



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 **02450-25 Y.J.**

AGENCY DKT. NO. **S481242014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner challenges the correctness of Respondent Agency's calculation of her monthly Supplemental Nutrition Assistance Program ("SNAP") benefit amount. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 3, 2025, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 8, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1).

Here, Petitioner applied for SNAP benefits, on behalf of her household of one, on December 18, 2024. See Initial Decision at 2; see also Exhibit R-1. At the time she applied, Petitioner indicated that she had no income, and was found eligible for expedited SNAP benefits, in a prorated amount of \$97 for December, 2024, as well as for January, 2025, in the amount of \$224, for a total of \$321. See Initial Decision at 2; see also Exhibits R-3, R-4. During a December, 2024 interview, Petitioner reported that she was employed, which led the Agency to request copies of her most recent paystubs. See Initial Decision at 2; see also Exhibit R-2. Petitioner submitted her paystubs, which indicated that Petitioner earned an average of \$1,877 per month. See Initial Decision at 2; see also Exhibits R-5, R-6. Upon receipt of Petitioner's paystubs, the Agency calculated her SNAP benefits, including the standard deduction, a shelter expense, and a utility allowance. See Initial Decision at 2; see also Exhibit R-8. On January 9, 2025, Petitioner was awarded \$116 per month in SNAP benefits, effective February 1, 2025. See Initial Decision at 3; see also Exhibits R-8, R-9. Petitioner contends that her earnings from her employer should be considered a "gift" and be exempt when determining her SNAP benefits allotment. See Initial Decision at 3. Based upon the information and documentation provided, the ALJ concluded that the money received from Petitioner's employer constitutes wages earned by Petitioner in exchange for work performed. *Ibid.*; see also N.J.A.C. 10:87-5.4(a)(1). Accordingly, the ALJ concluded that payment received from Petitioner's employer is not excludable income for purposes of SNAP benefit calculations, but rather that the payments are earned income, which must be, and were, properly considered by the Agency when calculating Petitioner's SNAP benefits allotment, and as



such, the Agency's inclusion of Petitioner's earned income in the benefits calculation was proper and must stand. See Initial Decision at 3-4. I agree.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. May 13, 2025

Natasha Johnson
Assistant Commissioner

