



**STATE OF NEW JERSEY**

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

In the Matter of Richard Schwarz,  
Fire Captain (PM1017V),  
Asbury Park

Examination Appeal

CSC Docket No. 2019-2485

**ISSUED:** May 9, 2019 (RE)

Richard Schwarz appeals his score for the oral portion of the promotional examination for Fire Captain (PM1017V), Asbury Park. It is noted that the appellant failed the subject examination.

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 Captain 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 2 for the technical component, a 2 for the supervision component, and a 4 for the oral communication component. For the arriving scenario, the appellant scored a 3 for the technical component, a 2 for the supervision component, and a 3 for the oral communication component. The appellant challenges his score for the technical component of the evolving scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The evolving scenario involves the handling of salvage and overhaul in the basement and garage of a single-family home after the fire was knocked down. For the technical component, the assessor assigned a score of 2, and noted that the candidate failed to ensure that all crew members were wearing full PPE during overhaul. It was also noted that he missed the opportunities to check carbon monoxide levels, and to describe dewatering procedures, additional responses for question 1 which asked for initial actions. On appeal, the appellant states that he stated that all crew members were wearing full PPE.

In reply, a review of the file indicates that, for the technical component, the appellant answered questions 1, 2 and 3. He paused, then provided additional responses to question 1 and 2. He paused again and the two-minute warning was given. He then provided additional responses and the last thing he mentioned was

having the men in full PPE. As this is a mandatory response, the appellant's score should be raised from 2 to 3. However, the appellant did not provide sufficient responses to warrant a score of 4. It is noted that this change gives the candidate a passing score with a final average of 79.670.

### CONCLUSION

A thorough review of the appellant's submissions and the test materials indicates that the appellant's score for the technical component of the evolving scenario should be changed from 2 to 3, but the presentation does not warrant a score of 4.

### ORDER

Therefore, it is ordered that this appeal be granted in part, and the appellant's score for the technical component of the evolving scenario be changed from 2 to 3.

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 9<sup>th</sup> DAY OF MAY, 2019



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