



STATE OF NEW JERSEY

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

In the Matter of
Mark Roth, Fire Captain
(PM1136S), Paterson

Examination Appeal

CSC Docket No. 2016-2714

ISSUED: OCT 25 2016 (RE)

Mark Roth 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 89.640 and his name appears as the 22nd 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 firefighters 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 4.5 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 3 for the supervision component, and a 4.5 for the oral communication component.

The appellant challenges his scores for the oral communication components of both scenarios. As a result, the appellant's test material, audiotape, and a listing of PCAs for the scenarios were reviewed.

For the oral communication components of both scenarios, the assessors indicated that the appellant displayed a weakness in specificity. For the evolving scenario, they indicated that the appellant was not very detailed on the specific details of the size-up. For the arriving scenario, they indicated that the size-up to dispatch after arrival lacked details in the building description. On appeal, the appellant contends that he was clear and concise in both presentations. For the evolving scenario, he states that he indicated that it was a one-story wood frame commercial occupancy bakery with smoke showing from the front door, a bravo

exposure 25 feet away and a delta exposure 10 feet away, and a wood truss roof. He states that his size-up covered the address, building height, building type, type of occupancy, exposures, visible smoke or fire, and wood truss hazard. For the arriving scenario, he states that he indicated that the fire building was a two-story, wood frame, residential townhouse occupied structure with direct connected exposures on the bravo/delta sides and reports of three trapped occupants. He also stated it was a four unit connected townhouse. As such, he argues that he mentioned the height of the building, building construction, building type, exposures, trapped occupants, and occupancy.

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. One factor in oral communication is specificity, and a weakness in specificity is a response that is general or lacking the detail necessary to fully address PCAs. Another factor is organization, and a weakness in organization is defined as failing to present ideas in a logical fashion, to state a topic, and to provide supporting arguments as well as a conclusion or summary.

For the evolving scenario, at the start of the presentation, the appellant stated, "In regards to question number one, just prior to establishing command, while in route, I would consult any pre-fire plan, inspection, and CAD system information. I would consult water main maps, weather reports including wind speed and direction, as well as traffic reports including lane closures or police activity. Upon arrival, I would establish command at 231 Sandstone Street conducting a 360° multi-sided view of the building. I will locate my command post on the alpha bravo corner of 231 Sandstone Street." The appellant then begins his size up with, "231 Sandstone Street is a two-story, wood-frame commercial occupancy bakery with smoke showing from the front door. I have a bravo exposure 25 feet away and a delta exposure 10 feet away. Another hazard associated with this occupancy is the location of a wood truss roof." The appellant then called resources and took actions related to the incident.

In the size-up, the appellant mentions occupancy, height of the building, building construction, exposures, and the consideration of the truss roof. Stating that smoke was showing from the front door was an observation given to dispatch, but is not an indication that the appellant was determining the location and extent of fire. It is also noted that the address is not a size-up factor, but another piece of information to give to dispatch. The appellant did not mention life hazard, time, area of the building, location and extent of fire, water supply, or weather conditions, which were all given in this scenario. The appellant received credit for performing a size-up, which was a mandatory response to question 1 for the technical component, but his details regarding the size-up were vague, as noted by the assessors. Nevertheless, a holistic view of the presentation reveals that a lack of specificity

was not present throughout the entire presentation. When the appellant gave actions or called for a resource, he always gave reasons. While his size-up may have lacked a detail, the presentation in its entirety did not have a weakness in specificity that detracted from the performance.

However, the presentation did have a weakness in organization. The appellant stated several times that he would place "this fire under control." On one occasion he stated, "Once the fire is under control, I will place it under control and when the fire and origin investigation is complete, I will turn the structure over to the appropriate owner or agency." After consulting his notes, he stated, "And when the fire is under control, I will place the fire under control and a secondary search is performed as well as a PAR's is conducted." The appellant already had a rehab unit set up in question 1, but set up another in response to question 2. After responding to question 3, he stated that he would make sure that all crews would rotate through rehab. He repeatedly set up divisions. He used incorrect grammar when he stated, "In addition I would also contact the health department due to the fact that this occupancy is a bakery and possible food contaminants." He also stumbled over words on occasion. For example, he stated "an air cad, cascade unit," "con, conventional," and "my first aliving ladder company." As such, the appellant's score of 4.5 for this component is correct.

The appellant's presentation for the arriving scenario is similar. Regarding the size-up, the appellant stated, "47 Pine Street is a two-story, wood-frame, residential townhouse occupied structure. There is smoke showing from the first and second floor. I have direct connected exposures on the bravo and delta side and poss..., and reports of possibly three trapped occupants." Thus, the appellant's size-up was marginal, as other information for size-up consideration was given for this scenario but not mentioned by the appellant. However, the appellant's other actions throughout the scenario were completely described, with reasons for actions and orders given.

Nevertheless, the appellant's presentation had a minor weakness in organization. He stumbled over words on occasion, repeated words, or changed words in mid-sentence. For example, he stated, "I would request utilities to the scene to, to control gas water and electric. As well as police to the scene to, for crowd and traffic control as to, as well as to set up a safety perimeter with barrier tape." He stated, "If there are any future incidences where he feels the need to, or, or if this happens again, he can certainly bring it to my attention." The appellant used the word "flazardous," which he then changed to "flammable or hazardous," the word "posisiting" instead of "positioning," and the word "incidences" instead of "incidents." As to repeating words, examples include, "...via the safest, safest means possible..." "... to determine why, why he was mis..., why he was careless with the tools at the incident..." and "...fire, fire service." He said, "I will document,

I will document the meeting...” and “I would also forward all paperwork to the, I would also inform the Chief of what has happened.” The appellant’s lack of detail in his size-up at the start of the presentation is insufficient to establish that his presentation had a weakness in specificity, however, his presentation had a minor weakness in organization and his score of 4.5 for this component will not be changed.

CONCLUSION

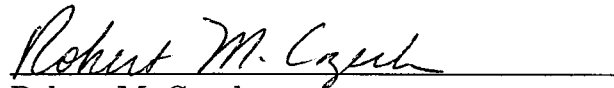
A thorough review of the appellant’s submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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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