

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]
[REDACTED]
[REDACTED]

Reg. No. 2012-6120
Issue No. 1038
Case No. [REDACTED]
Hearing Date: December 1, 2011
Ingham County DHS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on December 1, 2011.

ISSUE

Was good cause established for noncompliance with JET?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. By April 27, 2011, claimant's family assessment informational tool was not submitted to the Michigan Works Agency.
2. Claimant did not appear on July 11, 2011 for JET orientation.
3. Claimant was rescheduled for July 18, 2011, arrived late at JET, an in accordance with its policy sent claimant away; she admits that she was late.
4. On August 24, 2011, claimant failed to appear for her triage meeting.
5. On September 2011, the DHS terminated the claimant's FIP based on lack of good cause for noncompliance with JET.

CONCLUSIONS OF LAW

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 USC 601, *et seq.* The Department of Human Services (DHS or department) administers the FIP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3101-3131. The FIP program replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (PAM), the Bridges Eligibility Manual (PEM) and the Bridges Reference Manual (PRM).

Facts above are undisputed.

Persons who refuse, without good cause, to participate in employment-related activities are subject to penalties. BEM 233A pages 3 and 4.

Good cause—means a circumstance which is considered a valid reason for not complying with a requirement. BPG Glossary, page 18.

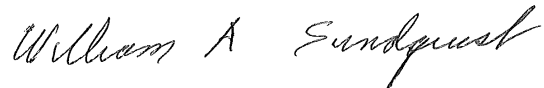
The evidence of record establishes that the claimant violated her job related assignment three times—not appearing for orientation, lateness for scheduled assignment, and not timely submitting her family assessment informational tool. Also, she did not attend her scheduled triage meeting.

The evidence of record does not establish that it was beyond the claimant's control to have complied with the above-mentioned JET assignments. Therefore, good cause has not been established by the claimant.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that good cause was not established for noncompliance with JET.

Accordingly, FIP termination is UPHELD.



William A. Sundquist
Administrative Law Judge
For Maura D. Corrigan, Director
Department of Human Services

Date Signed: December 27, 2011

Date Mailed: December 27, 2011

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

WAS/tg

cc:

