



to 5) from nil response through optimum according to determinations made by the SMEs. Oral communication for each question was also rated for each question 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: 4, 4, 3 and 1. He received the following scores for the oral communication component for each question, in order: 5, 5, 4 and 4.

On appeal, the appellant challenges his scores for the technical components for the Supervision - Subordinate Incident/Interview, Finance - Budget Preparation, and Fireground Operations Management scenarios. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The Supervision scenario indicated that the candidate was a newly promoted Fire Officer 4 directly supervising four Fire Captains. Two of the Fire Captains, each of which supervise several new Fire Fighters, indicate that a Deputy Fire Chief has falsified training records due to a working fire. The Fire Captains are concerned since they believe the new recruits need this training. Question 1 asks for specific actions to take. Question 2 adds that, during a live TV interview, the Deputy Fire Chief who falsified the documents publicly attacks the candidate and the mayor for being incompetent. This question asks for further actions to be taken.

The assessor indicated that the appellant missed the opportunity to review the TV news interview in response to question 2. On appeal, the appellant argues that he stated, "when he speaks to the media on live TV," and that this phrase demonstrates that he saw the tape.

In reply, in bold lettering, directly before the questions and after the scenario, the instructions state, "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to score. Please note that you must answer all questions within the 10-minute response period." Thus, credit cannot be given for information that is implied or assumed. Rather, credit can only be given for actions that are specifically stated. In this case, the scenario has told the candidates about the live TV interview. Mentioning that the Fire Captain spoke to the media on live TV is merely a reiteration of the information provided prior to question 2. In fact, after completing his response question 1, the appellant stated, "Now, on the second question, where he speaks to the media and ah, kinda blasting the mayor and the department, ..." and the appellant then re-reads verbatim the information provided for question 2. In no way does reading the information for question 2 indicate that the appellant knew to review the TV news interview. Basically, the appellant is arguing for credit for reading information from the scenario, and this is not how examinations are scored.

The appellant missed the action noted by the assessor and his score will not be changed.

The Finance - Budget Preparation scenario indicated that the candidate is given the opportunity to evaluate two newly designed Thermal Imaging Cameras (TICs). The mayor has asked the candidate to attend the next City Council meeting and present a thorough and fiscally-responsible plan for acquiring one of these devices for each member, and the question asked for the research, considerations and actions to take to thoroughly complete the assignment.

The assessor indicated that the appellant missed the opportunities to research any other TIC options besides the two companies that originally presented, and to ensure training and associated costs were built into pricing/budget. On appeal, the appellant asks for consideration for his answer, and states that he answered the question by evaluating the two thermal cameras from the two vendors and making a presentation for one of them.

In reply, candidates are required to present information in such a manner as it is clear that they know the subject matter. The appellant's argument does not address the assessor notes. The PCAs were developed by the SMEs, and the appellant's performance was considered in its entirety and scored accordingly. There is no basis for a change in his score for this scenario.

The Fireground Operations Management scenario concerned an activated fire alarm at a high school, hot and humid day in August. The ladder company reported heavy smoke and heat on the third floor and struck a second alarm. Upon arrival, the candidate observes many members standing around outside and waiting for assignments, while heavy smoke is visible in the roof area over the gymnasium, and that no hose lines have been stretched. This question asked for concerns, actions, orders, and requests to fully address the incident.

The assessor noted that the appellant failed to request the hazardous materials response team, transmit a report to dispatch, and fully implement the ICS<sup>1</sup> (OPS, divisions, and groups). He also noted that the appellant missed the opportunity to request EMS. On appeal, the appellant argues that he mentioned command, accountability of both fire fighters and civilians, additional alarms, rehabilitation, staging area, hoseline placement, water supply, hvac system, fire travel, standpipe connections, ventilation, laddering, collapse zone, search teams and divisions, and a tactical worksheet.

In reply, all mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or many more. Performances that include mandatory responses get a score of 3, and those without

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<sup>1</sup> Incident Command System

mandatory responses get a score of 1 or 2. In this case, requesting the hazardous materials response team, transmitting a report to dispatch, and fully implementing the ICS (OPS, divisions, and groups) were mandatory responses. If a candidate misses three mandatory responses, he cannot receive a score higher than 1, as he has not appropriately addressed the situation. The appellant does not argue that he took the actions noted by the assessor, but that he took other actions. As he missed three mandatory responses, any other actions are irrelevant, and his score of 1 is correct.

### CONCLUSION

A thorough review of 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 2nd DAY OF MAY, 2018



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