



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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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 11737-18 M.B.

AGENCY DKT. NO. C036709012 (MIDDLESEX COUNTY BD. 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 she voluntarily quit employment, thereby causing her own housing emergency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 17, 2018, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 20, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that after Petitioner returned to work in November 2017, as a Certified Nurse Assistant ("CNA"), her CNA license had expired. See Initial Decision at 3. In March 2018, Petitioner was laid off, as the CNA license that was required for her to work, had expired. See Exhibit R-6 at 2. Petitioner testified that not renewing her CNA license was an unintentional error, and that she accepts responsibility for failing to renew it. See Initial Decision at 3. The record further reflects that on March 18, 2018, Petitioner applied for Unemployment Insurance Benefits ("UIB"), but was denied UIB benefits, as she was found to have voluntarily quit her job. See Exhibit R-7. Based on the foregoing, the ALJ found that Petitioner had voluntarily quit her employment, without good cause, when she allowed her CNA license to expire. See Initial Decision at 4; see also N.J.A.C. 10:90-4.11. Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, was proper and must stand. See Initial Decision at 4; see also Exhibit R-9, and N.J.A.C. 10:90-6.1(c)(3). I agree.

Exceptions to the Initial Decision were filed by Petitioner on August 20, 2018.

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 concur with the ALJ's final conclusion and ADOPT the Findings of Fact and Conclusions of Law.

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.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



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

Officially approved final version.

AUG 27 2018

Natasha Johnson

Director

