

B-6



	:	<b>STATE OF NEW JERSEY</b>
In the Matter of W. A., Department of	:	
Corrections, Correction Officer	:	<b>FINAL ADMINISTRATIVE ACTION</b>
Recruit (S9988R)	:	<b>OF THE</b>
	:	<b>CIVIL SERVICE COMMISSION</b>
	:	
CSC Docket No. 2015-1383	:	
	:	Medical Examiners Panel Appeal
	:	
	:	
	:	

**ISSUED September 8, 2015 (ED)**

W. A. 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 medical unfitness to perform effectively the duties of the position due to blindness of his right eye.

This appeal was brought before the Medical Examiners Panel on July 8, 2015, which rendered the attached report and recommendation on July 10, 2015. The appellant was not present at the meeting. Dr. F. Javier Villota represented the Department of Corrections. 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 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 visual impairment and functional limitation

that would limit his ability to perform the essential functions of or cause a direct threat to himself or others as a Correction Officer Recruit. Therefore, it recommended that the appellant's name be removed from the eligible list.

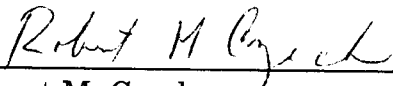
Having considered the record and the Medical Examiners Panel's report and recommendation issued thereon and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached medical Examiners Panel's report and recommendation.

**ORDER**

The Civil Service Commission finds that the appointing authority has met its burden of proof that W. A. 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 2<sup>nd</sup> DAY OF SEPTEMBER 2015

  
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Chairperson  
Civil Service Commission

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and  
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Attachments

c: W. A..  
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Kenneth Connolly