



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

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director
Tel. (609) 588-2000

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 2491-15 J.G.

AGENCY DKT. NO. GA558924 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated the Petitioner's EA because he failed to comply with his service plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 13, 2015, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 16, 2015, the ALJ issued an Initial Decision reversing the Agency determination.

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision of the ALJ and REVERSE the Agency's determination.

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve the emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a service plan. *Ibid.* If a recipient fails to comply with the service plan, then the recipient is ineligible for EA benefits for a period of 6 months. *Ibid.*

Here, the record shows that Petitioner's service plan required him to conduct fifty (50) job searches per week. See Initial Decision at 2. However, Petitioner was placed in a full-time work activity at the Journal National Career Institute for both computer and general construction training. Ibid.; see also Exhibit P-1. At the hearing, the Agency claimed it was the first time hearing of Petitioner's school and schedule, notwithstanding the fact that Petitioner was placed in the job activity by the Agency. See Initial Decision at 2. The ALJ concluded that Petitioner had good cause for his failure to comply with the job search requirement. Ibid. I agree. Petitioner's full-time work activity was not integrated into his service plan, a fact that renders 50 job searches per week unreasonable. The Agency is instructed to create a new service plan taking into account Petitioner's full-time work activity, which concludes on May 29, 2015. See Exhibit P-1.

Based upon the foregoing, I hereby ADOPT the Initial Decision of the ALJ and REVERSE the Agency's determination in this matter.

Signed Copy on File

at DFD, BARA

MAR 25 2015

Jeanette Page-Hawkins
Director