



**STATE OF NEW JERSEY**

In the Matter of Loreal Chrisp,  
Correction Officer Recruit (S9988U),  
Department of Corrections

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

CSC Docket No. 2018-938

List Removal Appeal

**ISSUED:           APRIL 6, 2018    (JET)**

Loreal Chrisp appeals the removal of her name from the Correction Officer Recruit (S9988U), Department of Corrections, eligible list on the basis of a positive drug test.

The appellant took the open competitive examination for Correction Officer Recruit (S9988U), achieved a passing score, and was ranked on the subsequent eligible list. The appellant’s name was certified on March 31, 2017. The appointing authority rejected the appellant due to a positive drug test. Specifically, the appointing authority indicated that the appellant failed a urinalysis for positive use of Cannabinoids (THC).<sup>1</sup> It is noted that a toxicology report dated August 4, 2017 from the New Jersey State Toxicology Laboratory indicates that the appellant tested positive for Cannabinoids (THC).

On appeal to the Civil Service Commission (Commission), the appellant asserts that she does not use Cannabinoids (THC) and she does not want this incident to reflect negatively on her future employment prospects. The appellant states that the urinalysis must have been mistaken as she does not use any recreational drugs including Cannabinoids. The appellant explains that she is required to take iron supplements and strong antibiotics for her medical conditions, including amoxicillin and doxycycline, which may have caused a false positive test result. In addition, the appellant contends that she was treated for an infection at

<sup>1</sup> The appellant took the urinalysis when she appeared for Phase 1 and 2 of pre-employment processing on July 24, 2017.

the time she took the urinalysis. Moreover, the appellant maintains that she is interested in obtaining employment as a Correction Officer. In support, the appellant provides documentation dated September 18, 2017 pertaining to her medical conditions and prescribed medications. However, she does not provide any medical documentation to show that she was treated with the aforementioned antibiotics at the time she took the urinalysis.

In response, the appointing authority maintains that the appellant's name should be removed from the list as she clearly failed a drug test. Specifically, the appointing authority asserts that the August 4, 2017 toxicology report established that the appellant tested positive for Cannabinoids (THC), and as such, was properly removed from the eligible list. In this regard, the appointing authority's policy provides that any candidate who tests positive for an illegal controlled dangerous substance is automatically disqualified from the selection process and removed from the eligible list. The appointing authority adds that, although the appellant argues that she was treated with antibiotics, she did not provide any medical documentation in support of her claims that such drugs may produce a false positive test result.

## CONCLUSION

*N.J.A.C.* 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)3, states that an eligible who is physically unfit to effectively perform the duties of the position may be removed from the eligible list. *N.J.A.C.* 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, also states that an eligible may be removed from an eligible list for other sufficient reasons as determined by the Civil Service Commission.

On appeal, the appellant states that she was being treated with medication including antibiotics at the time she took the urinalysis, and she maintains that she does not use recreational drugs including Cannabinoids (THC). However, the appellant's arguments are not persuasive. In this regard, she did not submit any substantive evidence to establish that there was a false positive result for the drug test. In this regard, the medical documentation submitted by the appellant is dated nearly two months after she took the urinalysis, and she did not provide any substantive documentation to show that she was being treated with antibiotics at the time she took the urinalysis in July 2017. Even assuming, *arguendo*, that she produced more contemporaneous documentation, that would not, in and of itself, conclusively establish the invalidity of the drug test.

The job specification for Correction Officer Recruit defines the duties of the position as under immediate supervision of a supervisory officer within the Department of Corrections, receives in residence and on-the-job training including instructions for the appropriate care and custody of a designated group of inmates, and does work which will provide practical custody experience; does related work as

required. Clearly, a positive drug screen presents an impediment to the appellant's ability to perform these security duties.

**ORDER**

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 4<sup>th</sup> DAY OF APRIL, 2018



Deidre L. Webster Cobb  
Acting Chairperson  
Civil Service Commission

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