

B-55



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Willam Weidele,
Deputy Fire Chief (PM1701S),
Newark

CSC Docket No. 2016-1723

Examination Appeal

:
:
:
:
:
:
:
:
:
:
:

ISSUED: DEC 21 2015

(RE)

Willam Weidele appeals his score on the examination for Deputy Fire Chief (PM1701S), Newark. It is noted that the appellant passed the examination with a final average of 85.180 and ranks ninth on the resultant eligible list.

The subject promotional examination was held on April 22, 2015 and 13 candidates passed. This was an oral examination designed to generate behaviors similar to those required for success in a job. The examination consisted of four scenario-based oral exercises; each was developed to simulate tasks and assess the knowledge, skills and abilities (KSAs) important to job performance. These exercises covered four topic areas: 1) Incident Command – Non-fire Incident, 2) Supervision, 3) Administration, and 4) Incident Command – Fire Incident.

The candidates' responses were scored on technical knowledge and oral communication ability. Prior to the administration of the exam, a panel of Subject Matter Experts (SMEs) determined the scoring criteria, using generally approved fire command practices, fire fighting practices, and reference materials. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. For a performance to be acceptable in the technical component for some scenarios, a candidate needed to present the mandatory courses of action for that scenario. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

This examination was given using the chain oral testing process, and candidates were given ten minutes to respond to each question. Candidate responses to each question were rated on a five-point scale (1 to 5) from nil response through optimum according to determinations made by the SMEs. Oral communication for each question was also rated on the five-point scale. This five-point scale includes 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. The appellant received the following scores for the technical component for each question, in order: 2, 4, 2, and 5. He received the scores of 4, 4, 3, and 4 for the oral communication components.

The appellant challenges his score for the technical component for the Incident Command – Non-fire Incident scenario. As a result, the appellant's test material, audiotape, and a listing of PCAs for the scenario were reviewed.

The Incident Command – Non-Fire Incident scenario pertained to a report of a suspicious red suitcase at the local mall found next to a garbage can inside the food court. It is Saturday afternoon at 2:00 PM in May, 55° F, with wind blowing from the south at 10 miles per hour. The mall is crowded with weekend shoppers, and a security guard meets the candidate outside of the entrance to the food court and tells him there is a suspicious red suitcase with stains on it, giving off occasional slight wisps of smoke. Instructions to candidates were to base their responses on the text *Fire Officer's Handbook of Tactics*, and their experience. Question 1 asked for specific potential hazards to be aware of at this incident. Question 2 indicated that, while personnel are involved in evacuation and isolation procedures, just as the dispatcher notifies the candidate of the first 10 minute benchmark, the package detonates and causes localized structural collapse to the food court area. The question asked for specific actions to take based on this new information.

For this incident, the assessor noted that the appellant fail to identify fire as a specific potential hazard to be aware of at this incident, which was a mandatory response to question 1. The assessor also indicated that the appellant missed the opportunities to identify biological hazards/blood borne pathogens, and ruptured gas, steam, water, and sewer lines, as potential hazards. On appeal, the appellant argues that he mentioned a potential collapse, evacuating the facility, life safety, and time of day. He states that he also called for a hazmat team and New Jersey Task Force 1, and that he called for utility companies.

In the instructions listed after the questions, candidates were told that in responding to the questions to be as specific as possible. They were told to not assume or take for granted that general actions would contribute to their score. The monitor read these instructions immediately after reading the questions.

When the appellant began his presentation, he began it by providing specific actions he would take, which is a response to question 2. Then he read question 1, and indicated that specific potential hazards he would be aware of were life safety, given the amount of people that were there, an evacuation, a possible explosion, collapse potential, exposures, and terrorism. None of these responses indicate that he identified fire as a specific potential hazard: this response is simply not in his presentation. Additionally, he did not identify biological hazards/blood borne pathogens, and ruptured gas, steam, water, and sewer lines, as potential hazards. The appellant called a hazmat team and utilities to the scene in his response to question 2. But there were separate responses to the next question. The appellant had been told that credit cannot be given for information that was implied or assumed, that it cannot be inferred that the appellant was aware of biological hazards/blood borne pathogens and ruptured gas, steam, water, and sewer lines, as potential hazards in question 1 when he called for a hazmat team and utilities in question 2.

As he had not fully developed his response to the first question, the assessor asked the appellant to be more specific regarding his response of life safety in question 1. The appellant responded that he was concerned with occupants and firefighters. As such, the appellant was focused on a consequence of a hazard, *i.e.*, potential victims, rather than the source of a hazard, *i.e.*, fire. This was not a proper response to the question. The 2 minute warning was given, and the appellant continued to give actions he would take until the presentation ended. A review of the appellant's presentation indicates that his score of 2 for this component is correct.

CONCLUSION

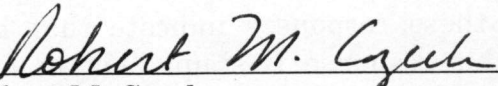
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

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
THE 16th DAY OF DECEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Willam Weidele
Dan Hill
Joseph DeNardo
Joseph Gambino