



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 03895-19 J.G.

AGENCY DKT. NO. C273368009 (HUDSON COUNTY DEPT OF FAM 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. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 26, 2019, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open for receipt of documents referenced at the hearing, and then closed on March 27, 2019. On March 28, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

N.J.A.C. 10:90-6.1(c)(3) states, in pertinent part, that EA benefits shall not be provided for a period of six months "when an actual or imminent state of homelessness exists as a direct result of the voluntary cessation of employment by the adult member without good cause." This includes situations in which an applicant has been discharged from employment due to an action, or inaction, on his or her part, in violation of the employer's written rules or policies, or lawful job related instructions. See N.J.A.C. 10:90-1.15.

Here, the ALJ found, and the record substantiates, that on or about April 7, 2018, Petitioner resigned from one job due to a conflict with her coworker, which resulted in that coworker obtaining an "Order of Protection" against Petitioner, and on August 14, 2018, Petitioner was terminated from a second job due to hostile relationships with her coworkers, after having been given four separate verbal warnings regarding such behavior. See Initial Decision at 2-3; see also Exhibits P-2, R-2, R-3. Based on the testimony and evidence presented, the ALJ found that Petitioner's homelessness was a direct result of her voluntary cessation of employment, without good cause. See Initial Decision at 3-4; see N.J.A.C.



10:90-4.14(c). Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3). I agree.

By way of 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.

Natasha Johnson
Director

APR - 1 2019

