



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
P.O. Box 716  
TRENTON, NEW JERSEY 08625  
(609) 588-2400

Chris Christie  
*Governor*

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 4796-15 S.G.

AGENCY DKT. NO. GA410624 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits and the denial of his application for Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits due to a voluntary quit from employment, and denied Petitioner's application for EA benefits because he was no longer a WFNJ/GA recipient. On April 13, 2015, the Honorable Jeffrey A. Gerson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 14, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination.

Neither party submitted exceptions.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM the Agency's action.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in pertinent part, that the individual must have, "an actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing."

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Only WFNJ and Social Security Income ("SSI") recipients are eligible for EA benefits. N.J.A.C. 10:90-6.2(a).

Benefits for WFNJ/GA recipients are determined according to standards of countable income and resources. N.J.A.C. 10:90-3.1(a). Countable "income" broadly refers to earned or unearned income, and in relevant part, includes, wages. N.J.A.C. 10:90-3.9(b). Financial eligibility for an employable assistance unit exists so long as total countable income is less than the applicable WFNJ/GA benefit level set forth in N.J.A.C. 10:90-3.5(a). In the case of an employable WFNJ/GA assistance unit with one individual, such as Petitioner, the maximum benefit payment level is \$140.00. N.J.A.C. 10:90-3.5.

The record in this matter indicates the Agency forwarded a request to On Target Staffing dated February 24, 2015, in order to determine Petitioner's employment status. See Initial Decision at 2. On Target stated Petitioner's income during February 2015 exceeded \$140.00, and additionally, Petitioner effectively quit when he failed to report to work. Ibid. Consequently, Petitioner was terminated from WFNJ/GA benefits due to the voluntary quit, and as he was no longer a WFNJ/GA recipient, nor was he a SSI applicant or recipient, he was ineligible for EA. Therefore, I agree with the ALJ's conclusion that the Agency properly terminated Petitioner's WFNJ/GA benefits and furthermore, that Petitioner is not eligible for EA benefits. Ibid.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.

APR 22 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director