State of New Jersey

TMENT OF HUMAN SERVICES
SION OF FAMILY DEVELOPMENT
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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 18986-16 A.D.

AGENCY DKT. NO. GA510962 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's assistance unit ("AU") EA benefits contending that her significant other voluntarily quit his employment, thereby causing the AU's homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 10, 2017, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 30, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's AU consists of herself and S.B., her significant other. See Initial Decision at 2. The ALJ found that S.B. was terminated from his employment, and denied Unemployment Insurance Benefits, because of excessive absenteeism. Ibid.; see also Exhibits R-6 and R-7. Additionally, the ALJ found that the medical documentation provided by S.B. did not establish good cause for said termination. See Initial Decision at 3-4; see also Exhibits P-1 and R-8 through R-11. Based on the foregoing, the ALJ found that S.B. voluntarily quit his employment, without good cause, thereby making the entire AU, which includes Petitioner, ineligible for EA benefits for a period of six months. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c)(3). Therefore, the ALJ concluded that the Agency properly denied EA benefits to Petitioner's AU. See Initial Decision at 4; see also Exhibit R-1. I agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development ("DFD"), 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.

By way of comment, Petitioner's six-month EA ineligibility penalty begins to run as of December 9, 2016, the date of the Agency's denial of EA benefits. See Exhibit R-1; see also DFD Instruction 08-5-4 at 11. Therefore, Petitioner may reapply for EA benefits on, or after, June 10, 2017.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

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

FEB 27 2017

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director