State of New Jersey
TMENT OF HUMAN SERVICES
SION OF FAMILY DEVELOPMENT
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DEPARTMENT OF HUMAN SERVICES
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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 19274-16 J.S.

AGENCY DKT. NO. C105882 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's sanctioning of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency sanctioned Petitioner's WFNJ/TANF benefits due to her failure to comply with her assigned work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 2, 2017, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On February 6, 2017, the ALJ issued an Initial Decision affirming the Agency's determination. Here, Petitioner's household previously received $552.00 in monthly WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit R-1, R-2, and R-4 at 2. However, Petitioner was sanctioned effective on January 1, 2017, for her failure to comply with her WFNJ work requirement. Ibid.; see also N.J.A.C. 10:90-4.13(a), (b). As a result, Petitioner's monthly WFNJ/TANF benefit allotment was reduced to $442.00. Ibid. Petitioner testified that she was unable to attend her work activity because it would require her to be absent from her children during their departure to, and return home from, school. See Initial Decision at 3. However, the Agency testified that it had offered Petitioner after school supervision for her school age children and child care for her youngest son, which was rejected by Petitioner citing gaps in coverage, as well as logistical and transportation issues. Id. at 3-4. Consequently, the ALJ found that petitioner's refusal to accept child care and after school supervision was unreasonable and concluded that Petitioner failed to provide

good cause for her failure to comply with her work requirement. Id. at 4-5; see also N.J.A.C. 10:90-4.11. Therefore, the ALJ further concluded that the Agency properly sanctioned Petitioner's WFNJ/TANF benefits. See Initial Decision at 5; see also N.J.A.C. 10:90-4.13(a), (b).

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's Initial Decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, although the transmittal sheet in this case indicates a secondary contested issue regarding a termination of Petitioner's Emergency Assistance ("EA") benefits, that issue was not addressed by the ALJ in his Initial Decision. Accordingly, if a termination of Petitioner's EA remains a contested issue, Petitioner is without prejudice to request another fair hearing on that issue alone.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's determination to sanction Petitioner's WFNJ/TANF benefits is hereby AFFIRMED.

MAR 07 2017

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director