



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Dennis Gregory,
Fire Lieutenant
(PM1176S), New Brunswick

CSC Docket No. 2016-3081

Examination Appeal

ISSUED: NOV 16 2016 (RE)

Dennis Gregory appeals his scores for the oral portion of the promotional examination for Fire Lieutenant (PM1176S), New Brunswick. It is noted that the appellant passed the subject examination with a final average of 76.580 and his name appears as the 14th 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 2 for the technical component, a 4 for the supervision component, and a 3.5 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 3.5 for the oral communication component. The appellant challenges his scores for the technical components of both scenarios. 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 primary search, which was a mandatory response to question 1, and he missed the opportunities to order or perform ventilation, and to check for extension, which were additional responses to question 1. On appeal, the appellant states that he said he would search the office area of the auto shop, and then the auto shop.

In reply, the scenario indicates that an employee is unsure if all the employees and customers were able to evacuate the building. The building consists of a reception area, two bathrooms, a small office, and a garage with 6 bays. At this point, it should be stated that the primary search is probably the single most important function carried out and it is the greatest opportunity to save lives at an incident. Every single area in a structure should be searched when there is a reasonable chance of a person being alive, and that is why standard operating procedures on searches were developed. Searches have been bifurcated into primary and secondary searches, and a primary search is a quick search performed for live victims before the fire is brought under control. It is a quick once-over of the entire accessible area, with an emphasis on checking the most likely locations of victims. A primary search is a routine function, often performed upon entry into a building.

A review of the appellant's video and related examination materials indicates that the appellant had the engine establish a water supply and take a 1¼ inch hoseline to the reception area. He then stated, "I will have the thermal imaging camera looking for any victims that may be down or may be in trouble within the structure. I will um, locate, and confine, and extinguish the fire. I will do a search of the reception area, and the building itself, under the protection of the hoseline. I will place the hoseline between the fire and any endangered occupants that may still be in the building." In this passage, the appellant has not mentioned a primary search. He has one hoseline in the reception area, and he will search off that line,

after he locates, confines and extinguishes the fire. The SMEs determined that this response was too weak to receive credit for performing a primary search. The appellant is not quickly taking action to search the entire structure, including bathrooms and the small office, and he does so with a hoseline that is committed to extinguishing the fire. Candidates were required to state their knowledge and did not receive credit for actions that were implied or assumed. All mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or five of them. The appellant missed the mandatory response listed by the assessors, and the additional actions listed by the assessors, and his score for this component will not be changed.

The arriving scenario concerned a report of a fire at a two-story, wood frame constructed house built in the early 1920s. It is 2:30 PM on a Wednesday afternoon in November, 48° F, cloudy skies, and a wind blowing from west to east at 7 miles per hour. The appellant is the commanding officer of the first arriving engine company, and the first officer on scene. Upon arrival, the candidate notices smoke coming from the first floor windows on side D. Dispatch reports that a neighbor saw the smoke and called 911, and indicates that an elderly couple lives in the house. Question 1 asked for specific actions to take upon arrival. Again, 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.

For the technical component of the arriving incident, the assessors indicated that the appellant failed to give an initial radio report to dispatch, and to order or perform horizontal ventilation, which were mandatory responses to question 1. They also indicated that he missed the opportunity to ladder the house. On appeal, the appellant states that he said that this was a two-story, wood frame single family house with smoke coming from the A side window in the A/D side windows.

In reply, again, credit is not given for information that is implied or assumed. The appellant's description of the fire building is a size-up factor, and the appellant received credit for performing a detailed size-up. He also received credit for establishing command. He did not mention dispatch, or giving an initial radio report, and he cannot receive credit for something he did not say. He also did not perform horizontal ventilation, which was mandatory given the conditions at this scene, and he did not ladder the house. The appellant's score of 2 for this component is correct.

CONCLUSION

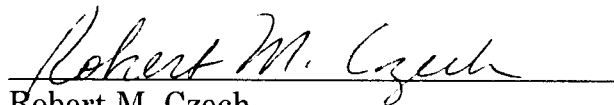
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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: Dennis Gregory
Michael Johnson
Records Center

