

# *Know Your Rights*

## *WFNJ and EA Time Limits*



### **Time Limits—Work First New Jersey (WFNJ) and Emergency Assistance (EA)**

Since COVID-19 waivers ended September 2022, you may face a loss of assistance due to time limits. For most people, there is a 60-month time limit for cash assistance and a 12-month time limit for emergency (housing/shelter) assistance.

In order to get WFNJ cash assistance for more than 60 months; you must apply for an “exemption” or an “extension.” Without an exemption or an extension, you cannot receive TANF or GA payments for more than 60 months in your entire adult life.

Emergency Assistance also has extensions, short-term and longer-term.

Anyone can ask for an exemption or an extension of the time limits, but not everyone will be approved. You must meet the eligibility rules.

### **What are hardship extensions?**

An extension means that you can get welfare payments for more months, but only for a limited time. The maximum extension is six months at one time, or twelve months over a lifetime.

You can get an extension if:

- You will suffer an “extreme hardship” if you don’t get welfare
- You are working full-time, but still eligible for welfare
- You haven’t had an opportunity to “engage in work activities” (the welfare work program)
- You were working full-time, but lost your job through no fault of your own

### **Are there longer extensions or exemptions from time limits?**

Yes! If you are unable to work, you may be eligible for an exemption from the WFNJ time limit and a longer EA extension. You may qualify for more time if:

- You have a long-term disability (a physical or mental condition that prevents you from working for 12 months or longer)
- You are over 60 years old
- You are a full time caretaker for someone who is disabled
- You have experienced domestic violence
- You have received at least 36 months of WFNJ benefits and have other significant reasons you cannot work full-time, for example health issues, low-literacy, an addiction issue, or a learning disability.

**If your benefits stop and you think it is a mistake, you can ask for a fair hearing.**

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### **What if I disagree with the decision to stop WFNJ or EA?**

If you think that you may be eligible for more time, appeal right away. If you appeal within 15 days of the date of the notice, you may be eligible for continued assistance while you wait for a hearing.

### **How do I get a fair hearing?**

- Call the State Fair Hearings Hotline at **1-800-792-9773**
- Put it in writing (If you go to the agency office to ask for a hearing, you should still put your request in writing, keep a copy for yourself, and get a receipt. This is your proof that you asked for the hearing.)
- Call the welfare office. Speak with your caseworker or with the fair hearing liaison and tell them that you want a hearing. Make sure you get the name of the person you speak with, and write it down. Ask them to send you a letter confirming that you asked for the hearing.

### **How long do I have to ask for a fair hearing?**

If you want to keep receiving benefits while you wait for a hearing, you must ask for a hearing within 15 days of the day you get notice of a change in your case. Make sure you say that you want assistance to continue when you ask for the hearing. (If you lose your appeal, you will have to pay the extra benefits back. Usually, the welfare office will recoup this out of future benefits you may receive until this is paid back.)

For WFNJ, you have 90 days from the date of the Division of Social Services decision to ask for a “fair hearing.” (You still must ask for the hearing within 15 days of the agency decision if you want your benefits to continue unchanged while you wait for a hearing.)

### **What if my benefits already stopped?**

If you are not receiving EA when you ask for the hearing, you can ask for an expedited, emergency fair hearing. Emergency fair hearings must be scheduled within three days after the request is made.

## **GET HELP!**

Call the LSNJLAW<sup>SM</sup> Hotline at 1-888-LSNJ-LAW (1-888-576-5529)

Apply online at <https://lsnjlawhotline.org>

Contact your regional Legal Services program  
[www.lsnjlaw.org/Pages/Legal-Services-Offices.aspx](http://www.lsnjlaw.org/Pages/Legal-Services-Offices.aspx)