

B-70



STATE OF NEW JERSEY

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

In the Matter of
Collin Caesar, Fire Officer 1
(PM1194S), Jersey City

Examination Appeal

CSC Docket No. 2016-3116

:
:
:
:
:
:
:
:
:
:
:

ISSUED: OCT 25 2016 (RE)

Collin Caesar appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM1194S), Jersey City. It is noted that the appellant has taken a make-up examination of the written portion and his final score is not yet available.

It is noted for the record that this two-part examination consisted of a written multiple-choice portion and an oral portion. Candidates were required to pass the written portion of the examination, and then were ranked on their performance on both portions of the examination. The test was worth 80 percent of the final score and seniority was worth the remaining 20 percent. Of the test weights, 31.35% of the score was the written multiple-choice portion, 22.49% was the technical score for the evolving exercise, 7.53% was the supervision score for the evolving exercise, 4.28% was the oral communication score for the evolving exercise, 19.23% was the technical score for the arriving exercise, 7.53% was the supervision score for the arriving exercise, and 7.59% was the oral communication score for the arriving exercise.

The oral portion of the Fire Officer 1 examination consisted of two scenarios: a fire scene simulation with questions designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of fire fighters and the ability to assess fire conditions and hazards in an evolving incident on the fireground (evolving); and a fire scene simulation designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of firefighters and the ability to plan strategies and tactics based upon a building's

structure and condition (arriving). Knowledge of supervision was measured by questions in both scenarios, and was scored for each. For the evolving scenario, candidates were provided with a 15-minute preparation period, and candidates had 10 minutes to respond. For the arriving scenario, a five minute preparation period was given and candidates had 10 minutes to respond.

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, firefighting 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, 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. Each performance was evaluated by two SMEs who currently are a first level supervisor or higher. If the SME scores differed by 1 point, the score was averaged. If they differed by more than 1 point, the SMEs were required to confer with each other until they agreed on a score. Scores were then converted to standardized scores.

Candidates were rated on a five-point scale, with 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. For each of the scenes, and for oral communication, the requirements for each score were defined.

For the evolving scenario, the appellant scored a 3 for the technical component, a 3.5 for the supervision component, and a 4 for the oral communication component. For the arriving scenario, the appellant scored a 5 for the technical component, a 4 for the supervision component, and a 4 for the oral communication component. The appellant challenges his scores for all components of the evolving scenario, and for the supervision and oral communication components of the arriving scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The evolving scenario involved a report of a fire in a one-story, ordinary construction building consisting of a bakery, Laundromat, convenience store, and liquor store. It is 6:00 AM on a Sunday in September and the temperature is 72° Fahrenheit with clear skies, and a wind blowing from east to west at 5 MPH. Upon arrival, it is noticed that smoke is coming from the Laundromat on side A. A bystander said she noticed smoke coming from the closed Laundromat and called 911. The candidate is the commanding officer of the first arriving ladder company

and he establishes command. There were two technical questions. Question 1 asked for specific actions that should be taken upon arrival. Question 2 indicates that, during the incident, the parapet wall on side A partially collapses. The question asked what actions should now be taken, based on this new information. The supervisory question states that, during the incident, the candidate knows all personnel have been accounted for, but a firefighter from the candidate's crew stops his assigned task and begins to remove collapse debris from the front of the building. This question asked for actions that should be taken at the scene and after returning to the firehouse. Instructions indicate that, in responding to the questions, the candidate should be as specific as possible in describing actions, and should not assume or take for granted that general actions will contribute to a score.

In regard to the technical component, the assessors noted that the appellant failed to order an evacuation of the building or sound evacuation tones, which was a mandatory response to question 2. They also indicated that he missed the opportunity to call/request the building department, which was an additional response to question 2. They used the flex rule to assign a score of 3.

On appeal, the appellant argues that he listed his planned courses of action. It should be noted that the assessor listed their notes as follows: "Candidate failed to address mandatory PCA's, order evacuation of building/sound evacuation tones. (Question 2) Candidate missed the opportunity to mention: Call/request building department (Question 2)." The appellant read this note as meaning that he failed to list his planned courses of action, and he provided a list of orders given to ladder and engine companies, his command mode, and the resources called. In fact, the assessors were saying that the candidate failed to address the mandatory PCA of ordering the evacuation of the building or sound evacuation tones in question 2. Thus, this portion of the appellant's appeal is unrelated. In his appeal of the supervisory question, the appellant provides an argument for this mandatory PCA. He states that he evacuated the exposure, and established and conducted defensive operations.

A review of the appellant's presentation and related examination materials indicates that the appellant evacuated the exposure, and established and conducted defensive operations, in response to question 1. He did not order an evacuation of building or sound evacuation tones in response to the evolution of the scene, the collapse of the parapet wall, in question 2. This was a mandatory response. Mandatory responses are responses that are requirements for a performance to be acceptable (a score of 3). Sometimes, a candidate states many additional responses but does not give a mandatory response. The flex rule was designed to allow the SMEs to assign a score of 3 to candidates who fail to give a mandatory response but who provide many additional responses. However, the SMEs cannot provide a score

higher than a 3 in those cases. All mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or five of them. It is not assumed that candidates receive a score of 5 which is then lowered for lack of responses. Performances that include mandatory responses get a score of 3, and those without mandatory responses get a score of 1 or 2. Additional responses only increase a score from 3 to 4 or from 3 to 5. As he missed a mandatory response, the appellant's score for this component cannot be higher than a 3. He missed the additional response as well.

In regard to the supervision component, the assessors noted that the appellant missed the opportunities to ensure the firefighter's original task is completed, and recommend disciplinary action. On appeal, the appellant states that he said he would "correct the problem of the subordinate at this time."

In reply, the scoring of this examination was not based on buzzwords. Credit was given when appropriate answers were given in context. In this scene, the firefighter from the appellant's crew has stopped his assigned task and begins to remove collapse debris from the front of the building. A review of the appellant's video and related examination materials indicates that he said he would correct the problem of the person picking up debris. Candidates were expected to explain how they would correct the problem, as that was the task at hand. Based on this response, one of the assessors gave the appellant credit for ordering the firefighter to stop removing debris and get out of the collapse zone, and one did not. A review of this issue indicates that the appellant's response was nonspecific to the scenario, and he should not have received credit for ordering the firefighter to stop removing debris and get out of the collapse zone. "Correcting the problem" cannot be interpreted to mean that he ensured that the firefighter's original task is completed, or that he ordered the firefighter to stop removing debris and get out of the collapse zone. The appellant also did not recommend disciplinary action. The appellant's score for this component should be changed from 3.5. to 3.

For the oral communication component of both scenarios, the assessors indicated that the appellant failed to use appropriate words throughout the presentation by using "um" and "ah." On appeal, the appellant contends that he used correct nomenclature associated with the questions, and correct terms associated with the reference study materials.

The orientation guide that was available to each candidate indicated that oral communication, the ability to communicate clearly and concisely, was a component of this portion of the exam. Thus, the oral communication for each presentation was assessed. This was a formal examination setting, and candidates were required to state what they meant with proper word usage and with no distractions. In scoring the oral communication component, one minor weakness indicated that the

performance was more than acceptable and exceeded the criteria required for job success. This is a score of 4.

There are various factors associated with oral communication. One of the factors of oral communication is word usage/grammar, which is defined as using appropriate words and sentences that are grammatically correct. The assessor notes were in regard to this factor, and were not referencing proper nomenclature. It was not acceptable to present many distracting verbal mannerisms, such as "ah." This was an examination setting where candidates were given scenarios, and a question or questions for each scenario, and were required to provide direct answers to those questions and, in this setting, candidates are required to maintain the flow of information. There is a well-known phenomenon of hesitational disfluency that can afflict a speaker trying to cope with the pressures of immediate processing, and some level of disfluency is acceptable when it does not affect the continuity of a presentation. At some point, however, the use of distracting verbal mannerisms is not acceptable.

A review of the video and related examination materials reveals that the appellant used many distracting verbal mannerisms. For example, in the evolving scenario, the appellant stated, "Um, I'll have, have my, my incident management system reflect defensive tactics. I'll have a progress report at this time. Why, with the personnel, I will correct the problem of personnel that is picking up debris at the ah, um, at in front of the structure." This passage has many grammatical errors and the appellant uses distracting verbal mannerisms throughout. The appellant also stated, "Also have an accountability officer ah respond to locate and um, track all particular companies and set up the resource status board. I have an accountability officer, um, air canteen unit respond to fill up all SCBAs, air cylinders, and also to set up lights. A rehab, rehab officer um, als...um to, to track and monitor all companies' rest, rehydration, and rotation at the fire scene." The appellant's word usage was a weakness in his presentation, and his score for this component will not be changed.

The arriving scenario involved a report of a fire in a two-story, wood frame constructed house built in the early 1920s. It is 10:30 AM on Thursday in October, 55° F, with cloudy skies and a wind blowing from west to east at 5 miles per hour. Upon arrival, it is noticed that smoke is coming from the first floor windows on side A. Dispatch indicates that the caller is in a second floor bedroom, and who stated that he awoke to smoke in the stairs and called 911. The candidate is the commanding officer of the first arriving engine company. The supervision question indicated that, during the incident, the candidate notices a shoving match begin between two of his firefighters. This question asked what actions should be taken now and after returning to the firehouse. Instructions indicate that, in responding to the questions, the candidate should be as specific as possible in describing

actions, and should not assume or take for granted that general actions will contribute to a score.

In regard to the supervision component, the assessors noted that the appellant missed the opportunity to ensure that the task was completed. On appeal, the appellant states that he said he would correct the problem.

In reply, the appellant, again, as the supervisor of the situation at hand, is tasked with correcting the problem. Merely stating "I will correct the problem" reveals nothing of the knowledge the appellant has regarding how the problem will be corrected. It certainly does not indicate that the appellant knew he should ensure that the task is completed. His score of 4 for this component is correct.

Regarding the oral communication component for the arriving scenario, the appellant spoke in a similar manner as that of the arriving scenario, using distracting verbal mannerisms and incorrect grammar. For example, he stated, "Ah, place them at ease. Ah, essentially ah creating a stress free envi... environment. Ah, I will explain to them the nature of of why they're um I'm having this meeting with them and why it has to stop," and "Ah, at that time I have fire dispatch ah, have the following res... re... resources respond. Utilities company to secure the gas and electric." The appellant's performance contained the hesitational disfluencies as noted by the assessors and his score for this component is correct.

CONCLUSION

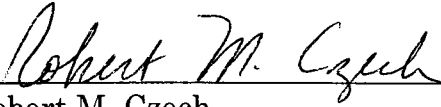
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied, and the score for the supervision component of the evolving scenario be reduced from 3.5 to 3.

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 19th DAY OF OCTOBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Collin Caesar
Michael Johnson
Records Center

