



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Daniel Roman, Fire Lieutenant  
(PM1186S), Union Township

Examination Appeal

CSC Docket No. 2016-3072

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

Daniel Roman 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 89.720 and his name appears as the 8<sup>th</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 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 5 for the technical component, a 5 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 oral communication components of both scenarios. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

For the oral communication components of both scenarios, the assessors indicated that the appellant failed to maintain eye contact with the camera when speaking, and he read from his notes. On appeal, the appellant explains that he made eye contact throughout the presentations. He states that no amount of eye contact was recommended by authors in suggested reading guides, and it is common practice to refer to notes during a presentation.

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 of the factors of oral communication is nonverbal communication, which includes using gestures effectively without causing confusion or distractions, and making eye contact when speaking. This is an appropriate factor in oral communication for a first level supervisor, who interacts with management, officials, the public, other departments and the media, and not solely with fire department personnel on the fire ground. In addition, candidates were permitted to use their notes.

A review of the appellant's presentation for the evolving scenario indicates that he held his notes up and read from them. He was clearly aware of the camera, and he looked up at it during his delivery throughout the presentation. A review of the appellant's presentation for the arriving scenario indicates that his delivery for this scenario was similar to that of the evolving scenario. The appellant held his notes up and read from them, with an awareness that the camera, his audience, was watching him. Most of the time his eyes were on the camera, although he read from his notes occasionally. From the audience's point of view, the appellant was aware of them and was speaking to them rather than simply reading from his notes. Accordingly, the appellant's score for the oral communication component for the evolving scenario should be raised from 4 to 5, and his score for the oral communication component for the arriving scenario should be raised from 4.5 to 5.

### CONCLUSION

Therefore, it is ordered that this appeal be granted and that the examination be rescored to reflect the change in score for the oral communication component of the evolving scenario from 4 to 5, and the change in score for the oral communication component of the arriving scenario from 4.5 to 5.

### ORDER

Therefore, it is ordered that this appeal be granted.

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



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