



STATE OF NEW JERSEY

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

In the Matter of Raul DelValle Jr.,
Fire Captain (PM1058V),
Trenton

CSC Docket No. 2019-2173

Examination Appeal

ISSUED: April 29, 2019 (RE)

Raul DelValle Jr. appeals his score for the oral portion of the promotional examination for Fire Captain (PM1058V), Trenton. It is noted that the appellant passed the subject examination with a final average of 79.860 and a rank of 40th on the resultant eligible list.

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. 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 2 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 2 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 involved a fire in a bar area that has spread to the second and third floors of a five-story hotel of ordinary construction. Upon arrival, the fire is knocked down and the Incident Commander (IC) orders the candidate, who is the supervisor of the second responding ladder company, to begin salvage and overhaul operations on the first floor. Question 1 asked candidates to describe their initial actions in detail, including descriptions of techniques, life safety concerns, and building construction considerations. Question 2 indicated that a member of the crew was looking at a wall with the thermal imaging camera (TIC) on the A/D corner during overhaul operations and saw hot spots. It asked for actions that should be taken based on this new information. The assessor noted that the appellant failed to extinguish any extension appropriately, which was a mandatory response to question 2. It was also noted that he missed the opportunities to check carbon monoxide levels and to describe dewatering procedures (e.g., using toilet drain, water chutes, small holes in ceiling), which were additional responses to

question 1. On appeal, the appellant states that he was working with a charged hoseline.

A review of the appellant's presentation indicates that he received credit in question 1 for stretching a hoseline to extinguish hotspots. Thereafter, in responding to question 2, the appellant immediately removed himself and his crew from the building when his member found a hot spot in the wall with a TIC. He notified the IC of the hotspot found, and he called for a hoseline for firefighter protection, vertical ventilation, horizontal ventilation, manpower to help with overhaul, and then reiterated the tools that he needed. This reaction to the new information was not appropriate. The appellant is not the IC and has no authority to call for resources. Removing himself and his crew from the building is an overreaction which does not appropriately address the problem. He calls for other people to do the job that he was ordered to do, which was overhaul. While he is on the first floor, he asks for vertical ventilation of this five-story building, which is inappropriate. The fire has already been addressed, and his duty was to handle a hot spot in the wall. Instead, he evacuated his crew from the building and did a Personnel Accountability Report. He did not extinguish any extension appropriately as indicated by the assessor. The appellant missed a mandatory response, and did not appropriately respond to question 2, and his score of 2 for this component is correct.

The arriving scenario involved a report of a collision of a pickup truck and a tour bus. Question 1 asked candidates to perform an initial report on arrival using proper radio protocols. Question 2 asked for specific actions to be taken after the initial report. For this component, the assessor indicated that the appellant failed to address multiple victims with multiple injuries, which was a mandatory response to question 1, and failed to perform a 360 size-up to evaluate hazards/victims, which was a mandatory response to question 2. Also, the assessor indicated that the appellant missed the opportunity to stabilize all involved vehicles, which was an additional action for question 2. On appeal, the appellant argues that he extricated the driver from the pickup truck and passed him to EMS, had a victim tracking officer, had EMS groups, and said he would do a 360 and come up with an incident action plan.

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." This was a formal examination and candidates were required to articulate their knowledge verbally. The appellant did not state to dispatch that he multiple victims with multiple injuries, and dispatch is not likely to be aware of this because the appellant took actions such as extricating the driver or assigning a victim tracking officer.

As to question 2, the appellant stated, "At this point, I create an incident action, I gave a 360 of the scene and I came up with a incident action plan. First we're going to extricate the people from the bus from the pickup truck. Extricate them and pass them to EMS, EMS." This passage is not specific enough to warrant credit. The PCA required performing a 360 size-up to evaluate hazards/victims. Instead, the appellant "gave a 360 of the scene" to come up with an incident action plan, which contains general objectives reflecting an overall management strategy. In calling for resources, the appellant stated that Battalion 2 would be his Safety Officer, and later he stated, "Battalion 2 will be my Safety Officer he's going to make sure that everybody have E, um PPE, SCBA high protection and DOT reflective vests. He's going to give me a size-up of the scene and he's going to be in charge of the fire ground scene." This is an inappropriate response. The appellant should perform the 360-degree size-up himself to evaluate hazards and victims, and he is in charge of the scene. As the IC, he should not delegate this responsibility. The appellant missed two mandatory responses, as well as the additional response listed by the assessor, and his 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 ON
THE 24th DAY OF APRIL, 2019



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