



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 10068-14 D.S.

AGENCY DKT. NO. C140051 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's imposition of a sanction for failure to comply with her work activity requirement. Petitioner receives Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits of \$424 per month.

Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 28, 2014, the Honorable Tiffany M. Williams, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was closed on August 28, 2014. On September 4, 2014, the ALJ issued her Initial Decision reversing the Agency determination.

No exceptions were filed to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered 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 Conclusions of Law as contained in the Initial Decision.

Petitioner was enrolled in classes at Eastwick College ("Eastwick") from April 28, 2014 through July 14, 2014. Exhibit P-3. At the hearing, Petitioner admitted that she was responsible for engaging in a work activity through May 30, 2015. Initial Decision at 2. Petitioner stated that she was advised by the Agency that her enrollment at Eastwick would satisfy her work requirement. Initial Decision at 2.

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Petitioner contacted the Dean's office at Eastwick after receiving the Agency's sanction notice dated July 14, 2014. Ibid. Exhibit R-1. Petitioner had filled out her weekly work activity sheets and submitted them to an administrator within the Dean's office. Initial Decision at 2. Petitioner thought that the administrator at Eastwick would forward the activity sheets to the Agency, however, the work activity sheets were never forwarded to the Agency by the administrator. Ibid. Consequently, Petitioner received a sanction from the Agency for failure to comply with her work activities.

At the hearing, Petitioner testified that she attended all of her classes at Eastwick. Initial Decision at 2. The ALJ noted that the Petitioner's testimony was credible and that she was forthright and detailed in her recollection of events. Initial Decision at 2 and 3. No witness from Eastwick appeared at the hearing and the Agency did not present any witnesses in support of its imposition of the sanction. Therefore, I conclude that the ALJ's reversal of the Agency's imposition of a sanction is proper as it is supported by the credible testimony provided by the Petitioner.

Accordingly, the Initial Decision in the action is hereby ADOPTED and the Agency action is REVERSED.

NOV 01 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director