



State of New Jersey

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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 15667-18 L.M.

AGENCY DKT. NO. C173732020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's sanctioning of Petitioner's Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency sanctioned Petitioner's WFNJ/TANF benefits, contending that she failed to comply with her WFNJ activity, without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 30, 2018, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 12, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that on October 1, 2018, the Agency received information that Petitioner failed to attend her health-related WFNJ activity, and it sanctioned Petitioner's WFNJ/TANF benefits effective November 1, 2018. See Initial Decision at 2; see also Exhibit R-1 at 1-2, 14-15. Petitioner did not attend the program from August 15, 2018, through October 9, 2018. See Initial Decision at 2; see also Exhibit R-1 at 13, 17. However, the ALJ found that Petitioner had good cause for those absences. See Initial Decision at 3; see also N.J.A.C. 10:90-4.11. Specifically, the ALJ found that Petitioner had reasonable issues regarding securing bus passes for her and her children to travel to the facility by way of two busses, as Petitioner did not have child care. See Initial Decision at 2. Petitioner had asked the Agency for a bus pass but was initially denied. Ibid. After the sanction was imposed, Petitioner was given an allowance for bus fare from October 2, through November 2, 2018. Id. at 3. Of note, Petitioner came back into compliance with her WFNJ activity on October 10, 2018. Id. at 2; see also Exhibit R-1 at 17. Based on the foregoing, the ALJ concluded that Petitioner had good cause for not attending her WFNJ health-related activity, and that the Agency's sanctioning of Petitioner's WFNJ/TANF benefits was unwarranted. See Initial Decision at 3-4; see also N.J.A.C. 10:90-4.10, -4.11, and -4.13. Therefore, the ALJ reversed the Agency's determination to sanction Petitioner's WFNJ/TANF benefits. See Initial Decision at 4; see also Exhibit R-1 at 1-4. 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 REVERSED.



Officially approved final version. **JAN - 8 2019**

Natasha Johnson
Director

