

B-3



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Michele Beadle,  
Correction Officer Recruit (S9988T),  
Department of Corrections

List Removal Appeal

CSC Docket No. 2017-1266

ISSUED: MAY 08 2017 (HS)

Michele Beadle appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988T), Department of Corrections on the basis of a positive drug test.

The appointing authority rejected the appellant, a Correction Officer Recruit candidate, due to a positive drug test. In support of its rejection and request for removal, the appointing authority submitted a laboratory report stating that an initial screening of the appellant's urine sample taken on August 8, 2016 using the immunoassay method was conducted and proved positive for cannabinoids (THC). The New Jersey State Toxicology Laboratory confirmed the positive test result, after retesting the original urine sample using the mass spectrometry method.

On appeal to the Civil Service Commission (Commission), the appellant maintains that she has never used illegal street drugs. She suggests that maybe a false positive was reported either due to human error in the lab or the use of Omeprazole, an over-the-counter (OTC) acid reflux medication, on the morning of her appointment. The appellant did not write this medication on the medication list when submitting her sample simply because she could not remember the name and did not think that an OTC acid reflux medication could possibly have a negative effect on her drug test. She later found that proton pump inhibitors, such as Omeprazole, have been linked to false positives for THC.

In response, the appointing authority maintains that the appellant tested positive for the illegal controlled dangerous substance THC. It also argues that the appellant has not provided any proof that she took Omeprazole and notes her admission that she did not list that medication on her medication sheet.

### CONCLUSION

*N.J.A.C.* 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)3, states that an eligible who is physically unfit to effectively perform the duties of the position may be removed from the eligible list. *N.J.A.C.* 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, also states that an eligible may be removed from an eligible list for other sufficient reasons as determined by the Commission.

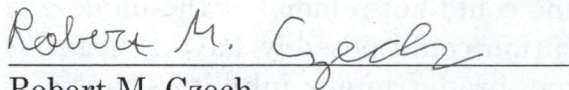
Apart from a general assertion that she has never used illegal street drugs and unsubstantiated claims regarding other potential causes for a positive drug test, the appellant provides no substantive evidence to refute the results of her drug test. Accordingly, the appointing authority has demonstrated that the appellant had a positive drug screen and that such matter would prevent her from effectively performing the duties of the position at issue. The appellant, therefore, does not meet the required physical qualifications for the Correction Officer Recruit title. The job specification for Correction Officer Recruit defines the duties of the position as tracking the number of inmates, escorting inmates to and from their quarters, patrolling assigned areas of the buildings and grounds, making required reports and assisting in controlling the general conduct and behavior of inmates who are gathered in groups. Clearly, a positive drug screen presents an impediment to the appellant's ability to perform these law enforcement duties.

### ORDER

Therefore, it is ordered that this appeal be denied and the name of Michele Beadle be removed from the eligible list for Correction Officer Recruit (S9988T), Department of Corrections.

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 3<sup>RD</sup> DAY OF MAY, 2017



Robert M. Czech

Chairperson

Civil Service Commission

Inquiries  
and  
Correspondence

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

c. Michele Beadle  
Elizabeth Whitlock  
Kelly Glenn

Department of  
Director  
Department of Appeals and  
Public Safety  
Civil Service Commission  
P.O. Box  
Trenton, New Jersey 08646

Public Health  
Department of Health  
P.O. Box