

**OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
BUREAU OF STATE HEARINGS**

ADMINISTRATIVE APPEAL SECTION

In Re Appeal of:

Docket Number:	AA-3662	
Appeal No(s)	1421402	OWF
AG No.	5016048539	
Hearing Request Date:	06/19/2008	
Hearing Decision Date:	03/03/2009 / CSA	
Appeal Request Date:	03/17/2009	
Agency:	CUYAHOGA CDJFS	

Administrative Appeal Decision

The appellant is appealing a March, 2009, agency decision to impose a second level sanction against her Ohio Works benefits due to her failure to comply with a December, 2008, Self Sufficiency Contract which required her to participate in a job search assignment for 30 hours per week beginning January, 2009. The hearing officer overruled the Ohio Works First appeal, finding that the appellant attended only two days in February, and lacked good cause for the failure to attend the remaining days.

In her request for administrative appeal the appellant indicates only that the hearing officer erred in finding that she has only one child. But the hearing decision clearly notes that she has two children and, in any event, that fact is not central to the issue of the case.

In that regard the issue in dispute was whether the appellant had good cause for her attendance failure due to an accidental eye injury. But she did not report the injury to the agency until nearly four months later, was not sure of the date of the injury, and had no objective documentation of it. For this reason it was reasonable for the hearing

officer to conclude that the appellant had failed to establish good cause for the attendance failure.

We also agree with the hearing officer's conclusion regarding the appellant's responsibility to enter into a self sufficiency contract as a condition of assistance, and the penalty that results from a failure to comply with it.¹

DECISION

We therefore ORDER that the hearing decision is AFFIRMED.

Administrative Appeal Officer

CONCUR:

Administrative Appeal Officer

Chief Legal Counsel

Date of Issuance: April 2, 2009

Notice to Appellant

This Administrative Appeal decision is the final decision on this appeal from the state department of job & family services. It is binding on the department and agency, unless it is reversed or modified on appeal to the court of common pleas.

An Appellant who disagrees with this decision may appeal it to the court of common pleas pursuant to sections 119.12 and 5101.35(E) of the Revised Code. The Appellant shall mail the original notice of appeal to the department at the following address:

**Ohio Department of Job & Family Services
Office of Legal Services
30 E. Broad Street, 31st Floor
Columbus, OH 43215-3414**

The Appellant must also file a copy of the notice of appeal with the court of common pleas in the county in which the Appellant resides (Franklin County, if the Appellant does not reside in Ohio). Please note: Both the mailing to the department and the filing with the court must occur within thirty (30) calendar days of the date of issuance of this decision.

¹ ORC 5107.14; 5107.16

If you have questions about appealing to a court, contact your attorney, local legal aid society, or bar association. If you want information about free legal services, you can call the Ohio State Legal Services Association, toll free, at 1-800-589-5888.

cc:

Director, CUYAHOGA CDJFS

RAMOSD, ASHTOC, Bureau of State Hearings