



**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 4931-15 N.T.

AGENCY DKT. NO. GA292771 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because, purportedly, he failed to complete the WFNJ 28-day work requirement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 11, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On May 11, 2015, the ALJ issued an Initial Decision, which reversed 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 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 the New Jersey Department of Labor and Workforce Development. N.J.A.C. 10:90-1.2(f)(8).

Here, the Agency denied Petitioner WFNJ/GA benefits because, purportedly, he failed to complete his WFNJ 28-day work requirement. See Initial Decision at 2. However, the record clearly indicates that Petitioner completed his WFNJ 28-day work activity, on March 3, 2015, as required pursuant to N.J.A.C. 10:90-4.1. Ibid.

Accordingly, the ALJ reversed the Agency's action. *Id.* at 3. I concur. However, the ALJ incorrectly ordered the Agency to provide Petitioner with WFNJ/GA benefits retroactive to the date of his WFNJ/GA application. *Ibid.*

Therefore, while I concur with the ALJ that Petitioner is eligible for retroactive GA benefits, such retroactive eligibility relates, not to the date of his application, as stated by the ALJ, but rather to the date he completed his WFNJ work requirement. 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 his twenty-eight day work activity, on March 3, 2015.

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

JUN 02 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director