COMMONWEALTH OF PENNSYLVANIA

Jennifer Rhoads	:	State Civil Service Commission
	:	
v.	:	
	:	
Department of Human Services	:	Appeal No. 30875

James L. Best	Peter J. Garcia
Attorney for Appellant	Attorney for Appointing Authority

ADJUDICATION

This is an appeal by Jennifer Rhoads challenging her removal from regular Registered Nurse employment with the Department of Human Services. A hearing was held June 8, 2022, via video, before Commissioner Gregory M. Lane.

The Commissioners have reviewed the Notes of Testimony, Exhibits, and Briefs submitted by the parties. The issues before the Commission are whether the appointing authority had just cause to remove appellant and whether the removal was motivated by any discriminatory factor.

FINDINGS OF FACT

1. By letter dated December 8, 2021, appellant was removed from regular Registered Nurse employment at the Selinsgrove Center, effective December 14, 2021. The appointing authority charged:

> The reasons for this removal are:
>
> **Unavailability for Work** – Specifically, you submitted medical documentation indicating you are unable to return to work full time and full duty, and are thus, unavailable for employment.
>
> **Unauthorized Absence** – Specifically as a result of your exhaustion of all applicable benefits/entitlements available to you, you have been absent from work without authorization since July 7, 2021, and continue to be carried in an unauthorized, unexcused status. This is a violation of DHS Human resources Policy 7173 Time & Attendance.
>
> Note that either of these infractions, standing alone, would warrant the level of discipline.

Comm. Ex. A (emphasis in original).

2. The appeal was properly raised before this Commission and was heard under Sections 3003(7)(i) and 3003(7)(ii) of Act 71 of 2018. Comm. Ex. B.

3. In February 2019, appellant began employment as a Registered Nurse with the appointing authority. N.T. pp. 151, 155.

4. The appointing authority is a care facility with seventeen wards to house individuals who have intellectual disabilities with a mental health component. N.T. pp. 38, 40.

5. Most individuals are court ordered to be placed at the facility. Some individuals may be uncooperative. Some individuals are prone to acting out. In the past, staff members have been injured and police have been summoned to the facility. N.T. pp. 54, 64, 71, 208-209.

6. The appointing authority puts a concerted effort into making sure individuals cannot access items that can be used as a weapon. N.T. pp. 69, 248.

7. All personnel are trained on the use of restraints. Registered Nurses, such as appellant, may need to participate and assist if an individual becomes violent. N.T. pp. 68, 244-245, 249.

8. Appellant's essential job duties include tasks that require her to be on the wards and have contact and interaction with individuals. These essential job duties include:

    a. Apply professional nursing practices and methodology for the care and treatment of individuals.
    b. Direct and coordinate the delivery of nursing care and treatment for individuals on a single shift.
    c. Carry out treatment programs and provide physical nursing care services to individuals.
    d. Develop and implement an appropriate treatment regimen in accordance with prescribed medical/psychiatric/treatment program orders.
    e. Administer prescribed medications and treatments and observe, interpret, record and report vital signs, symptoms, and reactions to medications and treatments.
    f. Position and transfer individuals, some of whom are nonambulatory, and transfer equipment required for patient care.

g. May be assigned to any area of the Center on an as needed basis.

N.T. pp. 44-51; AA Ex. 1.

9. A Registered Nurse must be able to push the medication cart, which weighs between 300 to 350 pounds. N.T. pp. 48, 56, 120.

10. The facility has medication rooms, however some individuals are not capable of getting to the room. N.T. pp. 217-220.

11. Appellant's essential job duties also require her to be available for mandatory overtime. N.T. pp. 51-52, 120; AA Ex. 1.

12. Appellant's essential job duties include tasks that do not require her to be on a ward or have contact and interaction with individuals. Specifically:

a. Communicate effectively/maintain effective and cooperative working relationships.

b. Prepare and maintain records and reports.

N.T. pp. 44-51; AA Ex. 1.

13. A Registered Nurse may enter the facility for her shift to learn that her previously listed assignment has been changed. N.T. pp. 51, 222.

14. From December 20, 2019 to December 19, 2020, appellant was granted Family Medical Leave Act (hereinafter "FMLA") leave excusing her from mandated overtime. N.T. pp. 84-86; AA Ex. 5.

15. From December 20, 2019 through January 8, 2020, appellant was granted sixteen hours of intermittent FMLA leave. N.T. pp. 84-85; AA Ex. 5.

16. From January 9, 2020 through December 19, 2020 appellant was granted intermittent FMLA leave. She was approved for three episodes per month with each episode lasting up to twenty-four hours in duration. N.T. pp. 84-86; AA Ex. 5.

17. Prior to September 2020, appellant was able to perform all of her essential job functions. N.T. p. 52.

18. In September 2020, appellant underwent surgery for a non-work-related knee injury which subsequently led to the need for mobility assistance in the form of a cane. N.T. pp. 26-29.

19. From September 2, 2020 through November 11, 2020, appellant was granted full time FMLA leave. N.T. pp. 90-91; AA Ex. 7; Ap. Ex. D.

20. From November 12, 2020 through December 2, 2020 appellant was granted extended leave without pay. N.T. pp. 90-91; AA Ex. 7; Ap. Ex. D.

21. From December 3, 2020 through January 2, 2021, appellant was granted leave without pay. Appellant was notified she was expected to return to work full time, full duty by January 3, 2021. N.T. pp. 92-93; AA Ex. 8.

22. By letter dated December 18, 2020, appellant provided the appointing authority with additional medical document that states in relevant portion:

> [Appellant] has been out of work since 9/2/20 and may return to work on 2/4/21. She will have restrictions once she returns to work. She may not work more than an eight-hour shift. She should not do any overtime work. She may not push/pull the medication cart. Also, please allow her to use a cane for ambulation as needed.

N.T. pp. 159-160; Ap. Ex. F.

23. From January 3, 2021 through February 3, 2021, appellant was granted leave without pay. She was advised she was expected to return to full time, full duty work by February 4, 2021. N.T. pp. 92-93; AA Ex. 9.

24. In or about January 2021, appellant was granted a disability accommodation and advised she could return to work with the following accommodations:

> Work on the paper caseload, ISPs,[1] scheduling, appointments, filing, etc.; however, you will not be allowed to do assessments or rounds while using a cane. These accommodations are approved through March 31, 2021.

She was not permitted to work overtime, push the medication cart, or be on the wards while using her cane. N.T. pp. 58, 74-75, 114-115; AA Ex. 10.

25. When the appointing authority granted appellant's disability accommodation request, it anticipated she would return to full duty, full time employment. N.T. p. 59.

[1] The acronym "ISP" is not explained in the record.

26. The appointing authority extended appellant's disability accommodation through May 31, 2021. N.T. p. 118; AA Ex. 11.

27. On April 20, 2021, appellant received a medical document stating, "She may not work until further notice." Appellant provided this document to the appointing authority. N.T. p. 94; AA Ex. 13.

28. After April 20, 2021 appellant did not return to the facility and did not complete the duration of her accommodation period. N.T. p. 118.

29. By letter dated April 26, 2021, the appointing authority advised appellant her recently filed request for FMLA leave was not approved. Appellant was also informed her absences from April 20, through May 4, 2021 were granted as a one-time exception for approved leave without pay. N.T. pp. 95-96; AA Ex. 14.

30. By letter dated July 30, 2021, appellant was advised she was not eligible for FMLA leave, had been granted a one-time exception for leave, and had exhausted all paid leave. She was further advised

her absence beginning July 7, 2021 placed her in unauthorized, unexcused leave status and her request for a leave of absence was denied. N.T. pp. 134-137; AA Ex. 15.

31. On August 6, 2021, the appointing authority denied appellant's request for extended authorized leave of absence. AA Ex. 16.

32. On August 25, 2021, appellant attended a Pre-Disciplinary Conference (hereinafter "PDC"). She did not provide any updated medical documentation to the panelists. N.T. p. 137.

33. The PDC panel recommended appellant's removal. However, Labor Relations sent appellant an additional letter requesting she provide updated medical documentation. N.T. p. 137.

34. By letter dated October 7, 2021, appellant provided medical documentation stating she continued to have work restrictions. The appointing authority considered the documents as a disability accommodation request. AA Ex. 18.

35. On October 18, 2021, appellant submitted a formal disability accommodation request seeking to extend the temporary accommodation that she did not work overtime and be exempt from pushing the medication cart. The request did not specify the use of any device to assist with walking. N.T. p. 120; AA Ex. 17.

36. By letter dated October 25, 2021, the appointing authority denied appellant's request to extend her accommodations. N.T. p. 120; AA Ex. 17.

37. By letter dated November 8, 2021, appellant was again denied FMLA leave. She was advised she could either resign from her position or return to work full time, full duty. N.T. pp. 138-139; AA Ex. 18.

38. On November 15, 2021, appellant attended a second PDC. She did not provide updated medical information and indicated her medical condition was "unchanged." N.T. p. 139.

DISCUSSION

At issue before the Commission is whether the appointing authority had just cause to remove appellant from regular Registered Nurse employment at Selinsgrove Center and whether the appointing authority discriminated against appellant when it removed her from the position. The appointing authority charged appellant with unavailability for work and unauthorized absences. Appellant asserts she was discriminated against because of a disability and subjected to disparate treatment.

The appointing authority presented the testimony of Clinical Services Director Mirza Rivera-Farrow, Human Resource Analyst 2 with the Office of Administration, Billie Jo Arnold, Human Resource Analyst 3 with the Office of Administration, Carrie Stoner, and former Human Resources employee with the appointing authority Michele Shaner.[2] Appellant testified on her own behalf.

The parties do not dispute the following facts. Appellant was a Registered Nurse with the appointing authority since February 2019. N.T. pp. 151, 155. The facility consists of seventeen wards which house individuals who have intellectual disabilities with a mental health component. N.T. pp. 38, 40. Individuals can become uncooperative and act out, thus the appointing authority puts forth effort to make sure they cannot access items they can use as weapons. N.T. pp. 54, 64, 69, 71, 248. All employees, including Registered Nurses, are trained on the use of restraints and may need to participate in deescalating violent incidents. N.T. pp. 68, 244-245, 249.

[2] Shaner's precise job title is not in the record.

In September 2020, prior to sustaining her non-work-related knee injury, appellant was able to perform all of her essential job duties. N.T. pp. 52. After undergoing surgery for her non-work-related knee injury, appellant requires the use of a cane for ambulation. N.T. pp. 26-29.

Appellant has multiple job duties that require her to be on a ward, including pushing a medication cart that weighs between 300 and 350 pounds and working overtime. (*See* Findings of Fact 8-9, 11, 12). She also has essential job duties that do not require her to be on a ward. (*See* Finding of Fact 12). A Registered Nurse may come into work and find she has been reassigned to different job duties. N.T. pp. 51, 222.

Between December 20, 2019 and May 4, 2021, the appointing authority granted appellant multiple periods of intermittent and full time Family Medical Leave Act (hereinafter "FMLA") leave, leave without pay, and extended leave without pay. (*See* Findings of Fact 14-16, 19-21, 23, 35). On or about January 2021, appellant returned to work with temporary accommodations that excused her from overtime, pushing the medication cart, and spending time on the wards while using a cane. (*See* Findings of Fact 24). Subsequently, the appointing authority extended her disability accommodations until May 31, 2021. (*See* Finding of Fact 26).

On April 20, 2021, appellant received a medical document stating, "She may not work until further notice." N.T. p. 94; AA Ex. 13. Appellant has not returned to work and did not complete the duration of her accommodation period.

N.T. p. 118. After she was approved for a one-time exception of approved leave without pay from April 20, through May 4, 2021 and denied an FMLA leave request, appellant was advised that, effective July 7, 2021, she would be placed into unauthorized, unexcused leave status. N.T. pp. 95-96, 134-137; AA Exs. 14, 15.

On August 25, 2020, appellant attended a Pre-Disciplinary Conference (hereinafter "PDC") after which Labor Relations sent her a request for updated medical documentation. N.T. p. 137. By letter dated October 7, 2021, appellant provided additional medical documentation indicating she continued to have work restrictions; the appointing authority considered the documents a disability accommodation request and subsequently denied the request. N.T. p. 120; AA Ex. 18. By letter dated November 8, 2021, appellant was denied an FMLA leave request and advised she could either resign or return to work full time, full duty. N.T. pp. 138-139; AA Ex. 18. On November 15, 2021, appellant attended a second PDC at which time she did not provide any additional medical information and told the panel her medical condition was "unchanged." N.T. p. 139.

We begin with the discussion of the appointing authority's decision to remove appellant from employment. The appointing authority bears the burden of proving just cause for removal of an employee and also must prove the substance of the charges underlying the removal. *Long v. Commonwealth of Pennsylvania Liquor Control Board*, 112 Pa. Commw. 572, 535 A.2d 1233 (Pa. Commw. 1988). Factors supporting the just cause removal of a civil service employee must be related to the employee's job performance and touch in some logical manner upon the employee's competency and ability to perform her job duties. *Woods v. State Civil Service Commission*, 590 Pa. Commw. 337, 912 A.2d 803 (2006). In order to perform one's work duties, one must be available for work. *Zielinski v. Luzerne County Assistance*

Office, Department of Public Welfare, 107 Pa. Commw. 414, 528 A.2d 1028 (1986). The Commonwealth has the right to have employees present at work to perform needed services. *Id*.

We first discuss the appointing authority's charge of unavailability for work. Specifically, the appointing authority asserts appellant submitted medical documents indicating she is unable to return to full time, full duty work and, therefore, is unavailable for work.

Clinical Services Director Rivera-Farrow and Human Resource Analyst 2 Arnold credibly explained appellant's April 20, 2021 medical document clearly states she "may not work until further notice." N.T. p. 60, 94; AA Ex. 13.[3] Human Resources personnel Shaner credibly testified the most recent medical document appellant provided, dated October 7, 2021, indicated she continues to have medical restrictions. N.T. pp. 138-139; AA Ex. 18. Shaner also stated that during appellant's November 15, 2021 PDC, she did not present any medical documentation and acknowledged her medical status was unchanged. N.T. p. 139. Human Resource Analyst 2 with the Office of Administration Arnold explained returning to work full duty means returning to work without any restrictions. N.T. pp. 94-95.

In response, appellant testified her most recent restrictions are written in a December 18, 2020 letter provided by Dr. Fanelli. Specifically, those restrictions are not working more than eight hours per shift, no overtime, no pushing

[3] The Commission has the inherent power to determine the credibility of witnesses and the value of their testimony. *McAndrew v. State Civil Service Commission (Department of Community and Economic Development)*, 736 A.2d 26 (Pa. Commw. Ct. 1999).

or pulling of the medication cart, and use of a cane for ambulation as needed. N.T. pp. 159-160; Ap. Ex. F. Appellant asserts she can return to work with the restrictions and perform her essential job duties on the ward. N.T. p. 166, 177.

Upon review of the record, the Commission finds the appointing authority has presented sufficient evidence to support the charge of unavailability for work. Specifically, by her own admission, appellant continues to be unable to push the medication cart, work overtime, or ambulate without a cane. The appointing authority's credible testimony clearly indicates all three conditions are necessary to return to full time, full duty work.

We now turn our attention to the charge of unauthorized absences. Human Resources personnel Shaner explained the appointing authority's policy indicates each day of unauthorized leave constitutes a new charge. N.T. p. 141. Each new charge provides for the use of progressive discipline from verbal reprimand through removal. N.T. p. 141. Here, appellant was on a continuous absence status from July 7, 2021 and, thus, removal was consistent with the policy. N.T. pp. 141-145; AA Ex. 19. Appellant has not returned to work and she has no leave available, therefore the appointing authority presented sufficient evidence to support the charge of unauthorized absence. Thus, upon review of the record, the Commission finds the appointing authority has presented just cause to support removal. *Woods, supra*. Her inability to return to full time, full duty work results in her inability to be present at work to perform needed services. *Zielinski, supra*.

We next discuss appellant's allegations of discrimination. In an appeal alleging discrimination, the burden of presenting evidence in support of all allegations of discrimination lies with the appellant. *Nosko v. Somerset State Hospital,* 139 Pa. Commw. 367, 370-371, 590 A.2d. 844, 846 (1991). Section 2704 of Act 71 of 2018 provides:

> An officer or employee of the Commonwealth may not discriminate against an individual in recruitment, examination, appointment, training, promotion, retention or any other personnel action with respect to the classified service because of race, gender, religion, disability or political, partisan or labor union affiliation or other non-merit factors.

71 Pa.C.S.A § 2704.[4] The prohibition set forth in this section encompasses two general types of discrimination. First, "traditional discrimination" encompasses claims of discrimination based on race, gender, religion, disability, political, partisan or labor union affiliation, or other non-merit factors; and second, "technical discrimination" involves a violation of procedures required pursuant to the Act or related Rules. *Price v. Luzerne/Wyoming Counties Area Agency on Aging*, 672 A.2d 409, 411 n. 4 (Pa. Commw. Ct. 1996), citing *Pronko v. Department of Revenue*, 114 Pa. Commw. 428, 539 A.2d 462 (1988). Here, appellant claims traditional discrimination.

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[4] The provisions of Section 2704 are substantially the same as the provisions in Section 905.1 of Act 286 (71 P.S. § 741.905a), and both sections of the respective acts use virtually the same language. Section 905.1 provides:

> Prohibition of Discrimination—No officer or employe[e] of the Commonwealth shall discriminate against any person in recruitment, examination, appointment, training, promotion, retention or any other personnel action with respect to the classified service because of political or religious opinions or affiliations because of labor union affiliations or because of race, national origin or other non-merit factors.

71 P.S. § 741.905a.

First, appellant argues she was discriminated against based upon a disability because she was not provided with the opportunity to return to work with an accommodation allowing her to use her cane for ambulation. Specifically, appellant testified she advised the appointing authority in June 2021 that she wished to return to work with the accommodations of no overtime, no pushing of the medication cart, and use of a cane for ambulation. N.T. p. 177. According to appellant, the appointing authority denied her request because she continued to need the use of her cane. N.T. p. 178. Appellant asserts she can perform her essential job duties, with the exception of pushing the medication cart, while using her cane. N.T. pp. 163, 165, 168, 216-222.

According to appellant, she can perform her essential job duty of administering medications without pushing the medication cart by having some individuals come to the medication rooms. However, she conceded some individuals are not capable of getting to the medication room and a Registered Nurse must administer medication to all individuals. N.T. pp. 217-220.

Appellant acknowledges one of her essential job duties is to provide nursing treatment to individuals may include changing a bandage, which would require the use of two hands. N.T. p. 217. According to appellant, she is capable of providing physical nursing care such as taking blood pressure and vital signs with one hand and the assistance of a Licensed Practical Nurse or by herself with the proper equipment. N.T. pp. 216-217. Appellant claims she is capable of positioning and transferring patients if she puts her cane aside. N.T. pp. 221-222. Appellant acknowledged that although she has never seen an individual use a cane as a weapon, individuals may become violent. N.T. pp. 179, 208-209.

Finally, appellant clearly stated she is only able to return to work with the restrictions provided in the December 18, 2020 letter from Dr. Fanelli which restrict her from working more than eight hours per shift, working overtime, and pushing or pulling the medication cart and require her to use her cane for ambulation as needed. N.T. pp. 166, 177; Ap. Ex. F.

We now turn to whether appellant successfully established her claim of disability discrimination. When making a claim of "traditional discrimination," an appellant must initially present a *prima facie* case of discrimination by producing sufficient evidence that, if believed, indicates that more likely than not discrimination has occurred. *Henderson*, 126 Pa. Commw. at 616, 560 A.2d at 864. Appellant's *prima face* case cannot be an onerous one. *Id.* Once a *prima facie* case of discrimination has been established, the burden of production then shifts to the appointing authority to advance a legitimate non-discriminatory reason for the personnel action. *Nwogwugwu*, 594 A.2d at 850.

The Americans with Disabilities Act (hereinafter "ADA") prohibits discrimination not only by adverse actions motivated by prejudice and fear of disabilities, but also when an employer fails to make reasonable accommodations for an appellant's disabilities. *Taylor v. Phoenixville Sch. Dist.*, 184 F.3d, 296, 306 (3rd Cir. 1999). Specifically, the ADA provides an employer discriminates against a qualified individual with a disability when the employer does "not mak[e] reasonable accommodations to the known physical or mental limitations of the individual unless the [employer] can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the [employer]." *Id.* citing 42 U.S.C. § 12112(B)(5)(A).

As such, to establish a *prima facie* disability discrimination claim of failure to accommodate, appellant must demonstrate "(1) she was disabled and her employer knew it; (2) she requested an accommodation or assistance; (3) her employer did not make a good faith effort to assist; and (4) she could have been reasonably accommodated." *Dreibelbis v. County of Berks*, 438 F. Supp. 3d 304, 315-16 (E.D. Pa. 2020). Reasonable accommodation includes the "employer's reasonable efforts to assist the employee and to communicate with the employee in good faith." *Williams v. Phila. Housing Authority Police Department.*, 380 F. 3d 751, 761 (3rd Cir. 2004).

Here the appointing authority acknowledged appellant is disabled and needs the assistance of a cane for ambulation. The appointing authority also acknowledged appellant has requested an accommodation for continued use of her cane while performing her essential job duties. Additionally, the appointing authority acted in good faith when it initially accommodated appellant by allowing her to return to work for several months with accommodations that allowed her to use her cane and exempted her from pushing the medication cart or working overtime.

However, appellant conceded she remains unable to perform her essential job duties of working overtime and administering medications, which requires pushing a medication cart. In addition, she testified she may have to put her cane aside to perform her essential job duty of providing nursing treatment, which poses a safety risk. Employers are not required to modify the essential functions of a job in order to accommodate an employee. Furthermore, an employer's obligation to provide a reasonable accommodation does not require the employer to create a new job. *See, Luckiewicz v. Potte*r, 670 F. Supp. 2d 400 (2009).

Therefore, the appointing authority has established appellant's disability cannot reasonably be accommodated. *Dreibelbis, supra.* Thus, appellant has not established a *prima facie* case of discrimination based upon her disability.

Next, appellant argues she was discriminated against because she was subjected to disparate treatment. To this argument, appellant claims she was not permitted to use a cane when other employees were permitted to use devices to assist in ambulation. An employee claiming disparate treatment must demonstrate that he or she was treated differently than others similarly situated. *Nwogwugwu, supra.* The appellant must produce an example of an employee with similar circumstances who was not subjected to the same disciplinary action. *See, Angelucci v. State Civil Service Commission (Pennsylvania Board of Probation and Parole),* 208 A.3d 207.

Appellant compares herself to an employee who was permitted to use a walker. N.T. pp. 179-180. Upon cross examination, appellant acknowledged this employee holds a clerical position, works in an office downstairs behind a locked door, and does not interact with individuals on the wards. N.T. pp. 211-214. In contrast, appellant is a Registered Nurse who does not work in a locked room away from most individuals. Additionally, appellant's essential job duties require her to be on the wards, interacting with individuals, taking vital signs, pushing the medication cart, and working mandated overtime. These job duties are not similar to those of the clerical employee and thus, the clerical employee is not a comparator who is similarly situated. *Nwogwugwu, supra; Angelucci, supra.*

Appellant also compares herself to another person who was permitted to wear a stabilizing boot. N.T. p. 180. There is no testimony or evidence to clarify if the person is a Registered Nurse or other medical professional, an individual

undergoing treatment, or a staff member.[5] Additionally, there is no testimony or evidence indicating whether the person has contact with individuals, is required to work on a ward, or is required to push a medication cart and work mandated overtime. Thus, there is no indication this person is a comparator who is similarly situated. *Nwogwugwu, supra, Angelucci, supra.*

Thus, upon review of the record, appellant has not established a *prima facie* case of discrimination based upon disparate treatment as there is no testimony or evidence regarding a similarly situated Registered Nurse. *Henderson, supra; Nwogwugwu, supra; Angelucci, supra*.[6]

In summation, the appointing authority has presented just cause for appellant's removal. Appellant has not presented sufficient evidence to establish her removal was based upon any discriminatory factor. Accordingly, we enter the following:

CONCLUSIONS OF LAW

1. The appointing authority has presented evidence establishing just cause for removal under Section 2607 of Act 71 of 2018.

[5] On page nine of it's Brief, the appointing authority notes the comparator is a "Nurse." However, there is no testimony in the record to support this statement.

[6] Had the burden of proof shifted, the appointing authority presented legitimate non-discriminatory reasons for removing appellant from her Registered Nurse position. These reasons are presented in the initial portion of this adjudication discussing just cause for removal. *Henderson, supra*.

2. Appellant has failed to present evidence establishing discrimination violative of Section 2704 of Act 71 of 2018.

ORDER

AND NOW, the State Civil Service Commission, by agreement of its members, dismisses the appeal of Jennifer Rhoads challenging her removal from Registered Nurse, regular status, employment with the Department of Human Services and sustains the action of the Department of Human Services in the removal of Jennifer Rhoads from Registered Nurse, regular status, employment effective December 14, 2021.

State Civil Service Commission

Maria P. Donatucci
Chairwoman

Gregory M. Lane
Commissioner

Pamela M. Iovino
Commissioner

Mailed: February 16, 2023