



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 07708-18 D.S.

AGENCY DKT. NO. C257151004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that he voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 5, 2018, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 6, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner had been suspended from his employment due to an outburst that took place at work. See Initial Decision at 2-3. However, the ALJ found that Petitioner's resultant termination from employment was not due to Petitioner's outburst, but rather it was due to a miscommunication between Petitioner and his employer regarding the date that Petitioner was to return to work. See Initial Decision at 4-6; see also Exhibits P-1, P-6 through P-15. Based on the foregoing, the ALJ concluded that Petitioner did not voluntarily quit employment within the meaning of the WFNJ regulations, and therefore, that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month period of ineligibility for EA benefits, was improper and must be reversed. See Initial Decision at 2-3, 6-8; see also Exhibit R-7, and N.J.A.C. 10:90-1.15, -6.1(c)(3). I agree.

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 ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.



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

Officially approved final version. **JUN 20 2018**

Natasha Johnson

Director

