



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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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 8151-14 C.R.

AGENCY DKT. NO. C075573 (BURLINGTON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of her application for Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner's application for WFNJ/TANF benefits because she failed to comply with the WFNJ work requirements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 30, 2014, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 18, 2014, the ALJ issued her Initial Decision affirming the Agency determination.

No exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and the Conclusions of Law as contained in the Initial Decision.

WFNJ/TANF adult recipients, unless specifically deferred, shall cooperate with and participate in the WFNJ work requirements for up to 40 hours per week as a condition of eligibility for receipt of cash assistance benefits. N.J.A.C. 10:90-4.1(a).

WFNJ recipients who fail to cooperate with the WFNJ program or participate in work activities under the program without good cause shall lose their cash assistance benefits in accordance with the sanction provisions at N.J.A.C. 10:90-4.13(b). N.J.A.C. 10:90-4.13(a).

When an individual reapplies for WFNJ benefits after his/her former WFNJ benefits terminated due to a sanction, then he or she shall be required to demonstrate an intent to comply before cash assistance benefits are issued. N.J.A.C. 10:90-4.18(e).

Here, Petitioner reapplied for WFNJ/TANF benefits on April 15, 2014. The Agency denied Petitioner's application because Petitioner failed to demonstrate an intent to comply. On March 1, 2013, Petitioner incurred a sanction for failure to comply with the work requirements. When she reapplied for WFNJ/TANF benefits in April 2014, Petitioner signed an Individual Responsibility Plan detailing her assigned work activities. (See exhibit R-1:42-44). Petitioner was also required to do a two-week intent to comply period consisting of thirty-five hours per week of a work activity before WFNJ eligibility could be established. Petitioner missed one day of the work activity during the first week and missed the entire second week of her assigned work activity. Through her own testimony, she stated she did not complete the second week because she decided to look for employment on her own.

I agree with the ALJ's conclusion that the Agency properly denied Petitioner's application WFNJ/TANF benefits. Based on Petitioner's own testimony, she failed to comply with the WFNJ work activities without good cause pursuant to N.J.A.C. 10:90-4.1 and has therefore failed to cure the sanction to establish WFNJ eligibility.

Accordingly, the Agency action is AFFIRMED.

OCT 31 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director