



State of New Jersey

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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 **00014-26 R.M.**

AGENCY DKT. NO. **C238209013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, and the imposition of a 90-day ineligibility period for WFNJ/GA benefits. The Agency denied Petitioner's WFNJ/GA benefits, and imposed a 90-day WFNJ/GA ineligibility penalty, contending that he voluntarily quit his employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 27, 2026, the Honorable Kathleen M. Calemmo, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was then held open to allow Petitioner to submit additional documentation, which was received following the hearing, and the record was closed on that date. On February 6, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

Here, the record reflects that Petitioner applied for WFNJ/GA benefits on October 24, 2025, and on October 27, 2025, participated in a telephone interview with an Agency representative. See Initial Decision at 2. During the course of the telephone interview, the Agency representative requested a termination letter from Petitioner's previous employer. *Ibid.* On November 24, 2025, during the review of Petitioner's application for benefits, the Agency caseworker reviewed records from the New Jersey Department of Labor ("NJDOL") which stated that Petitioner's Unemployment Insurance Benefits ("UIB") had been denied due to a voluntary quit from his employer. See Initial Decision at 3; see also Exhibit R-1 at 5. Based upon the information from NJDOL, the Agency denied Petitioner's WFNJ/GA application on November 24, 2025 and imposed a 90-day penalty from receipt of WFNJ/GA benefits. See Initial Decision at 3; see also Exhibit R-1 at 6, and N.J.A.C. 10:90-4.14.

At the time of the hearing, the Agency representative testified that the Agency's denial was based solely upon the information obtained from NJDOL and that Petitioner had never provided the Agency with a termination letter. See Initial Decision at 3. The Agency representative testified that there was no independent confirmation or documentation confirming that Petitioner had voluntarily quit his employment. *Ibid.*

Petitioner testified regarding his first day of employment on September 30, 2025, and stated that the building to which he reported caused him concern regarding the stability of the building, as well as questioning whether he may be suffering from mental health issues. See Initial Decision at 3. On September 30, 2025, Petitioner contacted the property manager with his building safety concerns, as well as human resources for his employer, expressing concerns regarding his mental health. See Initial Decision at 3-4; see also Exhibit P-1, P-2. Following the work day, Petitioner testified that he further researched information which satisfied his concerns regarding the building's stability and that he was prepared to return to work. See Initial Decision at 4. However, Petitioner testified that a decision had been made to terminate him from employment. *Ibid.* Petitioner further testified that he applied for UIB and believed he was denied based upon



his not working long enough to receive such benefits. Ibid. At the hearing, Petitioner did produce a letter confirming his employment, however, no explanation was provided within the letter as to why he was no longer employed. See Initial Decision at 5; see also Exhibit P-3.

The ALJ found Petitioner's testimony credible, wherein he disputed the allegations that he had been terminated from his employment, but rather indicated that he believed he was unable to perform his job on September 30, 2025 due to his concerns with the stability of the building where he was assigned, as well as his mental state. See Initial Decision at 5. Further, the ALJ found that there was no explanation provided by Petitioner's prior employer as to why his employment was terminated. Ibid.

Based on the foregoing, the ALJ concluded that the Agency had not demonstrated, by a preponderance of the credible evidence, that Petitioner had been terminated from his employment for cause. See Initial Decision at 6-7; see also N.J.A.C. 10:90-4.14. Accordingly, the ALJ concluded that the Agency's denial of Petitioner's WFNJ/GA benefits, based on a voluntary quit of employment, and the imposition of a 90-day penalty period, was improper and must be reversed. See Initial Decision at 6-7; see also N.J.A.C. 10:90-1.15, -4.14. I agree.

No Exceptions to the Initial Decision were received.

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.

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

Officially approved final version. March 10, 2026

Natasha Johnson
Assistant Commissioner

