



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

In the Matter of
Keith Kaufman, Fire Officer 1
(PM1194S), Jersey City

CSC Docket No. 2016-2871

ISSUED: **OCT 25 2016** (RE)

Keith Kaufman appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM1194S), Jersey City. It is noted that the appellant passed the subject examination with a final score of 84.850 and his name appears as the 99th ranked eligible on the subject list.

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 2 for the technical component, a 5 for the supervision component, and a 5 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 5 for the oral communication component. The appellant challenges his scores for the technical component of the evolving scenario and the supervision component 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. 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 evacuate/perform a primary search of the bakery and convenience stores (exposures), which was a mandatory response to question 1, and 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. On appeal, the appellant argues that he stated that all ladder companies would do primary and secondary searches.

In reply, instructions to candidates were to be as specific as possible in responding to the questions, and do not assume or take for granted that general actions will contribute to a score. As such, candidates were required to directly respond to each question clearly and directly. The appellant stated, "My ladder companies are going to do a primary and secondary search. We'll use large area search ropes, target exiting devices, and we will make sure we ladder all four sides of, excuse me, we'll ladder all the sides of the building." For this response, the appellant received credit for performing a primary search of the Laundromat, which was another mandatory response, and for performing a secondary search. However, he cannot receive credit for stating he would evacuate and perform a primary search of the bakery and convenience stores when he did not give this response. The appellant missed two mandatory responses, and the other response listed by the assessors, and his score of 2 for this component is correct.

For the arriving scenario, the appellant argues that he should have received a score of 4.5, since there was only one notation regarding missed behavior. In reply, each performance was evaluated by two SMEs who currently are a first level supervisor or higher. As noted above, if the SME scores differed by 1 point, the score was averaged. The appellant's score was not averaged, but both assessors assigned a score of 4. Nevertheless, scores are assigned based on a holistic view of the responses given. The assessor notes are examples of missed behaviors, but are not all-inclusive of every missed action. The appellant did not state that he would review applicable SOGs and rules and regulations as noted by the assessors. The appellant's response has been reviewed in its entirety, and his score of 4 is correct.

CONCLUSION

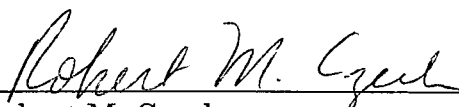
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

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



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