



STATE OF NEW JERSEY

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

In the Matter of Jonathan Nourse,
Fire Lieutenant (PM1073V),
Clifton

Examination Appeal

CSC Docket No. 2019-2358

ISSUED: April 29, 2019 (RE)

Jonathan Nourse appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM1073V), Clifton. It is noted that the appellant passed the subject examination with a final score of 84.180 and his name appears as the eleventh ranked eligible on the subject list.

It is noted for the record that this two-part examination consisted of a written multiple-choice portion and an oral portion. Candidates were required to pass the written portion of the examination, and then were ranked on their performance on both portions of the examination. The test was worth 80 percent of the final score and seniority was worth the remaining 20 percent. Of the test weights, 31.35% of the score was the written multiple-choice portion, 22.49% was the technical score for the evolving exercise, 7.53% was the supervision score for the evolving exercise, 4.28% was the oral communication score for the evolving exercise, 19.23% was the technical score for the arriving exercise, 7.53% was the supervision score for the arriving exercise, and 7.59% was the oral communication score for the arriving exercise.

The oral portion of the Fire Lieutenant examination consisted of two scenarios: a fire scene simulation with questions designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of fire fighters and the ability to assess fire conditions and hazards in an evolving incident on the fireground (evolving); and a fire scene simulation designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of firefighters and the ability to plan strategies and tactics based upon a building's

structure and condition (arriving). Knowledge of supervision was measured by questions in both scenarios, and was scored for each. For the evolving scenario, candidates were provided with a 15-minute preparation period, and candidates had 10 minutes to respond. For the arriving 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, firefighting 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, 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 scenes, and for oral communication, the requirements for each score were defined.

For the evolving scenario, the appellant scored a 4 for the technical component, a 5 for the supervision component, and a 5 for the oral communication component. For the arriving scenario, the appellant scored a 2 for the technical component, a 5 for the supervision component, and a 5 for the oral communication component. The appellant challenges his score for the technical component of the arriving scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The arriving scenario involved a three-vehicle collision involving a pickup truck, a sedan, and a truck belonging to a Battalion Chief in charge of training. Question 1 asked candidates to give an initial report using proper radio protocols. Question 2 asked for specific actions to take after giving the initial report. For the technical component, the assessor assigned a score of 1, and noted that the candidate failed to provide a scene description and report multiple victims with multiple injuries, a mandatory response to question 1, or to ensure that personnel were wearing reflective vests, a mandatory response to question 2. He also noted that the appellant missed the opportunity to address the argument between drivers and move them to a safe location. On appeal, the appellant states that he described the scene, but could not report the injured victims until he spoke with and assessed them. He argues that he did an investigation and stated he would give a report to

dispatch with the number of injured patients. He states that it was unclear to him if the ambulatory firefighter was injured.

In reply, the appellant does not state that he took the action noted by the assessor, but that he did not have to do so until he spoke with and assessed victims. This reasoning is simply incorrect. The SMEs determined that the IC should tell dispatch that there were possible multiple victims with multiple injuries, and this item would be included an obvious description of conditions. This information is also included in *Fire Officer Principles and Practice*, Ward, 3rd edition, on page 134. Ward indicates, "Obvious conditions, such as a working fire, multiple victims, a hazardous material spill, or a dangerous situation" in his list of items to inform dispatch. As the scenario indicated that the Battalion Fire Chief was bleeding from a head wound, the IC would be remiss not to tell dispatch of an obvious condition of possible multiple victims with multiple injuries. Further, it is not standard procedure that dispatch should be aware of possible and confirmed victims inside on the basis of actions taken after the initial report. Giving dispatch a further report regarding the injured once he completed his investigation is not the same as describing the scene to dispatch upon arrival. The appellant did not give this mandatory response, and he failed to ensure that personnel were wearing reflective vests, another mandatory response.

As to the additional response, the scenario indicated that the drivers of the sedan and the pickup truck are next to their vehicles, screaming at each other, and the assessor's note refers to these individuals, who the appellant did not address in his presentation. In his appeal, the appellant refers to the firefighter who was a passenger in the Battalion Fire Chief's truck and who is trying to direct them to the median. The scenario indicated that all three seemed coherent with some minor injuries, so the appellant's argument that it was unclear to him if the ambulatory firefighter was injured is not germane to the assessor notes. The performance does not warrant a higher score than 2 as the appellant missed two mandatory responses and the additional response noted by the assessor.

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 24th DAY OF APRIL, 2019

A handwritten signature in cursive script that reads "Deirdre L. Webster Cobb".

Deirdré L. Webster Cobb
Chairperson
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