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STATE OF NEW JERSEY

In the Matter of Gerard Fisher,
Fire Officer 3 (PM1698S),
Jersey City

CSC Docket No. 2016-1772

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

Examination Appeal

ISSUED: DEC 21 2015

(RE)

Gerard Fisher appeals his score on the examination for Fire Officer 3 (PM1698S), Jersey City. It is noted that the appellant passed the examination with a final average of 82.740 and ranks tenth on the resultant eligible list.

The subject promotional examination was held on April 28, 2015 and 13 candidates passed. This was an oral examination designed to generate behaviors similar to those required for success in a job. The examination consisted of four scenario-based oral exercises; each was developed to simulate tasks and assess the knowledge, skills and abilities (KSAs) important to job performance. These exercises covered four topic areas: 1) Incident Command – Non-fire Incident, 2) Supervision, 3) Administration, and 4) Incident Command – Fire Incident.

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, fire fighting 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 in the technical component for some scenarios, 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.

This examination was given using the chain oral testing process, and candidates were given ten minutes to respond to each question. Candidate responses to each question were rated on a five-point scale (1 to 5) from nil response through optimum according to determinations made by the SMEs. Oral communication for each question was also rated on the five-point scale. This five-point scale includes 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. The appellant received the following scores for the technical component for each question, in order: 3, 5, 4 and 2. He received the scores of 5, 5, 4 and 3 for the oral communication components.

The appellant challenges his scores for the technical and oral communication components for the Incident Command – Fire Incident scenario. As a result, the appellant's test material, audiotape, and a listing of PCAs for the scenario were reviewed.

The Incident Command – Fire Incident scenario pertained to a call for a fire at a two-story taxpayer of ordinary construction. It is 7:00 AM, 17° F, and there is little to no wind. The first floor of the fire building contains various stores such as a liquor store, nail salon, barbershop, and mini mart. The second floor has four occupied apartments with a common cockloft. A battalion chief, two engine companies and the ladder company have been operating on scene for 10 minutes. On arrival, the candidate observes heavy fire from the first floor across all the stores, and hears a radio transmission from Engine One stating that they have hooked up to a frozen fire hydrant. The attack can go no further because they have exhausted that their on-board water supply from the engine. The scenario asks the candidates to answer the questions based on the text *Fire Officer's Handbook of Tactics* and their experience. Question 1 asked for specific actions to take to address the incident. Question 2 indicated that the candidate receives a radio report from a truck company that fire has entered the common cockloft and is also spreading to both exposure buildings. The question asked for specific actions that should now be taken based on this new information.

For this incident, the assessor noted that the appellant failed to stretch the hose line to the second floor to check for extension and to protect rescue. This was a mandatory response to question 1. They also indicated that he missed the opportunities to establish a staging area, which was an additional response to question 1, and to assign an exposure supervisor to exposures B and D, which was an additional response to question 2. On appeal, the appellant argues that he stated he had 2½ inch hose lines with straight tip nozzles stretched to the first floor ground level commercial area for reach and penetration. Then he said he would have 1¾ inch hose lines stretched to the second floor residential area to locate, confine and extinguish fire extension on the second floor and cockloft area. He also

indicated that he said that ladder companies on the second floor will conduct primary searches, ventilation, salvage and overhaul in coordination with and under the protection of engine company operations.

In reply, question 1 asked for specific actions to take to address this incident, and the SMEs determined that the Fire Officer 3 should stretch the third line into the second floor to check for extension and to protect rescue operations. The appellant received credit in question 1 for stretching a 2½ inch attack line to the fire, and for stretching a backup line. However, the appellant also stated that he would stretch a 1¾ inch line to the second floor to check for and stop extension. As such, the appellant should receive credit for stretching a hose line to the second floor to check for extension. The appellant missed the other actions noted by the assessor, and as such, the appellant's score should be raised from 2 to 4.

For the oral communication component, the assessor indicated that the appellant played with his notes in his hand, moving them throughout his presentation. It was also indicated that the candidate jumped from topic to topic, answering question 1 then jumping back to question 1 while answering question 2. Towards the end, the candidate said he really answered both questions at the same time. The assessor remarks reflect weaknesses in nonverbal communication and organization. On appeal, the appellant argues that he looked at his notes, pictures and diagrams to review information, but did not play with his notes.

One factor in oral communication is nonverbal communication, which includes using gestures effectively without causing confusion or distractions, and making eye contact when speaking. Another is organization, defined as presenting ideas in a logical fashion, stating a topic, and providing supporting arguments as well as a conclusion or summary. Candidates were permitted to do such things as arrange or hold their notes, but at some point in time, moving them continuously becomes a distraction. A review of the appellant's presentation indicates that he fidgeted throughout the presentation. This included holding his notes up in front of him with both hands, nervously bending the paper, and tapping the ends of them on the table. He also touched his face, scratched his ear, face, and shoulders, and adjusted his collar and clothing almost continuously. The appellant's presentation had a weakness in non-verbal communication, and his score for this component is correct.

CONCLUSION

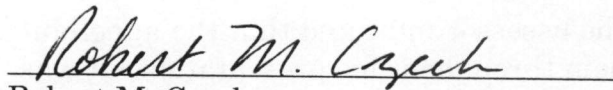
A thorough review of appellant's submissions and the test materials indicates that, except for the technical component of the Incident Command –Fire Incident scenario, the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that the score for the technical component of the Incident Command –Fire Incident scenario be changed from 2 to 4, and the remainder of the 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 16th DAY OF DECEMBER, 2015



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