



STATE OF NEW JERSEY

In the Matter of A.L.,
Fire Fighter (M2251D),
North Hudson Regional
Fire and Rescue

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

CSC Docket No. 2024-1868

Medical Review Panel Appeal

ISSUED: July 23, 2025 (BS)

A.L., represented by Kenneth Ralph, Esq., appeals his rejection as a Fire Fighter candidate by North Hudson Regional Fire and Rescue and its request to remove his name from the eligible list for Fire Fighter (M2251D) 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 November 1, 2024, which rendered its Report and Recommendation on November 1, 2024. Exceptions were filed on behalf of the appellant.

The report by the Panel discusses all submitted evaluations. Dr. Christopher Sbaratta, evaluator on behalf of the appointing authority, conducted a psychological evaluation of the appellant and noted that the appellant presented with evidence of significant problems with integrity/ethics, as well as decision making and judgment. The appellant failed to report the extent of his motor vehicle violations. For example, the appellant reported one moving violation, but he actually had “closer to seven.” Dr. Sbaratta also indicated that there were other discrepancies, including an unreported termination. Moreover, the appellant was arrested and charged with eluding police in 2016. Dr. Sbaratta stated that the appellant minimized his involvement in the incident and his culpability for evading the police by claiming that he was in the “wrong place at the wrong time.” The appellant also minimized the significance of his license suspension by stating that driver’s licenses are no longer suspended for failing to pay traffic violation fees. Dr. Sbaratta further noted that the appellant was defensive and minimizing when assessing his own personality and

failing to be cognizant of areas in need of improvement. The appellant also denied that anything caused him stress. Dr. Sbaratta found the appellant's lack of truthfulness and inaccurate reporting particularly "concerning and somewhat perplexing" since he had "some work experience" as a Special Law Enforcement Officer (SLEO) at that time. Agency records indicate that North Bergen appointed the appellant as a SLEO on December 21, 2022 and then as a Police Officer through the Alternate Route Program effective April 10, 2024. Given the inaccuracies with and/or deliberate attempts to conceal and suppress derogatory aspects of his past behavior, Dr. Sbaratta opined that the appellant's self-reported history must be viewed with skepticism. The test data supported Dr. Sbaratta's findings regarding the appellant. Dr. Sbaratta found that the appellant's self-appraisal on the Personality and Assessment Inventory to be "simply implausible," given the appellant's behavioral record. Based on the above concerns, Dr. Sbaratta concluded that the appellant was not psychologically suitable for employment as a Fire Fighter and did not recommend him for appointment.

Dr. Rhonda Greenberg, evaluator on behalf of the appellant, carried out a psychological evaluation and characterized the appellant as "intelligent, articulate, and kind-hearted" with a history of service to others. Dr. Greenberg stated that the appellant "has demonstrated a persistence to pursue what he wants, has reported healthy emotional relationships, claims he has matured in his decision making and behavioral choices, and has a recent positive work and driving history." The appellant is also not dependent on or abusing alcohol and drugs. The appellant reported that he engages in healthy pastimes and prioritizes maintaining a relaxed and mindful mental well-being. Dr. Greenberg emphasized that the appellant does not meet the criteria for a psychiatric disorder and that he "was not intentionally obfuscating any event from his past, but rather had a lapse in memory or made a related, non-purposeful error." In Dr. Greenberg's opinion, with reasonable psychological certainty, the appellant was psychologically suitable to serve as a Fire Fighter.

The evaluators on behalf of the appellant and the appointing authority arrived at differing conclusions and recommendations. However, the Panel determined that the appellant's presentation before it was consistent with Dr. Sbaratta's assessment. Dr. Sbaratta raised concerns regarding the appellant's integrity/ethics, decision making, and judgment. As set forth in its report, the Panel initially noted that the appellant had been employed as a SLEO and then as a full-time Police Officer since April 2024. When the Panel questioned the appellant about omitting information during the appointing authority's evaluation, the appellant shrugged it off as a "brain fart or mental lapse." The Panel opined that even if the omissions were unintentional, it does demonstrate an "unacceptable level of carelessness" for an individual applying to be a Fire Fighter, which requires precision and sound judgment. The Panel found the appellant's responses during the meeting to be vague, lacking detail, and even contradictory, as evidenced by the two different explanations concerning a recent parking ticket he was issued. He provided two different stories

concerning the incident at the same Panel meeting. Similarly, the appellant was asked about his credit history, including late payments to which he replied there were no late payments. However, the record revealed that the appellant had a history of late payments on his student loans. The appellant could not provide any detail regarding the status of his accounts despite this history of late payments. Regardless of the fact that the appellant was recently hired as a Police Officer, based on the foregoing, the Panel could not recommend him for appointment as a Fire Fighter. Accordingly, the Panel concluded that the appellant was not psychologically suitable to serve as a Fire Fighter.

In his exceptions, the appellant asserts that the Panel erred in ignoring the “detailed psychological report prepared” by Dr. Greenberg, who extensively interviewed him and ruled out that he had psychiatric disorder. Dr. Greenberg found no reason to psychologically disqualify the appellant from serving as a Fire Fighter. Further, the appellant contends that the Panel offered no commentary on Dr. Greenberg’s qualifications or her report and conclusions. The appellant argues that the Panel’s Report and Recommendation lacks substantial evidence supporting its assertion that he demonstrated an “unacceptable level of carelessness” for someone aspiring to be a Fire Fighter. He emphasizes that the Panel supports this conclusion “with just three examples.” The appellant claims that the Panel’s recommendations regarding him are insufficient reasons for removing him. In conclusion, the appellant submits that “[m]indful that the position of [Fire Fighter] requires integrity, diligence, and heightened responsibility,” there is no evidence to support the Panel’s finding that is not “mentally fit.” Therefore, he requests to be restored to the subject eligible list and states that he is willing to submit to an independent psychological evaluation should it be needed.

CONCLUSION

The Job Specification for the title of Fire Fighter is the official job description for such positions within the Civil Service system. According to the specification, Fire Fighters are entrusted with the safety and maintenance of expensive equipment and vehicles and are responsible for the lives of the public and other officers with whom they work. Some of the skills and abilities required to perform the job include the ability to work closely with people, including functioning as a team member, to exercise tact or diplomacy and display compassion, understanding and patience, the ability to understand and carry out instructions, and the ability to think clearly and apply knowledge under stressful conditions and to handle more than one task at a time. A Fire Fighter must also be able to follow procedures and perform routine and repetitive tasks and must use sound judgment and logical thinking when responding to many emergency situations. Examples include conducting step-by-step searches of buildings, placing gear in appropriate locations to expedite response time, performing preparatory operations to ensure delivery of water at a fire, adequately maintaining equipment and administering appropriate treatment to victims at the scene of a fire, *e.g.*, preventing further injury, reducing shock, and restoring

breathing. The ability to relay and interpret information clearly and accurately is of utmost importance to Fire Fighters as they are required to maintain radio communications with team members during rescue and firefighting operations.

The Civil Service Commission (Commission) has reviewed the Job Specification for this title and the duties and abilities encompassed therein and finds 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. Therefore, it is not necessary for the appellant to be referred for independent psychological evaluation. In that regard, 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 behavioral 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 for public safety positions. Accordingly, the Commission finds that the record is sufficient for it to render a decision.

In that regard, the appellant's exceptions do not persuasively dispute the findings and recommendations of the Panel. As was Dr. Sbaratta and the Panel, the Commission is concerned about the appellant's integrity/ethics, as well as his decision making and judgment. During the Panel meeting, the appellant exhibited such traits which were consistent with the findings of Dr. Sbaratta. The Panel found the appellant's responses to be vague, lacking detail, and contradictory. Moreover, the Panel reviewed all of the relevant data, including the positive recommendation of Dr. Greenberg. Thus, there is insufficient evidence that the Panel ignored Dr. Greenberg's report as argued by the appellant. Nonetheless, it is emphasized that the Commission conducts an independent review of the Report and Recommendation of the Panel prior to rendering its own conclusions, which are based firmly on the totality of the record presented to it, which includes Dr. Greenberg's evaluation.

Further, although Dr. Greenberg found that the appellant has no psychiatric disorder, the Commission notes that one does not need to have a psychiatric disorder to be found psychologically unsuitable for a public safety position. The documented inconsistencies in the record demonstrate the appellant's poor judgment and carelessness, which are traits that are not conducive for performing effectively the duties of a Fire Fighter. As set forth in the Job Specification, a Fire Fighter must have the ability to understand and carry out instructions, to think clearly and apply knowledge under stressful conditions, and use sound judgment and logical thinking when responding to many emergency situations. Accordingly, the Panel found that the test data and behavioral record supported the findings of Dr. Sbaratta, and the Commission defers to the opinion of the Panel. Under these circumstances, the

Commission cannot ratify the appellant's psychological suitability for employment as a Fire Fighter.

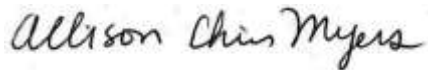
Therefore, having considered the record and the Panel's Report and Recommendation issued thereon and the exceptions filed on behalf of the appellant, and having made an independent evaluation of the same, the Commission accepts and adopts the findings and conclusions as contained in the Panel's Report and Recommendation and denies the appellant's appeal.

ORDER

The Commission finds that the appointing authority has met its burden of proof that A.L. is psychologically unfit to perform effectively the duties of a Fire Fighter 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 23RD DAY OF JULY, 2025



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: A.L.
Kenneth Ralph, Esq.
Jeff Welz
Seraphema Menna, Esq.
Division of Human Resource Information Services
Records Center