



State of New Jersey

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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 16654-17 S.P.

AGENCY DKT. NO. C111764008 (GLOUCESTER COUNTY DIV. 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 November 2017. 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. The matter was initially scheduled for December 15, 2017, but was adjourned at the request of Petitioner. The matter was rescheduled for January 19, 2018, and was adjourned again, at the request of Petitioner. On February 9, 2018, the Honorable Jeffrey R. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 16, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on September 8, 2017, the Agency informed Petitioner that she was scheduled for a WFNJ work activity beginning October 2, 2017. See Initial Decision at 2; see also Exhibit R-1 at 3-6. Petitioner failed to appear for the work activity on October 2 and 3, 2017, and was notified by the Agency that she would be sanctioned, and that her WFNJ/TANF benefits would be reduced for one month, if she did not comply with the activity within ten days. See Initial Decision at 2-3; see also Exhibit R-1 at 7, 12. Petitioner failed to comply with the work activity within ten days, and the Agency sanctioned her WFNJ/TANF benefits effective November 1, 2017, reducing her monthly cash benefit from \$488 to \$366. See Initial Decision at 3; see also Exhibit R-1 at 12. On November 20, 2017, Petitioner's physician submitted a MED-1 form and Petitioner's sanction was lifted effective December 1, 2017. See Initial Decision at 3; see also Exhibit R-2. Although Petitioner maintained that she had been in a car accident and injured during the time of the scheduled activity, Petitioner provided no evidence to support this assertion or to demonstrate good cause for failure to comply with the work activity on October 2, 2017. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency properly sanctioned Petitioner's WFNJ/TANF benefits for the month of November 2017. See Initial Decision at 3-4; see also Exhibit R-1 at 12, 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.



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

Officially approved final version.

Natasha Johnson
Director

MAR 28 2018

