



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Thomas Conforti,
Fire Officer 2 (PM1513T),
Jersey City

Examination Appeal

CSC Docket No. 2017-1388

ISSUED: DEC 23 2016

(RE)

Thomas Conforti appeals his score on the examination for Fire Officer 2 (PM1513T), Jersey City. It is noted that the appellant passed the examination with a final average of 85.890 and ranked 15th on the eligible list.

This two-part examination consisted of an integrated system of simulations designed to generate behavior similar to that required for success on the job. The first part consisted of 70 multiple-choice items that measured specific work components identified and weighted by the job analysis. The second part consisted of three oral scenarios; a Supervision, Administration and Incident Command scenario. All candidates received the same multiple-choice exam, but differing versions of the oral exercises were given based on the day the oral exam was administered. The examination was based on a comprehensive job analysis conducted by the Civil Service Commission, which identified the critical areas of the job. The weighting of the test components was derived from the job analysis data.

For the oral portion, candidates had 60 minutes to prepare for all three scenarios and had 10 minutes per scenario to present their response. For all three oral exercises, the candidate was to assume the role of a Battalion Fire Chief (or Fire Officer 2). Candidates were scored based on the content of their response (technical) and the how well they presented their response (oral communication). Both of these dimensions were scored on a scale of 1 to 5 with 1 being the lowest rating and 5 being the highest rating.

Each candidate in a given jurisdiction was scored by a team of three different Subject Matter Experts (SMEs), who were trained in current technical and oral communication scoring procedures. Each SME is a current or retired fire officer who held the title of Battalion Fire Chief (or Fire Officer 2) or higher. As part of the scoring process, an SME observed and noted the responses of a candidate relative to the knowledge, skills and abilities (KSAs) that each exercise was designed to measure. An SME also noted any weaknesses that detracted from the candidates overall oral communication ability. The SME then rated the candidate's performance according to the rating standards and assigned the candidate a technical or oral communication score on that exercise.

In order to preserve the relative weighting of each of the components of the examination, the ratings for each portion were adjusted by a well-recognized statistical process known as "standardization." Under this process, the ratings are standardized by converting the raw scores to z-scores, an expression of the deviation of the score from the mean score of the group in relation to the standard deviation of scores for the group. Each portion of the examination had a relative weight in its relation to the whole examination. Thus, the z-score for the multiple-choice portion was multiplied by a test weight of 36.53%, the oral technical scores were multiplied by a test weight of 53.91% and the oral communication scores were multiplied by a test weight of 9.56%. The weighted z-scores were summed and this became the overall final test score. This was weighted and added to the weighted seniority score. The result was standardized, then normalized, and rounded up to the third decimal place to arrive at a final average.

For the technical and oral communication components of the Supervision, Administration and Incident Command scenarios, the appellant received scores of 4, 4, 5 and 5, 5, 5, respectively.

The appellant challenges his score for the technical component of the Supervision scenario. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed.

The Supervision scenario involved a firefighter with a bruise. Firefighter Delacano indicated to the candidate that he fell and hurt himself. The candidate asks Captain Connor to look into the matter and the Captain confirmed that the firefighter injured himself in an accident. A few days later, Firefighter Delacano explains that he was hit in the face with a ladder by another firefighter during a training exercise. The firefighter claimed it was an accident but Firefighter Delacano thinks he did it on purpose. Firefighter Delacano has been anxious since he was transferred to Captain Connor's company, but feels that they've been together a long time and resents him. Captain Connor was present at the training accident, and Firefighter Delacano believes he took no action since he was close friends with the other firefighter. The question asked candidates to base their responses on the text *Managing Fire and*

Emergency Services, and their experience. Question 1 asked what should be said in the meeting with Firefighter Delacano. Question 2 indicated that, as a result of the investigation, the candidate has determined that Firefighter Delacano was assaulted and Captain Connor covered up the incident. This question asked what actions should be taken now based on this new information in regards to Captain Connor.

For this question, the SME noted that the appellant missed the opportunity to offer Employee Assistance Program (EAP) services to Firefighter Delacano (question 1). On appeal, the appellant claims that he said that the EAP was available to both Firefighter Delacano and Captain Connor.

In reply, the candidates were expected to offer EAP Services to Firefighter Delacano in the initial meeting with him in response to question 1. In this case, the appellant did not do that. He completely responded to question 1 and question 2. At the end of question 2, he offered EAP Services to Captain Conner. Specifically, he stated, "Down the road, every so often, I'll be following up with Captain Conner as to how he's doing with, with his ah, his members and make sure everything is going smooth in the firehouse. I want to also let Captain Conner know, like I did Firefighter Delacano, that I have an open door policy. If he needs to talk to me about anything, I'm there for him. You know, if, if he's having problems, if he needs the ah Employee Assistance Program, anything of that nature. If he's got problems at home, he can talk to me and the department has ways to get him help. And we can get him help if he needs that." In his response to question 1, the appellant had told Firefighter Delacano that he had an open door policy and could come in and talk to him at any time. The appellant did not suggest EAP to Firefighter Delacano during his meeting with him. The instructions given after the questions asked candidates to be as specific as possible in responding to questions, and not to assume or take for granted that general actions would contribute to their score. If the appellant meant to offer EAP Services to Firefighter Delacano he needed to have verbalized that action. The above passage offers EAP services solely to Captain Conner. Credit cannot be given for information that is implied or assumed. The appellant missed the action noted by the SME and his score for this component is correct.

CONCLUSION

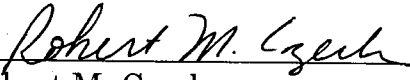
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 21st DAY OF DECEMBER, 2016



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