



State of New Jersey

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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 01204-18 M.B.

AGENCY DKT. NO. C045971018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits contending that she did not timely provide verification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 20, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 13, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination.

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 hereby MODIFY 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. 10:90-1.2(f)(8). 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. Ibid.

Here, the Agency denied Petitioner WFNJ/GA benefits because, purportedly, she submitted the required verifications more than thirty days after she filed her application. See Initial Decision at 2; see also Exhibits R-15, R-16, and N.J.A.C. 10:90-2.2(a)(5). However, the ALJ found, and the record supports, that Petitioner timely provided the Agency with the documents it requested to determine eligibility for WFNJ/GA benefits. See Initial Decision at 6. Based on the foregoing, the ALJ concluded that Petitioner was eligible for retroactive WFNJ/GA benefits, to commence following Petitioner's unemployment insurance benefits pay period that ended on October 28, 2017. Id. at 6, 7. However, while I concur with the ALJ that Petitioner is eligible for retroactive GA benefits, such retroactive eligibility relates to the date she completed her 28-day WFNJ work requirement, and the record is devoid of any evidence showing that Petitioner has completed her 28-day work activity. See N.J.A.C. 10:90-1.2(f)(8). Accordingly,



the Agency is directed to provide WFNJ/GA benefits to Petitioner, retroactive to the date Petitioner completed her 28-day work activity. Ibid. The Initial Decision is modified to reflect this finding.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is REVERSED.

Officially approved final version.

APR 16 2018

Natasha Johnson

Director

