



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of
Helmut Krauth, Fire Lieutenant
(PM1186S), Union Township

Examination Appeal

CSC Docket No. 2016-2798

ISSUED: OCT 25 2016 (RE)

Helmut Krauth, represented by Edmund Denoia, Esq., appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM1186S), Union Township. It is noted that the appellant passed the subject examination with a final score of 90.490 and his name appears as the 7th 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 Lieutenant 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 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 5 for the supervision component, and a 5 for the oral communication component. The appellant challenges his score for the technical component of the evolving 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 fire in a pet store in the middle of a four-store strip mall of lightweight, steel-joint construction built in the 1980s. It is 7:30 AM on a Tuesday in February and the temperature is 33° Fahrenheit with clear skies and a wind blowing from east to west at 8 miles per hour. Upon arrival, it is noticed that smoke is coming from the side A windows of the pet store. 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 to be taken upon arrival. Question 2 indicates that, during the incident the candidate notices smoke inside of the furniture store on side B. 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 perform a detailed size-up, which was a mandatory response for question 1. They used the flex rule to assign a score of 3. On appeal, the appellant states that he said he would radio in his size-up, an initial radio report, and mode of attack. He states that he took other actions as well such as calling for additional alarms and resources.

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.

A review of the appellant's video and related examination materials indicates that he stated, "I would radio in my size-up and my initial radio report and the mode of operation as an offensive mode of attack." As noted above, credit could not be given for information that was implied or assumed. Each scenario provided specific information regarding size-up factors that were pertinent to the specific scene, and candidates were expected to indicate these size-up factors. The appellant did not do so. He said he would radio in his size-up, but no size-up information was then given. As such, the appellant did not demonstrate knowledge of which size-up factors were important to the scene. The actions and information that the appellant lists in his appeal, such as establishing command, calling for various resources, and positioning the truck, are not size-up factors.

The fact that performing a detailed size-up was not a mandatory response in the example of the evolving scenario given in the orientation guide has no bearing on the scoring criteria for the subject examination. Each scenario has different and varying mandatory and additional responses as determined by the SMEs. The

appellant missed the mandatory action noted by the assessor, and his score for this component 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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