



**STATE OF NEW JERSEY**

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

In the Matter of Angel Garcia Jr.,  
Fire Captain (PM1046V),  
Newark

Examination Appeal

CSC Docket No. 2019-2489

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

Angel Garcia Jr. appeals his score for the oral portion of the promotional examination for Fire Captain (PM1046V), Newark. It is noted that the appellant passed the subject examination with a final score of 77.530 and his name appears as the 78<sup>th</sup> 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 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 1 for the technical component, a 3 for the supervision component, and a 3 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 evolving scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The evolving scenario involved a report of fire on the second floor of five-story hotel of ordinary construction built in 1910. The Incident Commander (IC) orders the candidate to perform an immediate primary search and horizontal ventilation of the building. Question 1 asked for the details of the orders to give to your crew to carry out the assignment. Question 2 indicated that in the middle of the primary search, the crew finds an unconscious pregnant victim in the second floor restroom on side C. The IC has indicated that power is secured to the building and Ladder 2 has arrived. This question asked for initial actions and then specific detail required to safely remove the victim.

For the technical component, the assessor assigned a score of 1 and indicated that the appellant failed to begin his primary search on the second floor, ladder the

building, or use a thermal imaging camera (TIC) which were mandatory responses to question 1. It was also noted that the appellant missed the opportunity to close and mark doors, an additional response to question 1. On appeal, the appellant argues that he performed primary and secondary searches.

At the end of every scenario and prior to the questions, instructions state, “In responding to the questions, make sure your actions directly relate to the scenario. Do not assume or take for granted that general actions will contribute to your score.” Question 1 asked for the details of the orders to give to your crew to carry out the assignment. The scenario indicated that the building contains conference rooms, a lobby area and eating and drinking establishments, banquet halls, kitchen, and guest rooms. This is a five-story building and there is fire on the second and third floors. A Fire Captain who tells his crew to begin a primary search, but does not indicate where in this large building, is not providing correct information to his crew. There is a large life hazard and to begin the primary search on any other floor than the second, where the fire is biggest, could result in loss of life. The question asked for details to give to the crew, and this was a formal examination setting.

The scenario told appellants that they were the supervisor of the first arriving ladder company, and the Incident Commander ordered him to perform an immediate primary search and horizontal ventilation of the building. As mentioned, question 1 asked for the details of the orders to give to your crew to carry out the assignment, yet the appellant responded as though he were the IC. He gave a size-up, established command, and called for resources, before acknowledging the Chief’s order. All of this portion of the response was inapplicable. The appellant then began responding to question 1. In his presentation, he stated, “Rescue and remove any victims by the safest and ah, expeditious way possible, or fastest way possible. Conduct primary and secondary searches. Ventilate horizontally and vertically.” This response is basically a repetition of his assignment, not a detailed description of the orders given to carry out this assignment. The appellant then opened walls and checked for hotspots. His responses were varied and diverse, but were not directly responsive to question 1. He clearly did not direct his crew to search the second floor first. He missed the mandatory responses listed by the assessor for question 1, as well as the additional response, and his score of 1 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 9<sup>th</sup> DAY OF MAY, 2019



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