required program classes, which led the Agency to impose a six-month WFNJ/TANF pro-rata reduction sanction of benefits beginning in December, 2024. See Initial Decision at 2; see also Exhibit R-1 and DFDI No. 24-03-04. The record further shows that Petitioner's WFNJ/TANF case closed effective July 1, 2025, as a result of the sanction



progression. See Exhibit R-1; see also N.J.A.C. 10:90-4.13(b)(2). On October 17, 2025, Petitioner re-applied for WFNJ/TANF benefits, at which time the Agency advised Petitioner that she was still in sanction-status from 2024. Ibid. The Agency informed Petitioner that she would have to comply with the work activity and attend classes in order for the sanction to be lifted. See Initial Decision at 2. Thereafter, Petitioner attended classes during November, 2025, and completed the program on November 26, 2025, at which time the sanction was lifted. Ibid. Based upon the testimonial evidence presented at the time of the hearing, Petitioner was verbally informed of a WFNJ/TANF denial on or about November 17, 2025, thirty-days following the date of her application for benefits, but prior to her completion of the program on November 26, 2025. See Initial Decision at 2-3. The Agency contended that it denied her application, as she remained in sanction status 30 days after her application was filed. See Initial Decision at 3. The Agency further provided testimony that Petitioner was informed she could reapply for WFNJ/TANF benefits once her work activity requirement was satisfied and her sanction was lifted. Ibid. Petitioner did not subsequently reapply for WFNJ/TANF benefits. Ibid. The Agency further provided testimony that Petitioner began to receive Unemployment Insurance Benefits ("UIB") on or about November 20, 2025, which impacted her current eligibility for WFNJ/TANF benefits. Ibid.

Based on the foregoing, the ALJ concluded that Petitioner did not complete the work requirement required to lift her sanction until November 26, 2025, a date after the Agency's denial of her WFNJ/TANF application, and therefore, the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. See Initial Decision at 3-4; see also N.J.A.C. 10:90-2.2(e). I agree.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/TANF benefits, as appropriate, should her circumstances have changed.

By way of further comment, the transmittal in this matter reflects a contested issue with respect to a denial of EA benefits, which was not directly addressed by the ALJ in this matter. However, based on the decision above, I find that, as Petitioner was not approved for WFNJ benefits, the threshold requirement for EA eligibility, she is ineligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

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

Officially approved final version. December 11, 2025

Natasha Johnson
Assistant Commissioner

