



State of New Jersey

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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 08680-18 S.D.

AGENCY DKT. NO. S914946009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of his 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 violated his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 12, 2018, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 17, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner's SP required him to bring a list of his May 2018, job searches to the Agency on Friday, June 1, 2018. See Initial Decision at 2; see also Exhibit R-1 at 15-18. Although he arrived with the list on June 5, 2018, he did not leave it with the Agency until June 6, 2018, as his caseworker had been out sick on June 5 and 6, and he feared leaving them with someone other than his actual caseworker. See Initial Decision at 2; see also Exhibit R-1 at 7-14. The Agency testified that Petitioner had been compliant with all parts of his SP up until then, and had submitted a satisfactory job search document for May; however, the Agency terminated his EA benefits and imposed the six-month EA benefits ineligibility penalty on June 7, 2018, for violation of his SP due to the missed deadline. See Initial Decision at 3-4; see also Exhibit R-1 at 1-2, and N.J.A.C. 10:90-6.6(a). The ALJ reversed the Agency's termination of EA benefits to Petitioner, as well as the six-month EA ineligibility penalty, finding that while Petitioner missed the deadline to submit his job searches, taking into consideration the particular facts of Petitioner's case, such an infraction of his SP was, in fact, de minimis. See Initial Decision at 4-5; see also Exhibit R-1 at 1-5, and N.J.A.C. 10:90-6.6(a). 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 reviewed the record in this matter and the Initial Decision, and, having made an independent evaluation of the record, I concur with the ALJ's Initial Decision 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.

AUG 3 0 2018

Natasha Johnson

Director

