



STATE OF NEW JERSEY

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

In the Matter of Oswald Robetto,
Battalion Fire Chief (PM2157W),
Newark

CSC Docket No. 2020-1296

Examination Appeal

ISSUED: January 30, 2020 (RE)

Oswald Robetto appeals his score on the promotional examination for Battalion Fire Chief (PM2157W), Newark. It is noted that the appellant passed the examination with a final average of 76.760 and ranks 15th on the eligible list.

This two-part examination consisted of an integrated system of simulations designed to generate behavior similar to that required for success on the job. The first part consisted of multiple-choice items that measured specific work components identified and weighted by the job analysis. The second part consisted of three oral scenarios; a Supervision, Administration and Incident Command scenario. The examination was based on a comprehensive job analysis conducted by the Civil Service Commission, which identified the critical areas of the job. The weighting of the test components was derived from the job analysis data.

For the oral portion, candidates had 60 minutes to prepare for all three scenarios and had 10 minutes per scenario to present their response. For all three oral exercises, the candidate was to assume the role of a Battalion Fire Chief. Candidates were scored based on the content of their response (technical) and the how well they presented their response (oral communication). These components were scored on a scale of 1 to 5 with 1 being the lowest rating and 5 being the highest rating.

Each candidate in a given jurisdiction was scored by a team of three different Subject Matter Experts (SMEs), who were trained in current technical and oral communication scoring procedures. Each SME is a current or retired fire officer who held the title of Battalion Fire Chief (or Fire Officer 2) or higher. As part of the

scoring process, an SME observed and noted the responses of a candidate relative to the knowledge, skills and abilities (KSAs) that each exercise was designed to measure. An SME also noted any weaknesses that detracted from the candidates overall oral communication ability. The SME then rated the candidate's performance according to the rating standards and assigned the candidate a technical or oral communication score on that exercise.

In order to preserve the relative weighting of each of the components of the examination, the ratings for each portion were adjusted by a well-recognized statistical process known as "standardization." Under this process, the ratings are standardized by converting the raw scores to z-scores, an expression of the deviation of the score from the mean score of the group in relation to the standard deviation of scores for the group. Each portion of the examination had a relative weight in its relation to the whole examination. Thus, the z-score for the multiple-choice portion was multiplied by a test weight of 36.53%, the oral technical scores were multiplied by a test weight of 53.91% and the oral communication scores were multiplied by a test weight of 9.56%. The weighted z-scores were summed and this became the overall final test score. This was weighted and added to the weighted seniority score. The result was standardized, then normalized, and rounded up to the third decimal place to arrive at a final average.

For the technical and oral communication components of the Supervision, Administration and Incident Command scenarios, the appellant received scores of 4, 3, 1 and 3, 3, 3 respectively.

The appellant challenges his score for the technical component for the Incident Command scenario. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed. The appellant also was given an incorrect score calculation packet in review. He appealed the calculation of his scores and was provided with, and attended, a second review of his corrected score calculation packet. As such, his appeal of this issue is moot.

CONCLUSION

The Incident Command scenario involved a fire at a medical facility which is a chemotherapy center. Question 1 asked for specific actions upon arrival at the scene. Question 2 indicated that during fireground operations, one of the firefighters falls into an intravenous (IV) stand with IV bags containing doxorubicin, a potent chemotherapy drug, soaking himself with the fluid, and he sustained a head injury. It asked for specific actions to be taken based on this new information.

For this scenario, the SME noted that the appellant failed to identify materials (e.g., MSDS sheets, etc.), and to monitor or protect the truss roof, which were mandatory responses to question 1. It was also indicated that he failed to conduct

emergency gross decontamination with a hoseline, which was a mandatory response to question 2. It was also indicated that the appellant missed the opportunity to set up a collapse zone, which was an additional response to question 1. On appeal, the appellant states that he said he would conduct gross decontamination of personnel at this incident.

In reply, the SMEs determined that, as this was a chemotherapy center, the Incident Commander (IC) should determine what materials are in the building. That would be covered by requesting the MSDS sheets, bills of lading, stock, or inventories. The appellant did not take this action in response to question 1. He also did not monitor or protect the truss roof in response to question 1. As both of these responses are mandatory, and missing two mandatory responses warrants a score of 1, the appellant's presentation cannot be scored higher regardless of his response to question 2.

In response to question 2, at the very end of his presentation, the appellant was giving information in a rapid-fire manner. Right before he was stopped at the ten-minute mark, he stated, "I would ah, announce it over the air, conduct secondary searches, monitor air levels, conduct a PAR ah, de.. begin to demobilize ah secure the building, begin dos.. decon of personnel and ah begin s..." At which time the monitor said, "Please stop." The appellant may have meant to say "gross," however, he actually said, "dos." This was a formal examination setting, and candidates were required to properly articulate their actions and responses. The appellant stated he would "begin decon of personnel," however, this is not specific to the soaked firefighter. Gross decontamination, which involves evacuating the patient from the high-risk area, removing the patient's clothing, and performing a one-minute quick head-to-toe rinse with water. It is noted that on appeal the appellant provided a guide to decontamination of Personal Protective Equipment (PPE) rather than gross decontamination. The appellant's presentation does not warrant a score higher than a 1 for this component.

A thorough review of 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 29th DAY OF JANUARY, 2020



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Oswald Robetto
Michael Johnson
Records Center