



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Theodore Wolf Jr., Fire Captain  
(PM1101S), Bayonne

Examination Appeal

CSC Docket No. 2016-2893

ISSUED: NOV 16 2016 (RE)

Theodore Wolf Jr. 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 94.850 and his name appears as the seventh 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 5 for the technical component, a 5 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 oral communication components of both scenarios. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

For the oral communication components of both scenarios, the assessors indicated that the appellant failed to use appropriate words throughout the presentation by using "um" and "ah." On appeal, the appellant contends that his score should not have been reduced by one point as the assessors indicated that this weakness was minor. He believes that their scoring was arbitrary and that his presentation was not unclear, and it was concise.

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. Thus, the oral communication for each presentation was assessed. Regarding appellant's contention that the scoring was subjective, it is noted that final scores for oral communication are derived by examining behavior associated with a given scenario throughout the entire exercise. That is, scores are assigned based on a holistic view of the presentation and assessors were trained and used the same standards to measure each candidate performance. Each performance was evaluated by two SMEs who currently are a first level supervisor or higher. As noted above, if the SME scores differed by 1 point, the score was averaged. This was a formal examination setting, and candidates were required to state what they meant with proper word usage and with no distractions. If one assessor was distracted by a behavior, he may have assigned a lower score than another. The appellant's score was not averaged, but both assessors agreed to the weakness in his presentation, and he received a score of 4. It is noted that the same SMEs scored all the candidates in a given jurisdiction so consistency in scoring was maintained. In scoring the oral communication component, one minor weakness indicated that the performance was more than acceptable and exceeded the criteria required for job success. This is a score of 4.

There are various factors associated with oral communication. One of the factors of oral communication is word usage/grammar, which is defined as using appropriate words and sentences that are grammatically correct. It was not acceptable to present many distracting verbal mannerisms, such as "ah." This was an examination setting where candidates were given scenarios, and a question or questions for each scenario, and were required to provide direct answers to those questions and, in this setting, candidates are required to maintain the flow of information. There is a well-known phenomenon of hesitational disfluency that can afflict a speaker trying to cope with the pressures of immediate processing, and some level of disfluency is acceptable when it does not affect the continuity of a presentation. At some point, however, the use of distracting verbal mannerisms is not acceptable.

A review of the video and related examination materials reveals that the appellant used many distracting verbal mannerisms. For example, in the evolving scenario, the appellant stated, "They would then stretch a 2½ inch line ah, due to the commercial occupancy, to the front door, waiting for proper ventilation, ah, in case there's any backdraft conditions which I don't believe are here ah, in a flanking position, break the window, open the door, and ah, advance that line in to locate, confine and extinguish." The sentence is a run-on sentence and the appellant says "ah" three times in it. The appellant also stated, "Ah, they will give progress reports back to command. Ah, I would have my second engines secure a secondary

water source. Ah, make sure that the first line is an operation before stretching a second." The appellant did not say "ah" in every sentence in his presentation, but he did so very often. It was a minor weakness in his presentation, and his score for this component will not be changed.

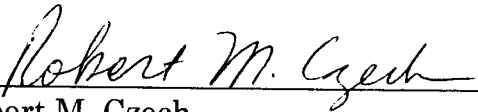
Regarding the presentation for the arriving scenario, the appellant spoke in a similar manner, using distracting verbal mannerisms. For example, he stated, "I would ensure that they use the buddy system. I would ensure that they ah, ah obey all established ah, collapse zones," and "Ah, my second due engine is going to secure a secondary water source and they're going to stretch a backup line ah via the same route as the initial attack line to take care of any other fire above and around and to protect the stairwell and the ah egress." He also had gum in his mouth which he chewed occasionally during this scenario. He stated, "Ah, we would ah, force entry to all doors. We would ah, remove and rescue all victims from the house and take them to EMS as assigned," and "Um, first I would ah, stop or assess the dangerous hazard and make sure that the ladder gets up. Um, I would investigate. It could possibly be an equipment problem or it's just ah, ah, his error in not being able to properly do it." The appellant's performance contained the hesitatorial disfluencies as noted by the assessors and his score for this component is correct.

#### 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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