



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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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 10413-15 J.M.

AGENCY DKT. NO. GA368638 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because, purportedly, she failed to provide it with required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 10, 2015, the Honorable Danielle Pasquale, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 11, 2015, the ALJ issued an Initial Decision, which reversed 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 MODIFY the ALJ's Initial Decision and REVERSE the Agency's determination.

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 the New Jersey Department of Labor and Workforce Development. 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 application and a 30-day period of ineligibility. See N.J.A.C. 10:90-1.2(f)(8).

Here, the ALJ found, and the record substantiates, that Petitioner timely provided the Agency with the documents it requested to determine initial eligibility for WFNJ/GA benefits. See Initial Decision at 2. Based on the foregoing, the ALJ found that Petitioner was eligible for WFNJ/GA benefits as of March 30, 2015, the date Petitioner provided the Agency with the required documentation, and ordered WFNJ/GA benefits be paid to Petitioner from March 31, 2015 to date. Id. at 3. However, pursuant to N.J.A.C. 10:90-1.2(f)(8), WFNJ/GA benefits are not to commence until Petitioner has completed her 28-day work activity, and the record is devoid of any evidence showing that Petitioner has completed such work activity. As it appears from the record that Petitioner is employable, see Initial Decision at 2, I find that Petitioner shall eligible for WFNJ/GA benefits upon the completion date of her 28-day work activity, with cash benefits to commence at that time. The Initial Decision is modified to reflect this finding.

Accordingly, the Initial Decision is MODIFIED and the Agency's action is REVERSED.

Signed Copy on File
at DFD, BARA

AUG 27 2015

Natasha Johnson
Director