



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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Chris Christie  
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Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

Natasha Johnson  
*Director*

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 16365-14 A.H.

AGENCY DKT. NO. GA171172 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of his application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits and imposition of a 30-day penalty. The Agency denied Petitioner WFNJ/GA benefits because he failed to complete his WFNJ 28-day employment-related activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 2, 2015, the Honorable Jeffrey A. Gerson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 3, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision and REVERSE the Agency's determination.

The purpose of the WFNJ Program is to assist needy individuals by providing them with transitional support that enables them to become self-sufficient and avoid the need for public assistance in the future. N.J.S.A. 44:10-56. GA is a component of WFNJ that provides assistance to adults without dependent children. N.J.A.C. 10:90-1.1(b).

Eligibility for WFNJ/GA cash assistance benefits shall commence after the applicant has completed a minimum of 28 days in an employment-related activity through Labor and Workforce Development ("LWD"). N.J.A.C. 10:90-1.2(f)(8).

Page 2

An applicant's failure to comply with the employment-related activity requirement, without good cause, shall result in a denial of the applicant's WFNJ/GA application and a 30-day period of ineligibility. Ibid.

Here, during July 2014, Petitioner applied for WFNJ/GA benefits and was required to complete a 30-day WFNJ/GA job search as his employment-related activity in order to be eligible for WFNJ/GA benefits. See Initial Decision at 2; Exhibit R-1 at 5. Petitioner delivered the LWD Certification, dated September 4, 2014, to the Agency confirming that he had completed his work related activity. See Initial Decision at 2. The Agency, effective September 23, 2014, denied Petitioner WFNJ/GA benefits because he allegedly did not comply with the minimum 28 days in an employment-related activity. Ibid.

The ALJ found that Petitioner timely completed the 30 days of employment-related activity and, at most, Petitioner erred when he delivered the Certification, evidencing his compliance, to the Agency's office on "Rector Street rather than 50 South Clinton." Ibid. The ALJ determined that was not sufficient reason to deny Petitioner's WFNJ/GA benefits. Ibid. I agree. Therefore, Petitioner shall be eligible for retroactive WFNJ/GA benefits from the date he completed the work activity, September 4, 2014. See N.J.A.C. 10:90-1.2(f)(8).

By way of comment, the record contains a typographical error regarding the date that Petitioner applied for WFNJ/GA benefits, stating September 2014 as his application date. Ibid. Documentary evidence in the record shows that Petitioner applied for WFNJ/GA benefits on July 24, 2014. See Exhibit R-1 at 5.

Based upon the foregoing, the Initial Decision is ADOPTED and the Agency's determination REVERSED.

*Signed Copy on File*  
at DFD, BARA

APR 27 2015

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Natasha Johnson  
Director