



STATE OF NEW JERSEY

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

In the Matter of James Caponi,
Fire Captain (PM1020V),
Belleville

CSC Docket No. 2019-544

Examination Appeal

ISSUED: September 24, 2018 (RE)

James Caponi appeals his score for the oral portion of the examination for the second-level Fire Captain (PM1020V), Belleville. It is noted that the appellant failed the examination.

This two-part examination consisted of a written multiple-choice test and an oral examination. The test was worth 70 percent of the final score and seniority was worth the remaining 30 percent. The various portions of the test were weighted as follows: written multiple choice portion, 34.91%; technical score for the Evolving Scenario, 27.11%; oral communication score for the Evolving Scenario, 1.75%; technical score for the Administration of Procedures Scenario, 10.75%; oral communication score for the Administration of Procedures Scenario, 2.5%; technical score for the Arrival Scenario, 21.23%; and oral communication score for the Arrival Scenario, 1.75%.

The oral portion of the second level Fire Captain examination consisted of three scenarios: a fire scenario simulation with questions designed to measure the ability to assess risk factors and strategies involved in fireground command (Evolving); a simulation designed to measure the ability to implement a program and the factors/problems associated with program administration (Administration); and a fire scenario simulation designed to measure the risk factors and strategies associated with an incident that could potentially involve a hazardous material (Arrival). For the Evolving and Administration scenarios, candidates were provided with a 25-minute preparation period for both, and candidates had 10 minutes to

respond to each. For the Arrival 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, 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.

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 scenarios, and for oral communication, the requirements for each score were defined. For the Evolving scenario, the appellant scored a 2 for the technical component and a 5 for the oral communication component. For the Administration scenario, the appellant scored a 2 for the technical component and a 4 for the oral communication component. For the Arrival scenario, the appellant scored a 4 for the technical component and a 5 for the oral communication component.

The appellant challenges his scores for the technical component of the Administration scenario. As a result, the appellant's test material, videotape, and a listing of possible courses of action for the scenarios were reviewed.

The Administration scenario had two parts. The first part pertained to a Fire Fighter who did not follow proper procedures regarding ventilation and who did not attend the training scheduled as a result. In the second part, it was discovered that the Fire Fighter asked his father, a Battalion Fire Chief in the Department, to have the instructor cover for him missing the initial training assignment, and the Battalion Fire Chief did so. Candidates were to take additional actions to address both the Fire Fighter and the Battalion Fire Chief.

The assessor indicated that the appellant missed the opportunities to review Standard Operating Procedures/Standard Operating Guidelines (SOP/SOGs) for training assignments, which was a response to question 1, and to interview the fire academy instructor/obtain a written statement, and to update all information and forward it to the Chief, which were responses to question 2. The appellant argues that he addressed SOP/SOGs in a meeting, and he provided other actions that he

took in response to question 1. For question 2, he states that he notified Internal Affairs as the Battalion Fire Chief was one of his supervisors.

A review of the appellant's presentation and related documentation indicates that, in response to the first part, the appellant had a meeting with the Fire Fighter and gave him a verbal warning. He discussed the importance of training with the Fire Fighter, rescheduled him for training, asked to be personally notified if he does not show up for the next training. Up to this point, the appellant did not mention SOP/SOGs, and he did not review them.

The appellant then began to respond to the second question. He stated that he would call Internal Affairs for the father's involvement, and he received credit for that response. Nevertheless, he did not take additional actions regarding the Fire Fighter, nor did he perform additional investigation into the matter. He delegated the whole matter to Internal Affairs, and explained why. However, this is not an appropriate response to the issue. As a result, he did not interview the fire academy instructor/obtain a written statement, or update all information and forward it to the Chief. In the course of his presentation, he discussed training sheets and roll calls, but this is not the same as reviewing the SOP/SOGs regarding training assignments. The appellant missed all the actions noted by the assessor and others, as he provided a basic response to question 1, but failed to adequately address question 2. The appellant's score 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 20th DAY OF SEPTEMBER, 2018



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