

B-19



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Kevin Colavitti,
Battalion Fire Chief (PM1500T),
Passaic

Examination Appeal

CSC Docket No. 2017-1259

ISSUED: MAR 13 2017

(RE)

Kevin Colavitti appeals his score on the examination for Battalion Fire Chief (PM1500T), Passaic. It is noted that the appellant passed the examination with a final average of 86.980 and ranked third on the eligible list.

This two-part examination consisted of an integrated system of simulations designed to generate behavior similar to that required for success on the job. The first part consisted of 70 multiple-choice items that measured specific work components identified and weighted by the job analysis. The second part consisted of three oral scenarios; a Supervision, Administration and Incident Command scenario. All candidates received the same multiple-choice exam, but differing versions of the oral exercises were given based on the day the oral exam was administered. The examination was based on a comprehensive job analysis conducted by the Civil Service Commission, which identified the critical areas of the job. The weighting of the test components was derived from the job analysis data.

For the oral portion, candidates had 60 minutes to prepare for all three scenarios and had 10 minutes per scenario to present their response. For all three oral exercises, the candidate was to assume the role of a Battalion Fire Chief. Candidates were scored based on the content of their response (technical) and the how well they presented their response (oral communication). Both of these dimensions were scored on a scale of 1 to 5 with 1 being the lowest rating and 5 being the highest rating.

Each candidate in a given jurisdiction was scored by a team of three different Subject Matter Experts (SMEs), who were trained in current technical and oral

communication scoring procedures. Each SME is a current or retired fire officer who held the title of Battalion Fire Chief (or Fire Officer 2) or higher. As part of the scoring process, an SME observed and noted the responses of a candidate relative to the knowledge, skills and abilities (KSAs) that each exercise was designed to measure. An SME also noted any weaknesses that detracted from the candidates overall oral communication ability. The SME then rated the candidate's performance according to the rating standards and assigned the candidate a technical or oral communication score on that exercise.

In order to preserve the relative weighting of each of the components of the examination, the ratings for each portion were adjusted by a well-recognized statistical process known as "standardization." Under this process, the ratings are standardized by converting the raw scores to z-scores, an expression of the deviation of the score from the mean score of the group in relation to the standard deviation of scores for the group. Each portion of the examination had a relative weight in its relation to the whole examination. Thus, the z-score for the multiple-choice portion was multiplied by a test weight of 36.53%, the oral technical scores were multiplied by a test weight of 53.91% and the oral communication scores were multiplied by a test weight of 9.56%. The weighted z-scores were summed and this became the overall final test score. This was weighted and added to the weighted seniority score. The result was standardized, then normalized, and rounded up to the third decimal place to arrive at a final average.

For the technical and oral communication components of the Supervision, Administration and Incident Command scenarios, the appellant received scores of 5, 4, 3 and 5, 5, 5, respectively.

The appellant challenges his score for the technical component of the Administration scenario. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed.

The Administration scenario involved a complaint from the Police Chief that a group of firefighters used foul language and berated police officers to get a crowd further away from an emergency scene. As a result, a fight almost broke out between the two groups. The candidate was not present at this instance. The Fire Chief has asked the candidate to investigate the incident and recommend necessary corrective action. Candidates were informed to base their responses on the text *The Fire Chief's Handbook* and from their experience. Question 1 asked for specific steps to be taken to investigate the Police Chief's claims about the actions of the fire fighters. Question 2 indicated that, upon finalizing the investigation, the candidate finds that the firefighters acted exactly as described in the Police Chief's letter. Based on this new information, the Fire Chief asked the candidate to create Standard Operating Guidelines/Procedures (SOGs/SOPs) regarding communication with outside agencies and the public. This question asked for initial steps to take to create this SOG/SOP.

For the technical component, the SME noted that the appellant missed the opportunity to interview the Incident Commander (IC) present at the scene (question 1). On appeal, the appellant argues that he said he was going to interview the "officers" that were on scene in private, including the firefighters followed by the police officers. He contends that the "officers" includes the IC.

In reply, instructions to candidates, which are listed after the questions, and read to the candidates by the room monitor, state, "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to your score." A review of the appellant's presentation indicates that he started by saying, "First I would interview in private company officers on scene as well as the firefighters that were on scene. All of them will be conducted privately um, and ah, in a, privately. I'd also interview all the police officers that were on scene. Again, I'd interview each and every one of them separately, and in a private location." He also documented and reviewed police reports. For this response, the appellant received credit for having all members at the scene provide written reports of what transpired. Most likely, there were many company officers on scene, and the appellant's response was not specific to the IC, who was the most important person to be interviewed. If the appellant knew that he should be interviewing the IC, he needed to articulate that in his presentation. As credit cannot be given for information that is implied or assumed, the appellant cannot be credited for this action. Additionally, the appellant spent a significant amount of time setting up a program, which had no relevance to either question, while not providing additional responses to question 1 which would have enhanced his score. His score of 4 for this component will not be changed.

CONCLUSION

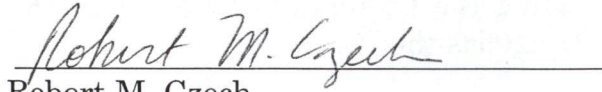
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 9th DAY OF MARCH, 2017



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