



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director
Tel. (609) 588-2000

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 12671-14 L.A.

AGENCY DKT. NO. GA548936 (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 the Petitioner WFNJ/GA benefits because he failed to provide required information in a timely manner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 16, 2014, the Honorable Caridad F. Rigo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 17, 2014, 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 ADOPT 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 Labor and Workforce Development ("LWD"). N.J.A.C. 10:90-1.5(a)(1). 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. N.J.A.C. 10:90-1.2(f)(8).

The record indicates that Petitioner applied for WFNJ/GA benefits in March 2014, completed the required 28-day work activity on April 10, 2014, and provided proofs of his compliance to the Agency in a timely manner. See Initial Decision at 2. Nevertheless, the Agency denied Petitioner's request for WFNJ/GA benefits, claiming that Petitioner failed to provide the required information in a timely manner. At the hearing, the Agency acknowledged that its file did not have any information regarding this matter nor did it provide any reasons why Petitioner should be denied WFNJ/GA benefits. See Initial Decision at 3. Accordingly, the ALJ found the Agency's denial to be inappropriate and ordered the Agency to provide WFNJ/GA benefits to Petitioner, retroactive to April 10, 2014. Ibid. I concur with the ALJ's decision.

By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

Accordingly, the Initial Decision is AFFIRMED and the Agency action REVERSED.

Signed Copy on File
at DFD, BARA

JAN 28 2015

Jeanette Page-Hawkins
Director