



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. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

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 5 for the oral communication component. For the arriving scenario, the appellant scored a 3 for the technical component, a 4 for the supervision component, and a 5 for the oral communication component. The appellant challenges his scores for the technical and supervision components of the arriving scenario, although he refers to it as the evolving scenario in his appeal. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The arriving scenario involved a report of fire on the first and second floor of a row home, where there were people squatting inside when the fire broke out. Question 1 asked candidates to use proper radio protocols to perform an initial report upon arrival, and question 2 asked for specific actions to take after the initial report.

For the technical component of the arriving scenario, the assessor assigned a score of 3, using the "flex rule," and noted that the candidate failed to check the cockloft for extension, which was a mandatory response to question 2. On appeal, the appellant provides many other actions that he took. For example, he indicated that he reported the common cocklofts, reported the possibility of fire spread through the cockloft and basements, had a coordinated attack on the fire, protected exposures with handlines positioned to cut off extension, performed ventilation and overhaul, and reconned the roof. He states that he mentioned the cockloft or

cutting off fire spread nine times during his presentation. Lastly, he argues that he should not have had to give this order, as the IC would not explain basic firefighting steps to members.

Regarding the flex rule, 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 assign a score of 3 to candidates who fail to give a mandatory response but who provide many additional responses. However, a score higher than a 3 cannot be provided in those cases.

In reply, at the end of every scenario and prior to the questions, instructions state, "In responding to the questions, make sure your actions directly relate to the scenario. Do not assume or take for granted that general actions will contribute to your score." The appellant received credit for much of what he indicated on appeal. In his initial size-up to dispatch, the appellant mentioned twice that there was a common cockloft, and a potential for fire spread. However, this is still an analysis of the scene as given to dispatch. Credit is not awarded for implied information given in a different context.

In response to question 2, the appellant stated, "Engines two and three will secure a secondary water supplies, and that they will stretch multiple hose lines into the exposure starting with the exposure bravo on 2463 due to the fact that the wind is blowing in the direction that will force the fire through those common cocklofts. It is the most endangered exposure in this particular scenario and needs the immediate exposure lines in there. I'll make sure that they have multiple lines on each floor in order to help protect the fire coming across. I will then have exposure lines placed into 2467 as well as into the basements of both of those buildings and on each floor to protect the ah, fire impinging on those buildings. And then potentially other hoselines placed into bravo 1 and the delta 1 exposures as a secondary means of backing up the, the ah fire spread should it get past their initial breaks." In this passage, the appellant is inundating the exposures with water using only two engine companies. With a line to each floor of each exposure including basements, the appellant has these engine companies stretching at least six lines, three into each house, and then he states that he will potentially use more hoselines. He has done this without checking the cocklofts for extension, although he is clearly aware that there could be fire spread through the cocklofts. This was a formal examination setting, and candidates were required to articulate their knowledge of handling the fire situations presented to them. Credit was not awarded for information that was implied or assumed, but only for actions taken. While the appellant states that he would not have needed to tell his companies to check the cocklofts for extension, the SMEs disagreed and, in fact, found that it was mandatory that the candidate do so. The appellant received credit for performing

vertical ventilation on the roof, but this was a separate response. The appellant missed a mandatory response, and his score cannot be higher than a 3.

Question 3, the supervision question, indicated that as the candidate is evacuating other rowhomes on the block, one of his firefighters gets into a screaming argument with a resident who does not want to leave, and the firefighter attempts to perform a firefighter's carry with the resident. The question asks for actions to take now and back at the firehouse. For the supervision component, the assessor noted that the candidate missed the opportunity to monitor the firefighter's progress. On appeal, the appellant states that he said he would follow up and do additional training with him.

In reply, a review of the appellant's presentation indicates that he stated, "As to the needs to be polite with the public, I will make sure that I notify my Chief and that I'm documenting, I will document the meeting, make sure I notify my Chief that we had the meeting and we'll do a follow up. If he's got anger problems we'll make sure he has the EAP. Possibly a CISD if he needs it, and I will make sure that we do training in order to teach him the proper way to deal with the person." In this passage, the appellant "does a follow up" and determines if the firefighter has anger problems or needs help. This is not the same as monitoring the firefighter's progress. The appellant missed the action as noted by the assessor, and his score of 4 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 ON  
THE 17<sup>th</sup> DAY OF APRIL, 2019



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