

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 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 3 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 supervision 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 assigned a score of 3 using the flex rule, but provided no comments. On appeal, the appellant states that his actions fully addressed the scenario and situation, and he requests that his answers be reviewed. He states that he cannot submit a proper appeal without assessor comments, and he requests an explanation of his scores.

Regarding the flex rule, 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.

The assessors should have provided comments for any score less than a 5, and for unknown reasons, they did not do so. A review of the file indicates that, for the technical component, the appellant failed to perform a detailed size-up, which was a mandatory response to question 1. He also missed the opportunities to ensure that all exposures are evacuated, and to radio dispatch with an initial report, which were additional responses to question 1. A review of the appellant's presentation indicates that at the beginning of the evolving scenario he stated, "Upon arrival, I will establish command at 231 Sandstone Street. I will estab... make my command post on the A side of the building. We'll do a 360, 360 size up of the building. I will ask any fleeing occupants of the building about the possible size, location and extent of the fire inside and if there are any occupants left inside. I will then go on an offensive attack mode." The appellant then called his resources. The appellant appropriately did not receive credit as, although he stated he would perform a size-up, he did not do so. A proper detailed size-up would include the information given in the scenario, such as the wind is blowing at 6 miles per hour, the fire building is a single-story, wood-frame building with a wood truss roof, the building has no sprinkler system, and similar exposures are on sides B and D. As the appellant did

not provide the mandatory response of performing a detailed size-up, his score cannot be higher than a 3.

The arriving scenario involves a fire in a two-story, wood-frame townhouse built in the early 1980s. The townhouse is one of four connected units, with exposures B and D as similar townhouses. It is 9:30 AM on a Monday in September and the temperature is 61° Fahrenheit 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 and second floor windows on side A. Dispatch reports the caller is an occupant in the second floor bedroom who awoke to smoke coming up the stairs and was forced back into his bedroom. He is at home with two other roommates. The candidate is the commanding officer of the first arriving engine company and is first on scene. The technical question, question 1, asked for specific actions to be taken upon arrival. The supervision question indicated that, after the incident, a rookie firefighter tells you he observed a veteran firefighter being careless with the tools at the incident. He noticed that a veteran firefighter was not properly using them and did not return them to their proper place on the apparatus. This question asked for actions to take to address the rookie firefighter's concerns. 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 assigned a score of 3, but again did not provide comments. The appellant's arguments are the same as those for the technical component of the evolving scenario.

A review of the scoring criteria and the appellant's presentation indicates that the appellant did not receive credit for interviewing other crew members, inspecting the tools and apparatus used at the incident, and reviewing the rookie firefighter's training records, as he did not take these actions. On the scene, the appellant did not verify the rookie's concerns by inspecting the apparatus and the tools when he had the chance. Without any independent verification of wrongdoing on the part of the veteran firefighter, the appellant asked the veteran firefighter why he returned the tool to the improper place, informed him that he could have a union representative at the meeting he was currently in, and gave him a written reprimand which was forwarded up the chain of command. His response to this question was acceptable, but not more than acceptable, and his score of 3 is correct.

CONCLUSION

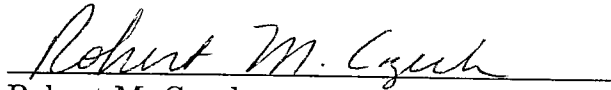
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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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