



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

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 **14727-24 S.B.**

AGENCY DKT. NO. **C143120006 (CUMBERLAND 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 he caused his own emergency by failing to timely apply for employment after his previous employment had been terminated. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 23, 2024, the Honorable William T. Cooper, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 23, 2024, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits to Petitioner, and reversing its imposition of a six-month EA ineligibility penalty.

Exceptions to the Initial Decision were filed by Petitioner on October 30, 2024.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and MODIFY the Agency's determination, based on the discussion below.

Here, the ALJ found that Petitioner had been unexpectedly terminated from his employment in March 2024, and that his last unemployment benefits check was in April 2024. See Initial Decision at 2; see also Exhibit R-1 at 23-25. Although the ALJ found Petitioner credible when he claimed that he had been looking for employment, the ALJ also found that Petitioner had failed to provide any documentation to the Agency to substantiate that claim, required to determine his eligibility for EA benefits. See Initial Decision at 3-5. Further, the ALJ found that Petitioner had failed to provide documentation to substantiate his good cause medical claims, inhibiting him from timely look for employment. Ibid. Based on the foregoing, the ALJ concluded that the Agency's denial of Petitioner's application for EA benefits was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1 at 2-3, and N.J.A.C. 10:90-1.6(a), -2.2(a)(5), (d). I agree.

However, it appears that, based on the circumstances of this case, particularly the ALJ's finding that Petitioner had credibly testified that he had been actively looking for employment, and that he may have had good cause medical claims for failing to timely find employment, the ALJ reversed the Agency's imposition of a six-month EA ineligibility penalty, concluding that it was inappropriate for the Agency to impose such penalty based on Petitioner's failure to provide the Agency with substantiating documentation. See Initial Decision at 4-5; see also Exhibit R-1 at 2-3, and N.J.A.C.10:90-6.1(c). I agree. The Agency's determination is modified to reflect this finding.



By way of comment, Petitioner may reapply for EA benefits, and is advised that his eligibility for EA benefits is contingent upon him providing all required, sufficient documentation to the Agency. See N.J.A.C. 10:90-1.6(a) -2.2(a)(5), (d). The Agency is instructed to assist Petitioner with acquiring such documentation, as appropriate.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is MODIFIED, as outlined above.

Officially approved final version.

November 12, 2024

Natasha Johnson

Assistant Commissioner

