

STATE OF NEW JERSEY  
 CIVIL SERVICE COMMISSION

In the Matter of D.F., County  
 Correction Officer (S9999H), Essex  
 County

Medical Review Panel Appeal

CSC Docket No. 2015-2499

ISSUED: **DEC 02 2018** (BS)

D.F., represented by Lynsey A. Stehling, Esq., appeals his rejection as a County Correction Officer candidate by Essex County and its request to remove his name from the eligible list for County Correction Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel on December 16, 2015 which rendered the attached report and recommendation on December 21, 2015. No exceptions were filed by the parties.

The report by the Medical Review Panel discusses all submitted evaluations. The Panel noted that the concerns noted by the appointing authority were historical and that the appellant has demonstrated stability in recent years. The appellant has not had any traffic tickets since 2006, credit problems since 2009, and his work history has been stable over the last several years. Although the Panel did not view the historical issues as evidence of a pattern of personality characteristics which would disqualify him, the Panel was concerned about the more recent interpersonal turmoil that led to the temporary restraining orders (TROs), more recent charges, and the Child Protection and Permanency (CPP) investigation. In addition to the appellant's account and the certifications of the two women involved, the Panel opined that it would be necessary for the appellant to provide collateral information such as the police reports concerning the TROs along with the CPC records in order for an opinion to be rendered regarding the appellant's psychological suitability. These records would be helpful to an independent evaluator in forming an opinion as to whether these more recent events are reflective of a lack of psychological

fitness for the position. Accordingly, the Panel concluded that the test results and procedures and the behavioral record, when viewed in light of the Job Specification for County Correction Officer, justified sending the appellant for an independent psychological evaluation.

## **CONCLUSION**

The Civil Service Commission has reviewed the report and recommendation of the Medical Review Panel. The Commission notes that the Panel conducts an independent review of the raw data presented by the parties as well as the recommendations and conclusions drawn by the various evaluators and that, in addition to the Panel's own review of the results of the tests administered to the appellant, it also assesses the appellant's presentation before it prior to rendering its own conclusions and recommendations which are based firmly on the totality of the record presented. The Commission agrees with the Panel's recommendation that greater clarification is needed concerning the more recent interpersonal turmoil that led to the TROs, more recent charges, and the CPP investigation. Therefore, the Commission finds it necessary to refer this matter for independent evaluation by a New Jersey licensed psychologist. Such an evaluation should address the areas of concern raised by the Panel.

## **ORDER**

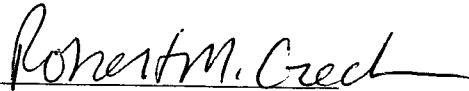
The Civil Service Commission therefore orders that D.F. be administered an independent psychological evaluation. The Commission further orders that it is appropriate in this matter to assess the cost incurred for this evaluation to the appointing authority in the amount of \$530. Prior to the Civil Service Commission's reconsideration of this matter, copies of the independent evaluator's report and recommendation will be sent to all parties with the opportunity to file exceptions and cross exceptions.

D.F. is to contact Dr. Robert Kanen, the Civil Service Commission's independent evaluator, in order to arrange for an appointment within 15 days of receipt of this order. Dr. Kanen's address is as follows:

Dr. Robert Kanen  
Kanen Psychological Services  
76 West Ridgewood Avenue  
Ridgewood, New Jersey 07450  
201-670-8072

If D.F. does not contact Dr. Kanen within the time period noted above, the entire matter will be referred to the Civil Service Commission for final administrative determination and the appellant's lack of pursuit will be noted.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 23RD DAY OF NOVEMBER, 2016



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence:

Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

Attachment

- c: D.F.
- Lynsey A. Stehling, Esq.
- Robert Jackson
- Kelly Glenn
- Dr. Robert Kanen