

## STATE OF NEW JERSEY

In the Matter of F.P., County: Correction Officer, Essex County,: (C9979M)

CSC Docket No. 2014-946

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Medical Examiners Panel Appeal

**ISSUED August 14, 2014** (**ED**)

F.P. appeals his rejection as a County Correction Officer candidate by the County of Essex and its request to remove his name from the eligible list for County Correction Officer (C9979M) on the basis of medical unfitness to perform effectively the duties of the position due to morbid obesity, hypertension, abnormal urinalysis and cardiac issues.

This appeal was brought before the Medical Examiners Panel on January 16, 2014, which rendered the attached report and recommendation on January 16, 2014. The appellant was present at the meeting. No representative from Essex County was present. No exceptions were filed by the parties.

N.J.A.C. 4A:4-6.5 provides for the Civil Service Commission to utilize the expertise of a Medical Examiners Panel to make a report and recommendation on medical disqualification issues. The Panel is composed of medical professionals, all of whom are faculty and practitioners of the former New Jersey Medical School (University of Medicine and Dentistry of New Jersey) now Rutgers Biomedical and Health Sciences.

In this case, the Medical Examiners Panel's Chairman, Lawrence D. Budnick, MD, Director of Occupational Medicine Service and Associate Professor of Medicine, Rutgers Biomedical and Health Sciences, requested a medical specialist to perform a chart review and to make findings and recommendations regarding appellant's medical fitness for the job in question.

The report by the Medical Examiners Panel discusses all submitted evaluations. The Panel, based on the evaluation of submitted information and the medical consultant's review, found, with a reasonable degree of medical certainty, that the appellant has a significant cardiac impairment or functional limitation that would limit his ability to perform the essential functions of or cause a direct threat to himself or others as a County Correction Officer. Therefore, it recommended that the appellant's name be removed from the eligible list.

Having considered the record and the Medical Examiners Panel's report and recommendation issued thereon and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached medical Examiners Panel's report and recommendation.

## **ORDER**

The Civil Service Commission finds that the appointing authority has met its burden of proof that F.P. is not medically fit to perform effectively the duties of the title and, therefore, the Commission orders that his name be removed from the subject eligible list.

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 13th DAY OF AUGUST 2014

Robert M. Czech

Chairperson

Civil Service Commission

Inquiries and

Henry Maurer

Director

Correspondence

Division of Appeals and Regulatory Affairs

Civil Service Commission

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Attachments

c: F.P.

Alan Abramowitz, Essex County Kenneth Connolly