



STATE OF NEW JERSEY

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

In the Matter of Angelo Tedesco Jr.,
Fire Captain (PM1060V),
West Orange

Examination Appeal

CSC Docket No. 2019-2402

ISSUED: April 29, 2019 (RE)

Angelo Tedesco Jr. appeals his score for the oral portion of the promotional examination for Fire Captain (PM1060V), West Orange. It is noted that the appellant passed the subject examination with a final average of 80.970 and a rank of twelfth 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 3 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 3 for the supervision component, and a 5 for the oral communication component. The appellant challenges his scores for the technical component of the evolving scenario, the technical component and supervision components of the arriving scenario, and he would like an explanation of scoring. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

Regarding scoring, the appellant states, "My top seniority an [sic] number wrong on the written. I feel I should have a higher placement." The appellant received a seniority score of 94.993. At examination review, each candidate received a candidate feedback report that explained the scoring of the examination, which was standardized. The appellant has not provided enough information to warrant a recounting of all the mathematics contained in this five-page document. The appellant had the opportunity to review his candidate feedback report during his examination review and ask any questions of the monitor at the time. To simply state that he feels he should have a higher ranking on the eligible list does not refute the mathematics involved in the calculation of the final score. The appellant has not provided any proof or evidence that his examination was scored incorrectly, nor has he provided a logical argument concerning where he believes his examination was incorrectly scored.

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. The assessor noted that the appellant failed to open the exhaust ducts/pipe chases/voids for inspection, which was a mandatory response to question 1. It was also noted that he missed the opportunities to make regular progress reports to the IC, and to check carbon monoxide levels, which were additional responses to question 1. On appeal, the appellant stated that he mentioned that he would open walls for extension/voids “on diagram,” that he reported to the IC, checked for negative carbon monoxide, reported progress again, reviewed SOP’s, and did a post fire analysis.

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. A review of the appellant’s presentation indicates that he provided a very brief response to question 1, as he spoke about a minute before he mentioned the conditions in the evolution of the scene regarding hotspots in the wall. For 20 seconds of that minute, he was reiterating his orders. Thereafter, in responding to question 2, he notified the IC of the hotspot found, and he received credit in question 2 for that response. The appellant then stated, “Each and every wall on the A/D side of the building needs to be opened up to check for extension. If there’s no extension to be found, we will continue to do the salvage process, which will be to protect any of the, any of the things on the first floor such as the piano, anything around the bar.” This response was clearly opening walls in the A/D corner to regarding the hotspot in question 2. It was not an appropriate response to question 1 and does not mention exhaust ducts, pipe chases, and voids, and he missed this mandatory response. The appellant then opened up the ceilings.

In answering question 3, the appellant had his subordinate open all doors, and the appellant reported to the IC that the primary search of all five floors was negative for victims. The examination is not scored based on buzzwords or catch phrases. Rather, responses are evaluated in the context in which they are given. The appellant cannot receive credit for making regular progress reports to the IC regarding salvage and overhaul operations on the first floor in question 1 when he is notifying the IC that a primary search was completed on all five floors in question 3. He relays back to the IC that all the hot spots were put out on the A/D side. Taken in context, this also is not a progress report to the IC regarding salvage and overhaul. Similarly, the appellant was discussing the end of operations as salvage and overhaul had been completed. In doing so, he stated he stated, “And the

building is now, and the firefighter has the building, the ability to now turn the scene back over to the first due company. When the first due company exhausts all five floors that have no carbon monoxide, he can then, at that time, turn the building over to the owner of the facility.” In this passage, he does not check carbon monoxide levels as part of his salvage and overall operations, but turns the facility over to the first due company who checks carbon monoxide levels, and he cannot receive credit for information that is implied or assumed. The appellant spoke at length regarding doing a search. However, his orders were salvage and overhaul on the first floor. Thus, the response regarding the search was inappropriate and superfluous, and did not directly answer any of the questions. While performing a search instead of performing salvage and overhaul operations, the appellant states that he would report anything noticed back to the IC. As the question had nothing to do with searching, the appellant cannot receive credit for reporting to the IC his salvage and overhaul progress since he was reporting the progress of a search, which was unnecessary. Finally, the appellant spoke of a post fire analysis in the context of the proper use of hand tools, and this response does not match any of the assessor notes. The appellant missed the actions noted by the assessor 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 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 opportunities to establish command uphill and upwind, and appoint a safety officer, which were additional actions for question 2. On appeal, the appellant argues that he placed the first piece of apparatus uphill, and he did a 360 size up from the cab.

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 stated, “Engine 1 arrives on scene and assumes command. Command will be at 92, Route 92.” This was a formal examination and candidates were required to articulate their knowledge verbally. The appellant did not state that he would establish his command post upwind and uphill. Nor did he state that he would do a 360 size-up to evaluate hazards/victims. Rather, he immediately gave orders for the first ladder company to extricate victims and the first engine company to establish a water supply. He did not indicate the placement of any apparatus, and he did not state that he did a 360 size up from the cab. The performance does not warrant a higher score than a 2.

The supervision question for the arriving scenario indicated that the candidate saw a member of his crew talking to a bus passenger about a sports event during the incident instead of attending to the physically injured passenger sitting on the grass 5 feet away. This question asked for actions that should be taken now and after returning to the firehouse. For the supervision component, the assessor noted that the appellant missed the opportunities to review the firefighter's training and personnel records, and to document any actions taken. On appeal, the appellant argues that he gave a verbal reprimand, offered union representation, revisited the SOP, indicated a training session, and revisited the SOP again.

In reply, a review of the appellants presentation indicates that he missed the opportunities as noted by the assessor, and his actions listed on appeal are not the same. 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 ON
THE 24th DAY OF APRIL, 2019



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