



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Medical Examiners Panel Appeal

Medical Examiners Panel Appeal

appellant not be considered to be physically capable of performing the essential functions of a Public Works Repairer.

CONCLUSION

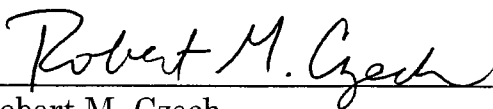
Having considered the record and the Panel's report and recommendation issued thereon and having made an independent evaluation of the same, the Commission accepts and adopts the findings and conclusions as contained in the Panel's report and recommendation that the appellant is not medically fit to perform effectively the duties of a Public Works Repairer. The Panel sets forth the appellant's medical history regarding issues with his right shoulder. He injured his right shoulder in 2014 and re-injured it in 2015. Moreover, agency records reveal that the appellant was certified for the position on August 11, 2015. As of November 9, 2015, his "right shoulder has significant weakness in abduction." The Commission emphasizes that a Public Works Repairer, as set forth in the job specification, must perform physical labor, including "construction, maintenance, and repair of street, sewer, water, sanitation, and other public facilities." Therefore, the record demonstrates that the appellant is not medically fit for the position. Accordingly, his appeal is denied.

ORDER

The Commission finds that the appointing authority has met its burden of proof that J.C. 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 18TH DAY OF JANUARY, 2017



Robert M. Czech

Chairperson

Civil Service Commission

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and
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Attachment

c: J.C.
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