



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
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Kim Guadagno
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Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director

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 1239-15 S.H.

AGENCY DKT. NO. GA523556 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's denial of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits for November 2014. The Agency denied benefits because of purported excess income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 24, 2015, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On February 25, 2015, the ALJ issued an Initial Decision which affirmed the Agency determination.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Initial Decision and AFFIRM the Agency determination.

Benefits for WFNJ/GA recipients are determined according to standards of countable income and resources. N.J.A.C. 10:90-3.1(a). Countable "income" broadly refers to earned or unearned income, and in relevant part, includes, unemployment compensation. N.J.A.C. 10:90-3.9(b). Financial eligibility for an employable assistance unit exists so long as total countable income is less than the applicable WFNJ/GA benefit level set forth in N.J.A.C. 10:90-3.5(a). In the case of an employable WFNJ/GA assistance unit with one individual, such as Petitioner, the maximum benefit payment level is \$210.00. N.J.A.C. 10:90-3.5.

Here, Petitioner submitted an application for WFNJ/GA benefits on November 1, 2014, and completed her employment activity requirement on December 1, 2014. See Initial Decision at 2. Petitioner received unemployment insurance benefits ("UIB") of \$636.00 for each week in November, December, and three weeks in January. Ibid; see also Exhibit R-1. The ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits for November since she completed her employment activity on December 1, and was not eligible for benefits in December and January because she had excess income from UIB. Ibid. I agree.

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

APR 13 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director