



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 8334-15 K.D.

AGENCY DKT. NO. GA583357 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/GA benefits because she allegedly failed to complete her work requirement, and denied her EA/TRA because she was not a WFNJ recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 11, 2015, the Honorable Jeffrey A. Gerson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 11, 2015, the ALJ issued his Initial Decision reversing the Agency determination.

The record indicates that Petitioner applied for WFNJ/GA benefits on January 21, 2015, and reported for her required 28-day work activity on January 22, 2015. See Initial Decision at 2; see also N.J.A.C. 10:90-1.2(f)(8)(eligibility for WFNJ/GA commences after applicant completes minimum of 28 days of employment-related activity). However, through an error by One-Stop Career Center, Petitioner was misdirected to, and she completed, the wrong employment orientation program. See Initial Decision at 2; see also Exhibit D at 3. Petitioner was not aware of the error until sometime in March 2015. See Initial Decision at 2.

As a result of the mistake by One-Stop Career Center, the Agency denied Petitioner WFNJ/GA benefits by notice dated March 4, 2015 for the reason that she failed to complete her 28-day work requirement. *Ibid.*; see also Exhibit F. By notice dated April 20, 2015, the Agency also denied Petitioner EA/TRA because she was not a

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WFNJ recipient. See Exhibit M. Finally, by notice dated June 3, 2015, the Agency denied Petitioner EA/TRA effective March 4, 2015 for not complying with the 28-day work requirement. See Exhibit S.

At the hearing, the Agency representative testified that, had Petitioner's WFNJ/GA application been correctly processed, Petitioner could have qualified for benefits sometime between February 28, 2015 and March 4, 2015. See Initial Decision at 3. Accordingly, the Agency withdrew its June 3, 2015 adverse action letter to Petitioner. See Initial Decision at 2. Additionally, the Agency acknowledged that the basis for denial of EA/TRA to Petitioner was not warranted, and agreed to re-process Petitioner's EA/TRA application. See Initial Decision at 2; see also Exhibit S. The ALJ noted that because Petitioner began a second 28-day work program on April 6, 2015 and completed it on May 5, 2015, Petitioner was approved for and began receiving WFNJ/GA benefits in May 2015 of \$140.00 per month. See Initial Decision at 2; see also Exhibit P.

Based on the foregoing, the ALJ concluded, and I concur, that the Agency improperly denied Petitioner WFNJ/GA benefits for the months of March and April 2015, and improperly denied EA/TRA to Petitioner effective March 4, 2015. See Initial Decision at 3. Accordingly, the Agency's denial of WFNJ/GA and EA/TRA to Petitioner is reversed, and the Agency is instructed to immediately issue retroactive WFNJ/GA benefits to Petitioner for March and April 2015, and to re-process Petitioner's EA/TRA application based on the facts and information provided herein. Ibid.

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 hereby ADOPT the Initial Decision and REVERSE the Agency's determination.

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

Signed Copy on File
at DFD, BARA

JUN 19 2015

Natasha Johnson
Director