



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of C.H.,  
Fire Fighter (M1513T),  
City of Clifton

CSC Docket No. 2018-839

Medical Examiners Panel Appeal

**ISSUED: APRIL 22, 2019 (DASV)**

C.H. appeals the request by the City of Clifton to remove his name from the Fire Fighter (M1513T) eligible list for medical unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Examiners Panel (Panel) on January 30, 2019, which rendered a report and recommendation on February 7, 2019. Neither the appellant nor the appointing authority was present at the meeting. 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, Professor of Medicine, Director of Occupational Medicine Service, 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 medical information and the medical consultant's review, the Panel found, with a reasonable degree of medical certainty, that when the City of Clifton evaluated the appellant, he suffered from significant cardiac disease. The Panel further indicated that this impairment or functional limitation could cause a direct threat to the appellant or others should the appellant serve as a Fire Fighter. Therefore, the Panel recommended that the

appellant be considered not physically capable of undergoing training and performing the essential functions of a Fire Fighter.

### CONCLUSION

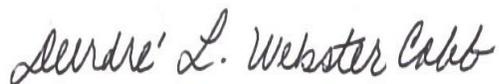
Having considered the record and the Panel's report and recommendation issued thereon and having made an independent evaluation of the same, the Commission accepts and adopts the findings and conclusions as contained in the Panel's report and recommendation that the appellant is not medically fit to perform effectively the duties of a Fire Fighter. The Panel set forth its findings based on the evaluation of submitted information, which included the pre-appointment medical examination results, as well as the medical documentation submitted by the appellant. As set forth in the job specification, a Fire Fighter, during an assigned tour of duty, extinguishes fires, performs rescue operations, aids in emergency situations involving hazardous or toxic materials, administers emergency medical treatment, maintains all related equipment, buildings and grounds, and performs other related duties. It has been found that the appellant's medical condition impairs the training for and performance of such duties. Therefore, the record demonstrates that the appellant is not medically fit for a position as a Fire Fighter. Accordingly, his appeal is denied.

### ORDER

The Commission finds that the appointing authority has met its burden of proof that C.H. 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 17<sup>TH</sup> DAY OF APRIL, 2019



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