

DEPARTMENT OF HUMAN SERVICES

Chris Christie Governor

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Elizabeth Connolly
Acting Commissioner

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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 13053-15 D.H.

AGENCY DKT. NO. GA496701 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits under the extreme hardship extension. The Agency denied Petitioner an extension of EA benefits contending that he did not meet the criteria required for an extreme hardship extension. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 9, 2015, the Honorable Ellen S. Bass, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony. No documents were admitted into evidence. On October 9, 2015, the ALJ issued an Initial Decision, which reversed the Agency's action.

Exceptions to the Initial Decision were filed by the Agency on October 20, 2015.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I REJECT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

EA benefits are limited to 12 lifetime cumulative months, see N.J.A.C. 10:90-6.4(a), plus limited extensions for an "extreme hardship." A Work First New Jersey/General Assistance ("WFNJ/GA") recipient may qualify for one six-month EA extension if the Agency determines that a case of extreme hardship exists pursuant to N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(c). Thus, the maximum amount of EA

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benefits that a WFNJ/GA cash recipient may receive is 18 months. Pursuant to N.J.A.C. 10:90-6.4(b)(1)(i), one type of extreme hardship is when "[t]here is the danger of a loss of employment or a bona fide offer of employment"

Here, the record shows that Petitioner is a WFNJ/GA recipient, who has received 12 months of EA benefits. See Initial Decision at 2. In order to receive additional EA benefits, Petitioner must qualify for an extreme hardship extension. See N.J.A.C. 10:90-6.4(b)(1). Here, the record indicates that Petitioner is looking for work, has a work history, and has applied for work with a temporary agency, anticipating employment as the holiday season approaches. See Initial Decision at 3. However, contrary to the ALJ's finding that Petitioner's emergent situation will impede his efforts to secure employment, the aforementioned factors are not enough to qualify Petitioner for an extreme hardship extension. Id. at 4. Particularly, Petitioner has not provided proof, at this time, of a bona fide offer of employment. See N.J.A.C. 10:90-6.4(b)(1)(i).

Accordingly, the Initial Decision is REJECTED, the Agency's action is AFFIRMED.

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Signed Copy on File at DFD, BARA

Natasha Johnson Director