



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of S.F., Correction
Officer Recruit (S9988R),
Department of Corrections

CSC Docket No. 2016-1454

Medical Review Panel Appeal

ISSUED: JUL 31 2017 (BS)

S.F. appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988R) 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 14, 2016, which rendered the attached report and recommendation on December 18, 2016. Exceptions were filed by the appellant.

The report by the Medical Review Panel discusses all submitted evaluations. It notes that Dr. Lewis Schlosser (evaluator on behalf of the appointing authority) carried out a psychological evaluation of the appellant and characterized the appellant as providing discrepant information in several areas including his employment, motor vehicle, and educational history. With regard to his work history, the appellant had left two employers "under negative conditions" and Dr. Schlosser noted that the record indicated that he had been terminated. Dr. Schlosser described the appellant as having "significant problems" with "dutifulness and poor integrity." The psychological testing revealed an elevated "Lie" scale and no prediction for performance could be made. Dr. Schlosser concluded that the appellant was not psychologically suited for employment as a Correction Officer Recruit.

Dr. Elizabeth Gayden (evaluator on behalf of the appellant) carried out a psychological evaluation of the appellant and performed unspecified testing. Dr.

Gayden did note that the appellant's IQ was average. Dr. Gayden made no diagnoses and opined that "there is no psychological evidence assessed that would prevent his ability to work with the correctional facility." Dr. Syed Ali also conducted a psychiatric evaluation of the appellant on his behalf. Dr. Syed made no diagnoses and opined that the appellant was "psychiatrically stable and cleared for full time employment" as a Correction Officer Recruit.

The evaluators on behalf of the appellant and the appointing authority reached differing conclusions and recommendations. The Panel concluded that the negative recommendation finds support in problems with the appellant's "dutifulness" and "integrity" as evidenced by his inconsistent accounts and poor performance at two jobs. The appellant's own evaluators did not comment on any work-related performance issues. The Panel found the appellant's explanations of his employment issues to be vague. When asked about Dr. Schlosser's comment that he was "too talkative," the appellant remarked that he "was found to be too friendly to the public." The Panel noted that the background investigation indicated "excessive reprimands. This suggested to the Panel that the appellant had issues responding to supervision but it did opine that the appellant could potentially remedy this by continuing to establish a positive employment history. Therefore, the Panel concluded that the test results and procedures and the behavioral record, when viewed in light of the Job Specification for Correction Officer Recruit, indicate that the candidate is psychologically unfit to perform effectively the duties of the position sought, and therefore, the action of the hiring authority should be upheld. Accordingly, the Panel recommended that the applicant be removed from the eligible list.

In his exceptions, the appellant argues that he is a highly competent and focused individual and disagrees that his employment history reflects poor job performance. The appellant takes full responsibility for his actions with regard to the incidents in his employment history. In his current position, the appellant asserts that he always demonstrates professionalism and maturity, and that he always acts in accordance with established regulations and procedures. The appellant states that he does not smoke or drink, he exercises regularly, does not hang out with the wrong crowd, and has prepared himself by watching Department of Corrections videos and reading books to help prepare himself for the position.

CONCLUSION

The Class Specification for Correction Officer Recruit is the official job description for such State positions within the civil service system. According to the specification, an Officer is involved in providing appropriate care and custody of a designated group of inmates. These Officers must strictly follow rules, regulations, policies and other operational procedures of that institution. Examples of work include: encouraging inmates toward complete social rehabilitation; patrolling

assigned areas and reporting unusual incidents immediately; preventing disturbances and escapes; maintaining discipline in areas where there are groups of inmates; ensuring that institution equipment is maintained and kept clean; inspecting all places of possible egress by inmates; finding weapons on inmates or grounds; noting suspicious persons and conditions and taking appropriate actions; and performing investigations and preparing detailed and cohesive reports.

The specification notes the following as required skills and abilities needed to perform the job: the ability to understand, remember and carry out oral and written directions and to learn quickly from written and verbal explanations; the ability to analyze custodial problems, organize work and develop effective work methods; the ability to recognize significant conditions and take proper actions in accordance with prescribed rules; the ability to perform repetitive work without loss of equanimity, patience or courtesy; the ability to remain calm and decisive in emergency situations and to retain emotional stability; the ability to give clear, accurate and explicit directions; and the ability to prepare clear, accurate and informative reports of significant conditions and actions taken.

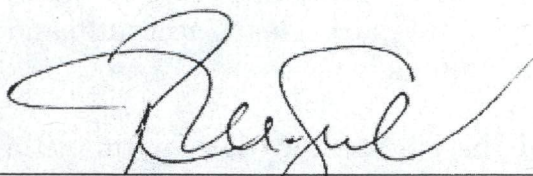
The Civil Service Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and found that the psychological traits, which were identified and supported by test procedures and the behavioral record, relate adversely to the appellant's ability to effectively perform the duties of the title. The Commission finds that the appellant's exceptions do not persuasively dispute the findings and recommendations of the Panel in this regard. The Panel's concerns centered on the appellant's "dutifulness" and "integrity" as evidenced by his inconsistent and vague accounts and poor performance at two jobs. Prior to making its report and recommendation, the Commission notes that the Panel conducts an independent review of all of the raw data presented by the parties as well as the raw data and recommendations and conclusions drawn by the various evaluators prior to rendering its own conclusions and recommendations, which are based firmly on the totality of the record presented to it. The Panel's observations regarding the appellant's employment history, responses to the various assessment tools, and appearance before the Panel are based on its expertise in the fields of psychology and psychiatry, as well as its experience in evaluating hundreds of appellants. The Commission agrees with the Panel's assessment that if the appellant continues to establish a positive employment history, he may be deemed psychologically suitable at some point in the future should he chose to re-apply. Having considered the record and the Medical Review 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 Review Panel's report and recommendation.

ORDER

The Civil Service Commission finds that the appointing authority has met its burden of proof that S.F. is psychologically unfit to perform effectively the duties of a Correction Officer Recruit 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 26TH DAY OF JULY, 2017



Robert M. Czedh, Chairperson
Civil Service Commission

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Attachment

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