



State of New Jersey

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 12259-14 J.M.

AGENCY DKT. NO. C243236 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's benefits because Petitioner failed to comply with his service plan. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On November 20, 2014, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On December 2, 2014, the ALJ issued an Initial Decision, which affirmed the Agency's action.

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 ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. 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 his 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 written and signed service plan. *Ibid.* If a recipient fails to comply with the service plan, without good cause, then the recipient's EA must be terminated for a period of six months. *Ibid.*

In August 2014, Petitioner was receiving EA in the form of shelter housing. See Initial Decision at 1. Petitioner's written and signed service plan, dated August 25, 2014, mandated that he was to participate in the Community Work Experience Program ("CWEP") for 2 months, for a total of 35 hours a week, at a designated work site. See Exhibits R-3, R-4. The service plan further stated that if Petitioner did not comply with this activity that he would face possible sanctioning. Ibid. Petitioner signed this service plan, and therefore had knowledge of what was required of him and what the consequences would be if he did not comply. Ibid.

The record shows that Petitioner failed to show up at his designated work site as required, without good cause. See Exhibit R-2; see also Initial Decision at 2. The record further indicates that Petitioner did not participate in CWEP for the required 35 hours. See Exhibit R-5. As Petitioner clearly failed to comply with his service plan as required, Petitioner is ineligible for EA benefits for a period of six months pursuant to N.J.A.C. 10:90-6.6(a).

By way of comment, Petitioner may re-apply for EA after his six-month penalty has expired provided he continues to need EA and is otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1.

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

JAN 20 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director