



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 16602-15 K.M.

AGENCY DKT. NO. GA480023 (ESSEX COUNTY DIVISION OF WELFARE)

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 failed to provide it with the requested documentation needed to determine WFNJ/GA eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 7, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 8, 2015, 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 ADOPT the ALJ's Initial Decision WITH CONTINGENCIES 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. See 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.

It appears from the record that the Agency required Petitioner to provide it with documentation, consisting of a PSE&G bill, a copy of her lease, and a letter of support from her sister, by September 22, 2015, or her application for WFNJ/GA benefits would be denied. See Initial Decision at 2. The record indicates that Petitioner provided the Agency with the aforementioned documents on September 23, 2015. See Exhibit P-3. It appears from the record that the Agency denied Petitioner's application for WFNJ/GA benefits prior to receiving her documentation; however, it did not issue a denial notice to Petitioner. See Initial Decision at 2. While Petitioner may not have provided the requested documentation by September 22, 2015, the record shows that she did so the very next day. See Exhibit P-3. Therefore, I concur with the ALJ's finding that Petitioner provided the requested documentation to the Agency, in a timely manner, and I find that its denial of her application for WFNJ/GA benefits was inappropriate, on that basis. See Initial Decision 3.

Thus, I agree with, and hereby adopt, the ALJ's conclusion, with the following contingency. As it appears from the record that Petitioner has not completed the mandatory WFNJ 28-day work activity, or been deferred from same, Petitioner's receipt of WFNJ/GA cash assistance is contingent upon her first completing the 28-day work related activity, with benefits to be provided retroactive to the date of completion of the activity. See N.J.A.C. 10:90-1.2(f)(8).

Accordingly, the Initial Decision is ADOPTED WITH CONTINGENCIES and the Agency's action is REVERSED.

Signed Copy on File
at DFD, BARA

DEC 29 2015

Natasha Johnson
Director