



## 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*

Elizabeth Connolly  
*Acting Commissioner*

Natasha Johnson  
*Director*  
Tel. (609) 588-2400

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 14213-15 Y.T.

AGENCY DKT. NO. GA514318 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of his application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because it determined that he failed to complete his employment-related activity requirement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 21, 2015, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On October 30, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner applied for WFNJ/GA benefits, and was required to complete a minimum of 28 days in an employment-related activity. See Initial Decision at 2; see also N.J.A.C 10:90-1.2(f)(8). Here, the the Agency denied Petitioner WFNJ/GA benefits because it determined that Petitioner failed to complete the required work activity. See Initial Decision at 2; see also July 29, 2015, Notification Form at 2. However, the record shows that Petitioner completed the required work activity on July 28, 2015. See Initial Decision at 2; see also July 28, 2015, State of New Jersey Department of Labor and Workforce Development letter (certifying the completion of Petitioner's work program). Therefore, the ALJ found that Petitioner completed his required work activity on July 28, 2015, prior to the Agency's adverse action notice dated July 29, 2015. *Ibid.* Further, the ALJ found that the Agency knew or should have known that Petitioner had completed his

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required activity because the document certifying its completion should have been available to the Agency, and because Petitioner had delivered a copy of same to the Agency, prior to its issuance of the denial notice. See Initial Decision at 3. Accordingly, the ALJ concluded that the Agency improperly denied Petitioner WFNJ/GA benefits, and ordered the Agency to provide Petitioner with WFNJ/GA benefits as of the date of his completed work activity. See Initial Decision at 3 and 4; see also N.J.A.C. 10:90-1.2(f)(8). I agree.

No Exceptions to the Initial Decision were filed.

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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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

NOV 18 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director