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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 03410-18 C.S.

AGENCY DKT. NO. C412117004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's sanctioning of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits, effective March 1, 2018. The Agency sanctioned Petitioner's WFNJ/GA benefits because she failed to comply with her WFNJ work requirements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 9, 2018, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 30, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner is a recipient of WFNJ/GA benefits, and therefore, is required to engage in a work activity. See Initial Decision at 2; see also N.J.A.C. 10:90-2.2(a)(2). On January 4, 2018, Petitioner received a work assignment directing her to work ten hours per week, for 13 weeks, beginning January 8, 2018. See Initial Decision at 2; see also Exhibit R-5. On February 9, 2018, Petitioner stopped attending the work assignment. See Initial Decision at 2; see also Exhibits R-6, R-7. Petitioner admitted that she stopped attending the work assignment because it was not related to her occupation as a licensed nurse, and that it was not conducive to her finding employment. See Initial Decision at 3. On February 13, 2018, the Agency notified Petitioner that, effective March 1, 2018, sanctions would be imposed due to her failure to comply with the work requirement. Ibid.; see also Exhibits R-1, R-6, R-7, and N.J.A.C. 10:90-4.13. The ALJ found that Petitioner's admitted reasons for not attending the required work activity do not constitute good cause, as set forth in N.J.A.C. 10:90-4.11(a). See Initial Decision at 5. Based on the foregoing, the ALJ found that Petitioner failed to comply with the WFNJ work requirements, and that she failed to demonstrate good cause for her non-compliance. Ibid.; see also N.J.A.C. 10:90-2.2(a)(2), and -4.11(a). Accordingly, the ALJ concluded that the Agency properly sanctioned Petitioner's WFNJ/GA benefits. See Initial Decision at 5; see also Exhibit R-1, and N.J.A.C. 10:90-4.13. I agree.

Exceptions to the Initial Decision were filed by Petitioner on May 14, 2018.

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 concur with the ALJ's final conclusion and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.



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

Officially approved final version.

Natasha Johnson
Director

MAY 16 2019

