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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 02116-18 S.D.

AGENCY DKT. NO. S612003012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's sanctioning of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits for the month of February of 2018. The Agency sanctioned Petitioner's WFNJ/TANF benefits because she failed to comply with her WFNJ work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 27, 2018, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 13, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner was scheduled to meet with her case manager on December 26, 2017, and did not attend the appointment. See Initial Decision at 2; see also Exhibit R-1. As a result of Petitioner's failure to attend that appointment, the Agency imposed a sanction effective February 1, 2018. See Initial Decision at 2; see also Exhibit R-2. However, on January 3, 2018, Petitioner attended a rescheduled meeting and the sanction was lifted. See Initial Decision at 3; see also Exhibit R-3. During the January 3, 2018 meeting, Petitioner signed an Individual Responsibility Plan ("IRP"), requiring her to attend a work activity from January 16, 2018, through February 9, 2018. See Initial Decision at 2-3; see also Exhibit R-4. Petitioner requested transportation and child care in order to attend the work activity. See Initial Decision at 3. The Agency secured both, and provided Petitioner with the number to call to arrange for transportation. *Ibid.*; see also Exhibits R-5, R-6. Nonetheless, Petitioner failed to appear for the work activity on January 16, 2018, and the Agency reinstated the February 1, 2018, sanction. See Initial Decision at 4; see also Exhibits R-7, R-8. Thereafter, when Petitioner successfully complied with her rescheduled work activity, the sanction was lifted and her WFNJ/TANF benefits were restored effective March 1, 2018. See Initial Decision at 4; see also Exhibit R-9. Petitioner testified that she did not attend the January 16, 2018, work activity because she was not able to arrange for transportation and, by the time she figured out how to secure transportation, it was too late to attend the first session. See Initial Decision at 4-5. The ALJ assessed the credibility of the witnesses and found that Petitioner provided no evidence to demonstrate good cause for failure to comply with the work activity on January 16, 2018. *Id.* at 6-7. Based on the foregoing, the ALJ concluded that the Agency properly sanctioned Petitioner's WFNJ/TANF benefits for the month of February of 2018. *Id.* at 10; see also Exhibit R-8, and N.J.A.C. 10:90-4.13. 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.



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

Officially approved final version. APR 16 2011

Natasha Johnson
Director

