



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Robert Boyle,
Fire Lieutenant
(PM1176S), New Brunswick

Examination Appeal

CSC Docket No. 2016-2582

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

Robert Boyle appeals his scores for seniority and for the oral portion of the promotional examination for Fire Lieutenant (PM1176S), New Brunswick. It is noted that the appellant failed the subject examination.

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 2 for the technical component, a 2 for the supervision component, and a 3 for the oral communication component. For the arriving scenario, the appellant scored a 1 for the technical component, a 4 for the supervision component, and a 3 for the oral communication component. The appellant challenges his scores for the technical and supervision components 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 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 technical component, the assessors noted that the appellant failed to perform a detailed size-up, which was a mandatory response to question 1, and he failed to call for a Personnel Accountability Report (PAR), which was a mandatory response to question 2. They also indicated that he missed the opportunity to establish a secondary water supply. On appeal, the appellant states that he said a PAR would be done every 15 minutes.

A review of the appellant's video and related examination materials indicates that, near the start of the presentation, the appellant had various resources arrive, and gave orders to his engine companies and ladder company. He then stated, "Once this fire is under control, I will have a secondary search done. Salvage will be done. Ah, a PAR will be done every 15 minutes on scene. We will give rehab." This response was part of the specific actions taken upon arrival. After the drop-ceiling collapse occurred in the reception area and there was reported missing firefighter, the appellant did not call for a PAR, which the SMEs determined was mandatory for firefighter safety. The appellant cannot receive credit for calling for a PAR after the drop-ceiling collapse because he only indicated that a PAR will be done every 15 minutes in response to question 1. Candidates are required to state their actions during their presentation and credit is not given for information that is implied or assumed. The appellant missed the mandatory responses and the additional action listed by the assessors, and his score for this component will not be changed.

In regard to the supervision component of the evolving scenario, the assessors noted that the appellant missed the opportunities to have the injured firefighter seen by EMS, to review any Standard Operating Guidelines/Standard Operating Procedures (SOGs/SOPs) on hose operations/suppression, and to create and file an incident injury report. On appeal, the appellant states that on scene he requested that the injured firefighter be seen by EMS.

A review of the appellant's video and related examination materials indicates that the action that the appellant listed on appeal was in response to question 2.

The appellant indicated that the trapped firefighter would be taken out of the building and taken care of by EMS. However, in question 3, he took no action regarding the firefighter who was injured by the hose stream, but dealt only with the nozzleman. He missed the actions noted by the assessor, and his score of 2 for this component is correct.

The appellant also appeals his seniority score, and indicates that his hiring date was April 17, 2009. N.J.A.C. 4A:4-2.15(b) requires that candidates who do not receive a passing score on one part of an examination shall be deemed to have failed the entire examination and those candidates shall not receive credit for seniority. Thus, since the appellant did not pass the examination, his seniority was not credited to his final score.

CONCLUSION

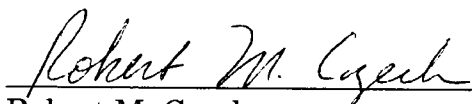
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 10th DAY OF NOVEMBER, 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: Robert Boyle
Michael Johnson
Records Center

