

In the Matter of A.W.,  
Correction Officer Recruit,  
Department of Corrections (S9988T)

CSC Docket No. 2016-3142

**STATE OF NEW JERSEY**  
**FINAL ADMINISTRATIVE ACTION**  
**OF THE**  
**CIVIL SERVICE COMMISSION**

# Medical Examiners Panel Appeal

ISSUED JAN 20 2017 (DASV)

A.W. appeals the request by the Department of Corrections (DOC) to remove his name from the Correction Officer Recruit (S9988T) eligible list for medical unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Examiners Panel (Panel) on November 22, 2016, which rendered the attached report and recommendation on November 23, 2016. The appellant was present at the meeting. The DOC did not send a representative. No exceptions were filed by the parties.

*N.J.A.C.* 4A:4-6.5 provides for the Civil Service Commission (Commission) to utilize the expertise of the 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 Rutgers New Jersey Medical School.

In this case, the Panel's Chairman, Lawrence D. Budnick, MD, Director of Occupational Medicine Service and Associate Professor of Medicine, Rutgers New Jersey Medical School, requested a medical specialist to perform a chart review and to make findings and recommendations regarding the appellant's medical fitness for the job in question. Based on the evaluation of submitted information and the medical consultant's review, the Panel found, with a reasonable degree of medical certainty, that the appellant has a significant visual impairment or functional limitation that would cause a direct threat to himself or others. Therefore, it recommended that the appellant not be considered to be physically capable of

undergoing the training involved to be a Correction Officer Recruit, nor should he be considered to be able to perform the duties associated with the position.

### CONCLUSION

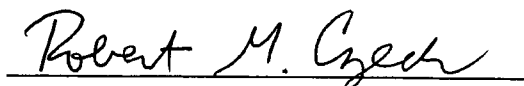
Having considered the record and the Panel's report and recommendation issued thereon and having made an independent evaluation of the same, the Commission accepts and adopts the findings and conclusions as contained in the Panel's report and recommendation that the appellant is not medically fit to undergo the training involved to be a Correction Officer Recruit and perform effectively the duties of the position. The Panel set forth that the appellant's best corrected visual acuity in his right eye was 20/50 and 20/20 in his left eye. The DOC requires that visual acuity must be correctable to 20/30 in both eyes. As set forth in the job specification, a Correction Officer Recruit is responsible for the appropriate care and custody of inmates, which would include patrolling assigned areas and assuring that contraband articles are not concealed on the bodies of the inmates or in any part of the institution. Additionally, an incumbent must make note of suspicious persons and conditions and observe everything significant that takes place within sight and hearing of his or her post. The foregoing responsibilities clearly demonstrate that visual acuity is essential to perform the duties of a Correction Officer Recruit. Having a visual acuity of at least 20/30 in both eyes is a reasonable standard. 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 A.W. 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 18<sup>TH</sup> DAY OF JANUARY, 2017



Robert M. Czech

Chairperson

Civil Service Commission

Inquiries  
and  
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Attachment

c: A.W.  
Lisa Gaffney  
Veronica Tingle  
Kelly Glenn