

B-84



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Ryan Rosetti, Fire Captain  
(PM1131S), Newark

Examination Appeal

CSC Docket No. 2016-2869

ISSUED: DEC 13 2016 (RE)

Ryan Rosetti appeals his score for the oral portion of the promotional examination for Fire Captain (PM1131S), Newark. It is noted that the appellant passed the subject examination with a final score of 81.430 and his name appears as the 78<sup>th</sup> ranked eligible on the subject list.

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 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 2 for the technical component, a 4.5 for the supervision component, and a 3 for the oral communication component. For the arriving scenario, the appellant scored a 2 for the technical component, a 5 for the supervision component, and a 3 for the oral communication component. The appellant challenges his score for the supervision 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 appellant also argues that the average of his scores for the three components of the arrival scenario is higher than 3.

The evolving scenario involves a fire in a single-story, steel-frame building built in the early 1980s. The building is a Collision and Frame Straightening garage with three bays. It is 1:30 PM on a Monday in May and the temperature is 41° Fahrenheit with clear skies and a wind blowing from west to east at 7 miles per hour. Upon arrival, it is noticed that smoke is coming from garage bay doors on side A, and from the windows of the office area on sides A and D. Dispatch indicates that an employee says that a fire started in the reception area and quickly filled the area with smoke. He is unsure if all the employees and customers were

able to evacuate the building. The candidate is the commanding officer of the first arriving engine company and he establishes command. There were two technical questions. Question 1 asked for initial actions and specific orders at the incident upon arrival. Question 2 indicates that a drop-ceiling collapse occurs in the reception area and there is a report of a missing firefighter. The question asked what actions should now be taken, based on this new information. Question 3, the supervision question, indicates that, during fire operations, the nozzleman gets distracted and hits another firefighter with the hose stream, injuring him. This question asks what should be done at the scene and after returning to the firehouse. 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 interview the injured firefighter. On appeal, the appellant argues that he said he arranged a meeting with the firefighters, asked each their side of the story, and had a meeting to get each account of what took place.

A review of the appellant's video and related examination materials indicates that, in his presentation, the appellant stated, "Upon arrival back to the firehouse, um, I would request a report to be written by all parties involved. Ah, arrange a meeting at that point and allow them to know that we're at a, a ... arrange a meeting with the firefighters (pause) and, and inform them of an open door policy. That everything will be confidential. I would ask for each side of the story. I would review that SOGs and SOPs with them and myself to, to make everybody clear on the same page of what our department requires our operation procedures to be and we would go and train the firefighter, um, on proper handling of the hoseline and the importance of the proper use of working a hoseline." After notifying the Chief, the appellant stated, "I would arrange the meeting and get every firefighter's account of what had taken place. At that point, I will review the SOPs and SOGs with them and we would move onto training to make sure that this doesn't happen again." For these actions, the appellant received credit for interviewing the nozzleman and interviewing the other crew members assigned to the hoseline. The appellant never stated that he would interview the injured firefighter, and credit is not awarded for information that is implied or assumed. The appellant's presentation focused on the infractions of the officer who hit the other firefighter with the hoseline. The appellant did not create or file an injury report or interview the injured firefighter. The appellant's score for this component will not be changed.

The appellant's appeal regarding scoring is unpersuasive. The appellant did not receive a score of 3 for the arriving scenario. Rather, every candidate received a

Candidate Feedback Report at examination review which explained standardization in layman's terms and provided all the calculations relative to the individual candidate. These calculations indicate that the appellant received a weighted test score of -.0970269. This number included the scores for all six components of the oral examination, and the score for the written examination. This was then standardized and normalized. There is no scoring error evident in the calculations.

### CONCLUSION

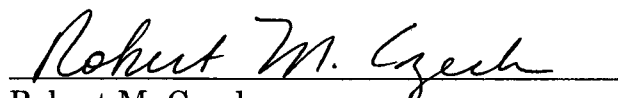
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

### 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 7<sup>th</sup> DAY OF DECEMBER, 2016



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P. O. Box 312  
Trenton, New Jersey 08625-0312

c: Ryan Rosetti  
Michael Johnson  
Records Center

