



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Thomas Gander, Fire Captain  
(PM1136S), Paterson

CSC Docket No. 2016-2758

Examination Appeal

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

Thomas Gander appeals his score for the oral portion of the promotional examination for Fire Captain (PM1136S), Paterson. It is noted that the appellant passed the subject examination with a final score of 87.810 and his name appears as the 32<sup>nd</sup> 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 Captain 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 4.5 for the oral communication component. For the arriving scenario, the appellant scored a 5 for the technical component, a 5 for the supervision component, and a 4.5 for the oral communication component. The appellant challenges his scores for the technical component of the evolving scenario, and for the oral communication 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 involves a report of a fire in a bakery, which is a single-story, wood-frame building with a wood truss roof built in the 1970s. It is 9:00 AM on a Sunday in September and the temperature is 72° Fahrenheit with clear skies and a wind blowing from west to east at 6 MPH. Upon arrival, it is noticed that smoke is coming from the front door on side A. The candidate is the commanding officer of the first arriving ladder company, is first on scene, and establishes command. Question 1, asked for specific actions to be taken upon arrival. Question

2 indicated that fire has reached the wood roof trusses, causing one to fail. This question asked for actions that 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.

For the technical component, the assessors indicated that the appellant failed to stretch the hose line to the kitchen (seat of the fire) through side A, which was a mandatory response to question 1, and to set up a collapse zone, which was a mandatory response to question 2. They also indicated that he missed the opportunity to perform a secondary search of the building, which was an additional response to question 1. On appeal, the appellant argues that there was a door on side B, and that this was a more advantageous door to enter due to the truss roof, as it is closer to the fire and there was less distance to egress in an emergency situation. The appellant argues that according to *Fire Officers Handbook of Tactics*, 4<sup>th</sup> addition, by John Norman, interior operations must be based on a well-informed size-up and once fire has involved the truss area, it is too late to commit interior forces. He also states that *Norman* indicates that in a lightweight building, firefighters do not have 10 or 20 minutes to search, rescue, and attack before they notice the floor or roof sagging, and many new systems fail in less than 10 minutes. He also indicates that the text *Collapse of Burning Buildings - A Guide to Fireground Safety*, 2<sup>nd</sup> edition, by Vincent Dunn, states that the initial hose line is taken in a front or side door and attacks the seat of the fire. He states that these texts justify the decision to enter from the side B doorway. Regarding the establishment of collapse zone, the appellant listed 15 actions that he took in response to question 2, which are actions to be taken in a collapse operation. As to a secondary search, the appellant states that such a search would not be performed on a collapsed or partially collapsed building, as personnel are denied entry to the building and the collapse area.

A review of the appellant's performance and examination materials indicates that the appellant stated, "Gonna stretch, engine one is gonna stretch an inch and three quarter line through the A, through the, through the bravo side of the building. Engine two will establish a water source to feed engine one. Ladder one will, excuse me, ladder one will conduct a primary search of the first floor under the protection of the hoseline. Engine one will locate, confine and extinguish with the primary attack line. At this time, I would like to call for a second alarm." Candidates were informed of that credit could not be given for information that was implied or assumed. They were expected to stretch the hose line to the kitchen or the seat of the fire through side A. The appellant did not state where he would stretch the hose line although the scenario indicated that the fire was in the kitchen. Instead, he used the standard academic response, "locate, confine and extinguish." Additionally, the SMEs determined that the hoseline should enter

through side A. The wind is blowing from west to east and opening side B (windward side door) would add wind to the fire. Secondly, if entering through side B firefighters would not have the opportunity to look for victims in the customer area as they headed for the fire. On arrival, the fire has not reached the wood trusses, as that happens in the evolution of the scene. Candidates were expected to answer each question with the information provided for that question. In other words, it was premature to answer question 1 as though the fire had already reached the trusses. Candidates were expected to perform a secondary search in response to question 1, not question 2. At that point, a fire had not yet reached the wood trusses. The scenario did not indicate that the building or roof had collapsed or partially collapsed in the description or in the evolution of the scene. Additionally, the appellant took, and received credit for, many actions in question 2, but he did not set up a collapse zone. The appellant missed the actions listed by the assessors, including two mandatory responses, and his score of 2 for this component is correct.

As to the oral communication component of the arriving scenario, the assessors indicated that the appellant's presentation had a weakness in specificity, as he provided minimal information on rescue of victims. On appeal, the appellant argues that he performed a search, placed a line between the victims and the fire, requested progress reports, and requested an update from the EMS. He believes this was a detailed response, and that this was a technical issue instead of an oral communication issue.

In reply, the assessors found that the appellant's presentation had a weakness in specificity. 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. A weakness in specificity is a response that is general or lacking the detail necessary to fully address PCAs. As an example, they indicated that there was minimal information on rescue of victims. Candidates were instructed to be specific and were expected to respond to this scenario based on the information provided in the description and the diagrams.

A holistic view of the appellant's presentation indicates that the appellant used general terms. For example, in the arriving scenario, a fire was in the kitchen on the first floor of a two-story attached townhome. The diagrams indicated there were three victims in three bedrooms on the second floor, and no fire was showing on the second floor in the diagram. One of the appellant's initial actions was, "According to dispatch, we have possible victims on the second floor. We'd also, from there I would notify my company that we are to stretch an inch and  $\frac{3}{4}$  line to the second floor to locate confine and extinguish and to vent enter and search off the protection of that hand line. We are going to position that line between the victims and the fire. We're going to make sure we protect interior and exterior exposures.

And I make sure we push the fire from the unburnt to burnt.” This passage is replete with a lack of specificity. The appellant takes a line to the second floor to “locate confine and extinguish,” when the fire is on the first floor. Then he says he would “vent enter and search off of the protection of that hand line.” These actions are generally those of a ladder company, and it makes no sense that the engine company taking the line to the second floor would have orders to “enter.” Positioning the line between the victims and fire means that the line was going to the stairwell. The appellant did not say he was taking a line to the stairway, and is unclear how he is going to put the line between the victims on the second floor and the fire in the kitchen on the first floor, with a hose line on the second floor. The appellant was not specific in this passage on how he intended to protect interior and exterior exposures. Also the kitchen was in the interior on the first floor, with no exterior door and unburned rooms on both sides. If he was going to push the fire from the unburnt side, he had two sides to choose from, and he did not say if he was starting from side A or side D. The appellant used catch phrases which failed to include the details provided in the scenario.

The assessors used the example of the appellant’s lack of details regarding a rescue. There are three known victims on the second floor, and the candidate was expected to state that he would rescue the victims in the second floor bedrooms. The appellant stated, “In regards to question 1, with possible victims on the second floor, I will make sure that all companies give me progress reports, from attack teams, search teams, and also ventilation teams. I want to make sure they all work in coordination so they all proceed to the common goal. I also wanna make sure with my search teams in regards to the victims, I wanna make sure if they make it out that we are notified, and also those victims can make their way to EMS for treatment triage and transport to any emergency Medical Centers.” This passage lacks the specificity of indicating that the appellant intends to rescue the victims on the second floor bedroom. He states that he wants progress reports, and wants to be notified if they don’t make it out, so it appears as though the victims are making their way out and making their way to EMS. Although the appellant received credit for rescuing the victims, he was not specific regarding the rescue. The appellant’s presentation had a weakness in specificity as noted by the assessors and his score of 4.5 for this component will not be changed.

## CONCLUSION

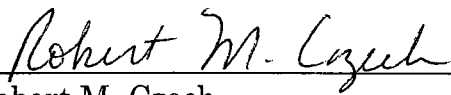
A thorough review of the appellant’s submissions and the test materials indicates that, except for the oral communication component of the evolving scenario, the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 19<sup>th</sup> 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: Thomas Gander  
Michael Johnson  
Records Center