



STATE OF NEW JERSEY
DECISION OF THE
CIVIL SERVICE COMMISSION

In the Matter of M.F.,
County Correction Officer (S9999R),
Union County

CSC Docket No. 2017-2267

Medical Review Panel Appeal

ISSUED: MAY 2, 2018 (DASV)

M.F., represented by Michael G. Brucki, Esq., appeals his rejection as a County Correction Officer candidate by Union County and its request to remove his name from the eligible list for County Correction Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel (Panel) on February 23, 2018, which rendered the attached report and recommendation. No exceptions were filed by the parties.

The report by the Panel discusses all submitted evaluations and the information obtained from the meeting. Of major concern was the appellant's potential for aggressive behavior. The appointing authority's evaluator, Dr. Robert Kanen, stated that the appellant "appears to be at risk for temper control problems" and "appeared to lack insight into his behavior and is prone to poor judgment." The appellant had been charged with aggravated assault and presented himself as "too aggressive" during his evaluation with Dr. Kanen. In contrast, the appellant's evaluator, Dr. Paul F. Fulford, found the appellant "cooperative" during his evaluation. Additionally, Dr. Fulford opined that the appellant appeared to have good judgment. Upon review, the Panel noted the concerns regarding the appellant's impulse control and questioned the appellant regarding the aggravated assault of a fellow student in 2010. The appellant was placed on probation and participated in an anger management program. The Panel indicated that the sequence of events that occurred in 2010 raised questions as to how well the appellant could handle conflicts with others, especially in a correctional facility.

The Panel concluded that further evaluation of the appellant's potential to respond to tension or conflict was necessary. Therefore, based on the evaluations, the test results of the appellant, and his presentation at the meeting, the Panel recommended that the appellant undergo an independent evaluation to assess the extent to which any potential problem with anger or aggression could affect his ability to properly carry out the responsibilities of a County Correction Officer.

CONCLUSION

The Civil Service Commission (Commission) has reviewed the report and recommendation of the Panel. The Commission notes that the Panel conducts an independent review of the raw data presented by the parties as well as the recommendations and conclusions drawn by the various evaluators and that, in addition to the Panel's own review of the results of the tests administered to the appellant, it also assesses the appellant's presentation before it prior to rendering its own conclusions and recommendations which are based firmly on the totality of the record presented. The Commission agrees with the Panel's recommendation and finds it necessary to refer the appellant for an independent evaluation by a New Jersey licensed psychologist.

ORDER

The Commission therefore orders that M.F. be administered an independent psychological evaluation. The Commission further orders that the cost incurred for this evaluation be assessed to the appointing authority in the amount of \$530. Prior to the Commission's reconsideration of this matter, copies of the independent evaluator's report and recommendation will be sent to all parties with the opportunity to file exceptions and cross exceptions.

M.F. is to contact Dr. Susan A. Furnari, the Commission's independent evaluator, within 15 days of the issuance of this determination in order to arrange for an appointment. Dr. Furnari's address is as follows:

Dr. Susan A. Furnari
596 Franklin Avenue
Nutley, New Jersey 07110
(973) 661-1732

If M.F. does not contact Dr. Furnari within the time period noted above, the entire matter will be referred to the Commission for final administrative determination and the appellant's lack of pursuit will be noted.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 2ND DAY OF MAY, 2018



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence:

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: M.F.
Michael G. Brucki, Esq.
Michael M. Yuska
Dr. Susan A. Furnari
Kelly Glenn
Annemarie Ragos