



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) 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, 4, 5, and 5. He received scores of 3, 4, 5, and 5 for the oral communication components.

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

For the oral communication component of the Incident Command-Non-Fire scenario, the assessor noted that the appellant's presentation contained weaknesses in rate and organization. Specifically, the assessor noted that, for rate, the appellant spoke quite quickly throughout his presentation, which caused many occasions of jumbled words. For organization, the assessor noted that the appellant repeated himself several times on topics such as setting up a staging area with a staging area manager, PARs, and lighting up the area. On appeal, the appellant argues that "several" means more than two, and he repeated the information given by the assessor only once, and he did so in response to the additional information given in question 2.

In reply, a score of 3 in oral communication indicates at least two weaknesses. In this case, the assessors indicated weaknesses in inflection/moderation/rate/volume (IMRV) and organization. IMRV is defined as speaking at an appropriate rate, maintaining appropriate pitch and volume, and properly using pitch to convey meaning or emphasis. Another of the factors is organization, defined as presenting ideas in a logical fashion, stating a topic, and providing supporting arguments as well as a conclusion or summary. In this case, for rate, the assessor indicated that the appellant spoke so quickly that he jumbled words. The assessor also indicated that he repeated himself several times on various topics.

A review of the appellant's video indicates that the presentation contains the weakness as listed by the assessor. Regarding rate, the appellant spoke in a choppy, staccato manner. His speech was clipped and faltering at times as he presented information. This was a clearly a weakness in his presentation. Nevertheless, the appellant did not present a weakness in organization. He

repeated only the information listed by the assessor, and did so in response to the evolution of the scene. He did not repeat information that was a distraction to the presentation. As such, his score for this component should be raised from 3 to 4.

The Supervision scenario indicated that the candidate who was a newly-promoted Deputy Fire Chief directly supervising four Battalion Fire Chiefs (BCs) who served as tour commanders. One of them, BC Bruno, was recently promoted from the rank of Fire Captain (FC) and is tour commander of Tour 2. He has focused on the implementation of the principles of customer service, and advocates that it is the way to develop political power to expand the Fire Department's personnel and resources. He instructs his Fire Captains to be out with their crews in the community full-time and to be as helpful to the citizens as possible. A FC under BC Bruno, FC Freid, is a senior company officer with over 30 years of service and is a union president. He comes to the candidate to complain about the changes implemented by his supervisor. "He wants us to do things that are way out of our job description/contract, like give civilians rides when they are caught in the rain," says FC Freid. He also states, "I want to serve the public too, but as a fire company." He tells the candidate that there is widespread discontent about the increased workload and the loss of "free time." Another BC, tour commander of Tour 3, complains that BC Bruno's tour has slacked off on routine station maintenance duties, adding that they have an attitude of "we do plenty of work outside of the firehouse." The candidate decides to hold a one-on-one meeting with BC Bruno. In the meeting, the candidate discusses the appropriateness of the customer service BC Bruno is having his tour perform. As part of the discussion with BC Bruno, the candidate reviews the Customer Service Model. Candidates were instructed to base their responses on the texts, *Managing Fire and Emergency Services*, *The Fire Chief's Handbook*, and their experience. Question 1 indicated that the Customer Service Model specifically states what fire department members should consider when determining whether or not to perform additional customer services for the community. This question asked for these considerations. Question 2 stated that while this is not an approved program, you believe that a program like this would be very beneficial to the department. This question asked what else should be discussed in a meeting with BC Bruno regarding the program and the issue with the Tour 3 BC based on this information. Again, candidates were instructed to be as specific as possible, and not assume or take for granted that general actions will contribute to a score.

For this scenario, in question 1, the assessor indicated that the candidate did not indicate that a consideration was [whether] one was willing to be responsible/accountable for additional customer service. On appeal, the appellant argues that this is not a question he would ask BF Bruno who has demonstrated a propensity to act on his own initiative without regard to chain of command, and whose actions were at odds with the union contract and Standard Operating Procedures.

In reply, question 1 asked for considerations when determining whether or not to perform additional customer services for the community. One of those considerations is whether the fire department would be willing to be responsible/accountable for the additional customer services. The appellant's arguments speak to whether BF Bruno should be responsible/accountable for additional customer services, which is a misunderstanding of the assessor's remark. A review of the appellant's video indicates that he did not take into consideration whether the fire department would be willing to be responsible/accountable for the additional customer services. The appellant missed the action noted by the assessor and his score of 4 will not be changed.

As to oral communication, the assessor noted a weakness in IMRV as evidenced by somewhat choppy presentations with frequent short pauses in the middle of sentences (*e.g.*, "has a right [pause] to due process [pause] and also"). On appeal, the appellant states that his rate did not change, and that he checked his watch to see how much time he had left.

In reply, a review of the video indicates that the appellant's presentation was given in the same staccato-like style as the first presentation. The assessor adequately described the choppy style of the appellant's presentation, which was a distraction. The appellant presented a phrase or several words, and then would inappropriately pause, as though it were the end of a sentence, but then continue with the sentence. He did this throughout the presentation. His manner of speaking lacked a smoothness or continuity of speech, and his score of 4 is correct.

## CONCLUSION

A thorough review of appellant's submissions and the test materials indicates that, except for the oral communication component of the Incident Command-Non-Fire 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 this appeal be granted in part and that the examination be rescored to reflect the change in score for the oral communication component of the Incident Command-Non-Fire scenario from 3 to 4.

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 22<sup>nd</sup> DAY OF MARCH, 2017

  
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