



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of
Robert Buzzetta, Fire Captain
(PM1143S), Trenton

CSC Docket No. 2016-2837

Examination Appeal

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

Robert Buzzetta appeals his score for the oral portion of the promotional examination for Fire Captain (PM1143S), Trenton. It is noted that the appellant passed the subject examination with a final score of 91.340 and his name appears as the 13th 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 5 for the technical component, a 4 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 5 for the supervision component, and a 4.5 for the oral communication component. The appellant challenges his scores for the supervision and oral communication components of the evolving scenario, and for the oral communication component of the arrival 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 fire in a Chinese restaurant, which is the second store in a row of five in a single-story building with brick walls and steel-bar joist construction built in the early 1960s. It is 8:00 PM on a Friday in June, and the temperature is 78° Fahrenheit with clear 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 front door on side A. Dispatch states the caller was a customer picking up take-out food when they were overcome with smoke and left the building. The caller is

unsure if employees managed to escape, and it is unknown if the automatic hood suppression system has been activated. The candidate is the commanding officer of the first arriving ladder company. The supervision question indicates that, after the incident, the owner of the meat store is furious due to the damage that was caused when a firefighter became trapped. This question asked for actions to be taken now and after returning to the firehouse to investigate and address the complaint. 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 visit the store to investigate or validate the complaint. On appeal, the appellant states that he said he would identify the problem and investigate, and that he apologized to the store owner.

In reply, instructions to candidates were clear that credit is not given for information that is implied or assumed. A statement such as identifying the problem and investigating is a general statement which lacks the details of the scenario, and it provides no information regarding how the appellant intends to do so. In this case, the assessors indicated that the appellant did not visit the store to investigate or validate the complaint. "Identifying the problem," and "investigating" in no way matches going to the visit the store to validate the complaint. The appellant cannot be credited for something he did not say. A review of the appellant's video and related examination materials indicates that the appellant said, "Number three is, I will ID the problem, damages done um, to the, and the store owner is very upset. I will have all members write a letter. I will conduct fact finding. I will an investigation I'll get all my SOPs, SOGs, rules and regulations, personnel files I will review for all members. Previous emp... ah, supervisors and any eyewitnesses, will all doc..., I will document everything. I will have the meat owner write a report as well." The appellant listed the actions that he would take in his investigation, and visiting the store to validate the complaint was not one of them. At the end of the presentation, his last sentence was, "and I will apologize to the owner." The appellant does not state how apologizing to the store owner equates to visiting the store to investigate and validate the complaint. The appellant can apologize to the store owner at any time, and he does not have to visit the store to do so: he can pick up a phone or write a letter. The appellant missed the action noted by the assessors and his score for this component will not be changed.

For the oral communication component of the evolving scenario, the assessors identified a weakness in nonverbal communication. Specifically, they indicated that the candidate failed to maintain eye contact with the camera when speaking throughout his presentation, and he read from his notes. On appeal, the appellant

states that there were moments that he referred to his notes, but he felt that he was scored too strictly with regard to the maintenance of eye contact with the video camera.

In reply, 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 factor in oral communication is nonverbal communication, which includes using gestures effectively without causing confusion or distractions, and making eye contact when speaking. Candidates were permitted to use their notes, but they were told to make their presentation to the camera. Prior to commencing the examination, the room monitor reads the same information to every candidate. When giving instructions, the monitor told the appellant to direct his responses to the video camera and not to her, as she will not be involved in the scoring of the examination. She said, "Make your presentation to the camera as though the camera were your audience."

A review of the appellant's presentation indicates that, during the evolving scenario, the appellant did not maintain eye contact with the camera. Instead, he spent a significant amount of time looking down, either at his notes, the diagrams, or simply at the table. This resulted in his head bobbing up and down as he looked down at his notes and then back up the camera. He looked up at the camera occasionally, but it was not maintained. He also rocked back and forth in his chair. The appellant's constant motion and lack of eye contact was a weakness in nonverbal communication and was a distraction in his presentation. Thus, his score for the oral communication component is correct.

For the oral communication component of the arriving scenario, the assessors identified a weakness in clarity, noting that he failed to make comments that were clear and concise and he constantly repeated actions. On appeal, the appellant argues he gave a thorough and chronological description of events.

In reply, another factor in the oral communication component is clarity/brevity, and a weakness in this factor is defined as failing to make comments that are clear and concise, and responses are brief or unclear. Another factor is organization. A weakness in this factor 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. 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.

The arriving scenario involved a report of smoke in a single-story, wood frame constructed house with brick veneer built in the 1950s. Upon arrival, the candidate notices smoke coming from the open garage door on side A and the diagrams

showed that the fire is in the laundry room, which is a small room behind the garage on the C/D side. An elderly man lives in the house and is confined to a bedroom on side C. The living room separates this bedroom from the kitchen, and there are no stairs. The most direct route to the fire would be through the garage door through the door to the laundry room. The front door to the house was located on side A, closer to the bedrooms on side B than to the garage on side D. There were no other doors.

A review of the appellant's presentation indicates that his response was thorough, however, he repeated many actions and he gave many instructions to a given crew, such that it was unclear what the crews were to actually do. For example, in his presentation, the appellant stated, "My orders to incoming companies will be as followed, Engine 1, Engine 1 is going to pull past the building securing a primary water supply, viewing three sides of the building, leaving room for the ladder to have the front of the building for the maximum scrub area. They will then stretch a charged inch and $\frac{3}{4}$ line through the front door, fighting this fire from the unburned to the burned, into the garage um, area. They will also, to lo..., they will stretch a line to locate, confine and extinguish the fire. They will protect interior and primary means of egress, interior stairs, they will protect search and vent crews and they will protect any interior and exterior exposures. They will fight this fire from the unburned to the burned, placing the line between any victims and the fire. They will monitor fire conditions for ah, fire for rollover, flash over, backdraft, smoke for color, volume and velocity. They will monitor structural for collapse. They will conduct a primary search off a charged hoseline and conduct horizontal ventilation off a charged hoseline. They will coordinate their attack with the ladder companies, and then we'll give a situation status report." In this passage, this is the second time that the appellant has mentioned stretching a hose line to extinguish the fire. He then repeated twice that he would fight the fire "from the unburned to the burned." He selected the more difficult to door to enter, which required a longer stretch over furniture. He ordered Engine 1 to protect the interior stairs which do not exist. He also had them protect exterior exposures with this interior hoseline. He had them perform a primary search and horizontal ventilation, when they were to be locating, confining and extinguishing the fire. The appellant's actions, while thorough, cannot be accomplished by one engine company. The appellant wanted them to monitor conditions for rollover, flash over, and backdraft, as well as collapse, when the scenario listed none of these factors, or signs of these factors, as possibilities.

As his orders to Engine 2, the appellant stated, "Engine 2 will secure secondary water supply. They will backup Engine 1 with the same size hoseline or larger. They will protect secondary means of egress. They will assist in extinguishing the fire. They will protect the interior stairs. They will protect ah, first due engine company." The secondary means of egress is through the garage. They could enter

through the large garage door, pull straight through the garage and through the interior door straight into the laundry room. There is no stairway in the garage, and there is no stairway in the house. The appellant ordered Engine 3 into the garage with a third hoseline to extinguish fire and protect the stairs as well.

In his orders to the ladder company, he stated that they will position the ladder in front of the building for maximum scrub area, being aware of overhead wires and obstructions, and having the capability of raising the ladder aerial device to the roof area and any window area for a quick vent, enter and search. The diagram clearly shows a one-story residence, with a driveway on the right leading to the two car garage, and a large tree just to the left of the driveway. There are no overhead wires, and it would not be practical to raise the ladder to the first story windows, which would be more easily vented from the ground level.

He later broke the crew into two two-member crews. He ordered two of them to put two ladders to the roof, locate the fire and cut a four by four hole over it for vertical ventilation, and then said, "They will ladder all window areas for vent, enter and search." Aside from the fact that they should not be laddering the building for horizontal ventilation, this is too much work for a two-man crew, and it is likely that another crew has already performed the horizontal ventilation prior to their completion of the vertical ventilation. He then indicated that they would perform pre-overhaul while the fire is still burning, using a charged hoseline to check for extension. The appellant did not indicate what the other two-man crew was doing, but he repeated ventilation procedures for horizontal, vertical and mechanical ventilation. After this information, he stated that they would force entry to all doors (one of which is an *open* garage door), and secure all gates (none of which are present) and "any openings which need to be opened." He then ordered them to conduct primary and secondary searches, and later indicated that Ladder 2 would conduct the secondary search. He also then had Ladder 2 ladder the rear of the building with two portable ladders. This appears to be in addition to the two ladders that he has already had the first ladder company raise. After they raise these two ladders, he again indicates they will perform a secondary search, and check for extension in the cockloft area. The appellant provided a lot of superfluous and irrelevant information. He repeated orders to companies and was not clear on which company was performing what action. The appellant's presentation contained weaknesses in clarity/brevity and organization. As one of these weaknesses was noted by only one assessor, the appellant received a score of 4.5. This review reveals that the presentation undoubtedly had weaknesses in clarity/brevity and organization, and the score for this component should be reduced from 4.5 to 3.

CONCLUSION

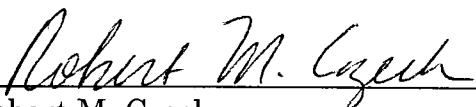
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied, and the score for the oral communication component for the arriving scenario be reduced from 4.5 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



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