



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Chancey Costa, Fire Captain  
(PM1101S), Bayonne

Examination Appeal

CSC Docket No. 2016-2777

ISSUED: **NOV 16 2016** (RE)

Chancey Costa appeals his score for the oral portion of the promotional examination for Fire Captain (PM1101S), Bayonne. It is noted that the appellant passed the subject examination with a final score of 90.380 and his name appears as the 27<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 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 4 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 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 arriving 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-joist 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. The supervision question indicates that during the overhaul, the candidate observes his crew laughing and using inappropriate language while overhauling the pet store. The pet store owner is now on the scene and observes this and complains to the candidate. 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 follow-up with the store owner and inform him of the actions taken (after the investigation). On appeal, the appellant quotes question 2 and provides his actions for that question. He also argues that he said he would inform the owner of a thorough investigation.

In reply, the appellant seems to have confused questions 2 and 3. His actions taken for question 2 are not pertinent to the assessor notes for question 3. A review of the appellant's video and related examination materials indicates that the appellant stated, "In response to question 3, I would immediately address the situation at hand with the firefighter on-scene. I will let the owner know there will be a thorough investigation. Back at quarters I will review all his files." It is noted that responses are taken in context. Letting the store owner know there will be a thorough investigation is not the same and cannot be confused with following-up with the store owner at the end of the investigation to let him know of the actions taken. For his actions in this passage, the appellant received credit for talking with the store owner, which was a separate response. He cannot receive credit for following-up with store owner with the actions taken if he did not do so in his presentation. He missed the action noted by the assessor and his score for this component will not be changed.

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 periodically glanced down to refer to his notes to respond that question. He states that he knew eye contact was important and demonstrated that sufficiently.

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 in front of him and read from them. He was clearly aware of the camera, and he glanced at it occasionally. But his delivery was such that he was reading aloud from his notes while glancing up to the camera intermittently. When he was finished with one page of notes, he put it down and picked up another and began reading the next page. For example, he stated, "**I will ensure my crew is in full personal protect..., personal protective equipment, SCBA, pass alerts on and activated. Ah, utilizing thermal imaging cameras and using portable radios. In route, I would review any pre-infinite, (glances up) pre-incident information. I will conduct a 360° (glances up) multi-sided view upon arrival. I will establish command. Name and (glances up) locate my command post as granite command. I will name, I will locate my command post on the A side of the building. (glances up) I will then give my initial report to incoming units and fire dispatch outlining the situation.**" All of the words in bold were spoken while the appellant was looking down at his papers, and he was looking at the camera for the words that are not in bold. The appellant gave significant actions while looking down, and this behavior was apparent throughout his presentation. The appellant's presentation had a weakness in non-verbal communication, and his score for this component is correct.

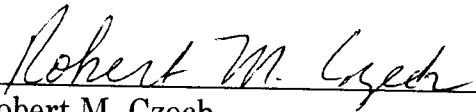
A review of the appellant's presentation for the arriving scenario indicates that his delivery for this scenario was similar to that of the evolving scenario. The appellant held his notes in front of him and read from them, with an awareness that the camera, his audience, was watching him. Most of the time his eyes were on the paper, although he looked up for a word or two occasionally, or he glanced up between sentences or phrases. At one point, after reading a page of notes, the appellant picked up his pen and wrote some more notes on that page before continuing. From the audience's point of view, the appellant was reading a story about what he would do, not explaining his intended actions directly to the audience. This was distracting, and the appellant's presentation contains the weakness noticed by the assessors. His score for oral communication will not be changed.

#### 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 10<sup>th</sup> DAY OF NOVEMBER, 2016

  
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