



STATE OF NEW JERSEY

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

In the Matter of William Jeans,
Fire Fighter (M1856W), Millburn

CSC Docket No. 2020-1069

Examination Appeal

ISSUED: November 20, 2019 (RE)

William Jeans appeals his score for the physical performance portion of the examination for Fire Fighter (M1856W), Millburn.

The record establishes that appellant took the subject portion of the examination on October 8, 2019. The physical performance portion of the exam consisted of three parts, the obstacle course, the ladder climb, and the darkened maze, and each portion had a passing point. The passing time for the darkened maze crawl was 40 seconds, and the appellant completed it in 45.06 seconds, and therefore failed the examination.

At the test center, the appellant stated that he was instructed to take his time. *N.J.A.C. 4A:4-2.15(b)2*, Rating of examinations, states that, “examinations consisting of more than one part may be rated independently, and candidates who do not receive a passing score on one part of an examination shall be deemed to have failed the entire examination.” Thus, it was necessary to pass all three portions of the physical performance examination in order to pass the exam. If a candidate did not complete any one of the three physical performance exercises in under the allotted times, that candidate failed the examination.

CONCLUSION

The appellant has not presented a persuasive argument for a retest. Each Center Supervisor makes notes of non-routine occurrences in the testing center. In this case, the Center Supervisor notes indicate that the appellant was asked what

had happened, and he responded by saying that he was told “to go slow.” All candidates had access to the physical performance test, physical fitness manual which provides a description of the darkened maze crawl. This document states, “The candidate enters one end of the maze to the ‘Start’ position (at the first curtain), stops, and waits for the Examiner to give the command, “Ready – Go.” The candidate then proceeds to the far side exit.” The appellant also saw a video with instructions. The monitor read the instructions in full, then asked the candidate if he is ready, then gave the command, “Ready Go” and started the clock. When contacted regarding this issue, the Center Supervisor, stated that the appellant was aware of the passing point, that he had to complete the maze in 40 seconds. He was told to go at a steady pace, not slow and not too fast where he might run into the wooden structure of the maze. The appellant’s argument that he failed because the instructions is unpersuasive. The appellant was treated the same as every other candidate. He will not be provided with a retest.

A thorough review of the record indicates that the determination of the Division of Test Development and Analytics was proper and consistent with Civil Service Commission regulations, and that the appellant has not met 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 NOVEMBER, 2019



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