



State of New Jersey

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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 **07037-26 C.Y.**

AGENCY DKT. NO. **C037549018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/GA benefits because Petitioner failed to take necessary steps to lift a sanction, and thereafter terminated Petitioner's EA benefits as she was no longer a WFNJ benefits recipient, nor is she a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 11, 2026, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 12, 2026, 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, 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). 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 cash assistance recipients and SSI benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

EA benefits are limited to 12 months, plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C. 10:90-6.4(b); see also N.J.S.A. 44:10-51. Specifically, a WFNJ/GA recipient may qualify for an additional six months of EA when an "extreme hardship" exists. Ibid. Thus, the maximum amount of EA that a WFNJ/GA benefits recipient may receive is 18 months.



Here, the record reveals that Petitioner began to receive WFNJ/GA benefits in November, 2025, and, following an evaluation by the Substance Abuse Initiative/Behavioral Health Initiative (“SAI/BHI”), was scheduled for mandatory daily employment training with the Agency beginning on March 2, 2026, as a condition of receipt of WFNJ/GA benefits. See Initial Decision at 4; see also Exhibits R-12, R-13, R-14, R-15. Petitioner failed to attend the first week of employment training, and on March 6, 2026, the Agency notified Petitioner of potential sanctions for failing to attend employment training. See Initial Decision at 4; see also Exhibit R-17. Following additional employment training absences, the Agency sent additional notifications on March 13, 2026, and March 23, 2026. Ibid. When Petitioner failed to attend all the required employment training sessions, the Agency informed her that her WFNJ/GA benefits would be sanctioned for the month of April, 2026. See Initial Decision at 4; see also Exhibit R-18, and N.J.A.C. 10:90-4.13(b). On March 30, 2026, the Agency notified Petitioner that her WFNJ/GA benefits would be terminated, based upon her failure to comply with the program’s work requirements. See Initial Decision at 4; see also Exhibit R-4. The Agency did attempt to schedule Petitioner for additional employment training, beginning on April 1, 2026, however, Petitioner attended only two of the required virtual classes. See Initial Decision at 4; see also Exhibit R-22. Further, the Agency attempted to modify the work requirement component and allow Petitioner to submit weekly logs showing thirty hours of jobs searches completed, however, Petitioner submitted logs which indicated only ten hours of job searches, leading the Agency to conclude she was not in compliance with her WFNJ/GA work requirement and terminating her benefits. See Initial Decision at 4. Accordingly, the ALJ concluded that the Agency’s determination to terminate Petitioner’s WFNJ/GA benefits for failure to comply with the program work requirements was proper and must stand. See Initial Decision at 4. I agree.

Additionally, based on the above conclusion, the ALJ found that the Agency’s termination of EA benefits to Petitioner, on the basis that she was not a WFNJ or SSI benefits recipient, as well as that she had received the lifetime limit of EA benefits, made her ineligible for receipt of such benefits, was proper and must stand. See Initial Decision at 4; see also Exhibits R-7, R-9, R-10, and N.J.A.C. 10:90-6.2(a). I also agree.

By way of 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 is hereby ADOPTED, and the Agency’s determination is AFFIRMED, as outlined above.

Officially approved final version. May 19, 2026

Natasha Johnson
Assistant Commissioner

