



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 15912-18 T.D.

AGENCY DKT. NO. C143780003 (BURLINGTON 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 voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 6, 2018, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 14, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for EA benefits on October 25, 2018. See Initial Decision at 4; see also Exhibit R-3. At the time that Petitioner applied for EA benefits, he provided a copy of the denial of unemployment benefits from the Department of Labor, dated September 21, 2018, which indicated that he had voluntarily quit employment by being absent from work for five or more consecutive work days without notifying his employer. See Initial Decision at 4; see also Exhibit R-4. Petitioner provided records showing that he had made telephone calls to his employer on July 31, and August 1, 2018, and claimed that he had notified his employer of his absences in those calls; however, Petitioner failed to provide corroboration as to the actual conversations to support that claim. See Initial Decision at 4; see also Exhibits P-1, P-2. Accordingly, the Agency denied Petitioner EA benefits, and imposed the six-month EA ineligibility penalty, effective October 25, 2018, finding that he had voluntarily quit his employment. See Initial Decision at 4; see also Exhibit R-1. Based on the facts presented, the ALJ found that Petitioner had voluntarily quit employment, without good cause, and concluded that the Agency's denial of EA benefits, and the imposition of the six-month EA ineligibility penalty, were proper. See Initial Decision at 7; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3). 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.

By way of comment, the transmittal in this matter indicates that Petitioner also appealed a denial of WFNJ/GA benefits. However, at the time of the hearing, the ALJ stated that the WFNJ/GA issue had been resolved, and as such, was not addressed in the Initial Decision. See Initial Decision at 2. Accordingly, I find that Petitioner's WFNJ/GA issue is now moot, and therefore not addressed in this Final Decision.

By way of further comment, Petitioner's six-month EA ineligibility penalty shall run from October 25, 2018, the effective date of the Agency's denial notice, through April 24, 2019.



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Also, by way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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

Officially approved final version.

JAN 10 2019

Natasha Johnson
Director

