



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Brent Ventura, Fire Officer 1  
(PM1195S), North Hudson Regional  
Fire and Rescue Service

Examination Appeal

CSC Docket No. 2016-2759

ISSUED: NOV 16 2016 (RE)

Brent Ventura appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM1195S), North Hudson Regional Fire and Rescue Service. It is noted that the appellant passed the subject examination with a final score of 86.710 and his name appears as the 50<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 Officer 1 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 5 for the supervision component, and a 5 for the oral communication component. For the arriving scenario, the appellant scored a 3 for the technical component, a 5 for the supervision component, and a 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 Chinese restaurant, which is the second store in a row of five in a single-story building with brick walls and steel-bar joist construction built in the early 1960s. It is 8:00 PM on a Friday in June, and the temperature is 78° Fahrenheit with clear skies and a wind blowing from west to east at 5 miles per hour. Upon arrival, it is noticed that smoke is coming from the front door on side A. Dispatch states the caller was a customer picking up take-out food when they were overcome with smoke and left the building. The caller is unsure if employees managed to escape, and it is unknown if the automatic hood

suppression system has been activated. The candidate is the commanding officer of the first arriving ladder company. There were two technical questions. Question 1 asked for specific actions to be taken upon arrival. Question 2 indicates that, while searching the meat store (exposure D), a fire fighter knocks over several overstocked displays and becomes trapped. He issues a Mayday. The question asked for actions that should be taken based on this new information. 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 order a Personnel Accountability Report (PAR), which was a mandatory response to question 2, and he missed the opportunities to perform a secondary search, which was an additional action for question 1, and to request EMS for the injured/trapped firefighter, which was an additional response to question 2. On appeal, the appellant states that he ordered his second due ladder to perform a secondary search. He also indicates that he called for EMS for the injured firefighter and civilians, but that the scenario and questions did not mention any injured firefighter.

In reply, a review of the appellant's presentation indicates that, after a mayday has been issued by a firefighter trapped in the meat store in question 2, the appellant did not take the mandatory response of ordering a PAR. In response to question 1, the appellant called for EMS for civilian and firefighter safety and he received credit in that question for that response. However, the appellant did not request EMS in response to question 2 for the trapped firefighter. The appellant argues that the question did not indicate the firefighter was injured. Nevertheless, the SMEs determined that if a firefighter is trapped, issues a Mayday, and needs rescuing, EMS should be requested for that individual in the event that he is injured in those circumstances. A Fire Captain would be remiss to work with the assumption that the trapped firefighter will emerge from the incident uninjured as, in the event that the individual was actually injured, he would not have immediate medical care.

Also in response to question 1, the appellant ordered a truck company to conduct a secondary search, which was an additional response but not a mandatory response. Mandatory responses are responses that are requirements for a performance to be acceptable (a score of 3). Sometimes, a candidate states many additional responses but does not give a mandatory response. The flex rule was designed to allow the SMEs to assign a score of 3 to candidates who fail to give a mandatory response but who provide many additional responses. However, the SMEs cannot provide a score higher than a 3 in those cases. All mandatory responses must be given in order for a performance to be acceptable, whether there

is one mandatory response or five of them. It is not assumed that candidates receive a score of 5 which is then lowered for lack of responses. Performances that include mandatory responses get a score of 3, and those without mandatory responses get a score of 1 or 2. Additional responses only increase a score from 3 to 4 or from 3 to 5. In this case, although the appellant took the additional action of performing a secondary search, he did not take enough additional actions to allow the flex rule be used to elevate his score to a 3. For example, he did not perform a detailed size up, or check for extension in response to question 1. The scenario indicated that the candidate was the commanding officer of the first arriving ladder company and the first officer on the scene. As such, the candidate was the Incident Commander (IC). In his response to question 2, the appellant responded as though there was another individual who was the IC. For example, he said he would notify command of what had happened, and he transmitted a Mayday to command. He disentangled and helped the member get up, and withdrew his men to a safe area. By taking actions as though he were in the store with a firefighter, the appellant failed to take appropriate actions as the IC. For example, he did not evacuate the building of nonessential personnel, or call for an additional alarm in response to this question. He also did not take the mandatory response of ordering a PAR. As such, the appellant's score for the technical component of the evolving scenario is correct and will not be changed.

The arriving scenario involved a report of smoke in a single-story, wood frame constructed house with brick veneer built in the 1950s. It is 10:30 AM on a Thursday in September, 68° F, with partly cloudy skies and a wind blowing from west to east at 5 miles per hour. The candidate 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 open garage door on side A. Dispatch states that the caller is a neighbor who saw smoke coming from an open garage door, and says that an elderly man lives in the house and is confined to a bedroom. All appliances in this house are fueled by natural gas, and sides B and D face similar houses 20 feet away. The rear yard is not accessible. The technical question asked for specific actions to be taken upon arrival. 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, the assessors indicated that the appellant failed to perform a detailed size-up, which was a mandatory response. They also indicated that he missed the opportunity to give an initial radio report to dispatch. They used the flex rule to assign a score of 3. On appeal, the appellant states that he was downgraded for two actions, when it should have only been one. He states that an initial radio report to dispatch and a size-up are done together, and therefore they are one and the same.

In reply, a review of the appellant's presentation indicates that he stated, "I will announce my arrival on-scene to dispatch. I will name, locate command on the A side upwind. I will have all m... I will perform a 360 full-sided view of the building to give a short size-up description to all incoming companies and to dispatch." For this scenario, the SMEs determined that it was mandatory that the IC perform a detailed size up, and the appellant did not do so. The appellant believes that a size-up is the same response as an initial radio report to dispatch. However, an initial radio report may consist of command identification, a building description and description of conditions (size-up), actions to be taken by incoming units, the command mode, and immediate additional resources needed. In his response, the appellant told dispatch he was on scene and indicated he would give a short size-up description, although he did not actually do so. It cannot be assumed that the appellant knew the pertinent size-up factors of this scene if he does not give them. He also did not indicate that he was in command, give the location of the command post, or indicate his command mode. The appellant missed the actions noted by the assessors, including a mandatory response, and his score of 3 for this component will not be changed.

### CONCLUSION

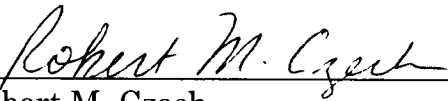
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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

  
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