



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

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Lt. Governor

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 15451-19 Z.B.

AGENCY DKT. NO. C265915009 (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, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for November 6, 2019, but was adjourned due to the necessity for an interpreter. On November 8, 2019, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 8, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner had voluntarily quit her employment, without good cause, and without a bona fide promise of alternate employment. See Initial Decision at 2-3; see also Employer Letter dated October 18, 2019. The ALJ also found that Petitioner had given conflicting accounts regarding the termination of her employment. See Initial Decision at 4. Moreover, the record indicates that although Petitioner had several unexcused absences, she was not fired from her employment, but rather was asked simply to document the reasons for said absences. *Ibid.*; see also Employer Letters dated July 22, 2019, and September 26, 2019. Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Important Notice dated October 23, 2019, 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.

Further, because I concur with the ALJ's conclusion that Petitioner voluntarily quit employment, without good cause, I agree with the Agency's determination that Petitioner has caused her own homelessness, and as such, I affirm the Agency's imposition of a six-month EA ineligibility penalty upon Petitioner. See Initial Decision at 4; see also Important Notice dated October 23, 2019, and N.J.A.C. 10:90-6.1(c)



(3). Petitioner's six-month EA ineligibility penalty shall run from October 23, 2019, the effective date of the Agency's denial, through April 22, 2020. See Important Notice dated October 23, 2019.

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 determination is AFFIRMED.

Officially approved final version.

Natasha Johnson

Assistant Commissioner

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