



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 13978-18 E.A.

AGENCY DKT. NO. C151258015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA and EA benefits contending that he voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 30, 2018, the Honorable Edward J. Delaney, Jr., Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 9, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner acknowledged that he quit his telemarketing job because it was too stressful, he was being abused over the phone by the customers, he was expected to lie to the customers, and his back was hurting so that he could no longer sit and do his job. See Initial Decision at 2; see also Exhibits R-2, EA-R4. Petitioner did not produce a doctor's note or report to substantiate his claimed physical issues. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that Petitioner voluntarily quit employment, without good cause, and that the Agency's termination of Petitioner's WFNJ/GA and EA benefits was proper and must stand. *Id.* at 2-3; see also Exhibits R-1, EA-R-1, and N.J.A.C. 10:90-4.14, -6.1(c)(3). I agree.

No Exceptions to the Initial Decision were received.

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.

Additionally, because I concur with the ALJ's conclusion regarding the termination of Petitioner's WFNJ/GA benefits, I find that Petitioner is ineligible for WFNJ/GA benefits for a period of two months beginning from the date upon which the Agency determined that Petitioner had quit his employment. See Initial Decision at 3-4; see also N.J.A.C. 10:90-4.14. Moreover, because I also concur with the ALJ's conclusion regarding the termination of Petitioner's EA benefits, I find that Petitioner is ineligible for EA benefits for a period of six-months. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.1(c)(3). Further, because Petitioner has been receiving continued assistance pending the outcome of the fair hearing, Petitioner's six-month EA ineligibility penalty shall begin to run as of the date of issuance of this Final Agency Decision.

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



Officially approved final version.

DEC 20 2010

Natasha Johnson

Director

