



STATE OF NEW JERSEY

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

In the Matter of Lee Park,
Fire Captain (PM2322C),
Cinnaminson

CSC Docket No. 2023-397

Examination Appeal

ISSUED: November 23, 2022 (RE)

Lee Park appeals his score for the oral portion of the promotional examination for second-level Fire Captain (PM2322C), Cinnaminson. 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. The test was worth 70 percent of the final score and seniority was worth the remaining 30 percent. The various portions of the test were weighted as follows: written multiple choice portion, 35.26%; technical score for the Evolving Scenario, 20.77%; oral communication score for the Evolving Scenario, 2.79%; technical score for the Administration Scenario, 13.56%; oral communication score for the Administration Scenario, 2.79%; technical score for the Arriving Scenario, 22.04%; and oral communication score for the Arriving Scenario, 2.79%.

The oral portion of the second level Fire Captain examination consisted of three scenarios: a fire scenario simulation with questions designed to measure knowledge and abilities in assessing risk (Evolving); a simulation designed to measure technical knowledge and abilities in administrative duties (Administration); and a fire scenario simulation designed to measure technical knowledge and abilities in strategy and attack plan and hazmat (Arriving). For the Evolving and Administration scenarios, candidates were provided with a 25-minute preparation period for both, and candidates had 10 minutes to respond to each. 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, other than for oral communication, 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. Scores were then converted to standardized scores.

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 and a 2 for the oral communication component. For the Administration scenario, the appellant scored a 3 for the technical component and a 3 for the oral communication component. For the Arriving scenario, the appellant scored a 2 for the technical component and a 5 for the oral communication component. The appellant challenges his scores for the technical components of the Evolving and Arriving scenarios. 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 smoke at an assisted living facility. The candidate is the Incident Commander. Question 1 asked for actions, orders and requests to fully address the incident. Question 2 indicated that handicapped patients trying to evacuate used the elevator which is now stuck on an unknown floor, and the question asks for actions that should be taken to address the current situation. Instructions indicate that, in responding to the questions, the candidate should be as specific as possible in describing actions, and should not assume or take for granted that general actions will contribute to a score.

For the technical component, the assessor indicated that the appellant failed to order horizontal ventilation in question 1. Additionally, he missed the opportunities to feed the Fire Department Connection (FDC), and to assign an evacuation stairwell and an attack stairwell. On appeal, the appellant argues that he did not have to feed the FDC as it would be a waste of time and could not be

relied on. Further, he argues that as he entered side A with an attack line, the stairway on that side would be the attack stairway.

At the outset, it is noted that certain responses to the situation presented in the scenario are mandatory. That is, mandatory responses are responses that are requirements for a performance to be acceptable (a score of 3). All mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or five of them. It is not assumed that candidates receive a score of 5 which is then lowered for lack of responses. Performances that include mandatory responses get a score of 3, and those without mandatory responses get a score of 1 or 2. Additional responses only increase a score from 3 to 4 or from 3 to 5.

For this scenario, ordering horizontal ventilation was a mandatory response, and a review of the appellant's video indicates that he did not take this action. He instructed Ladder 2 to ventilate the roof with the ladder, but the appellant did not mention horizontal ventilation. As to the FDC, the scenario indicated that there was a yellow out-of-service service bag hanging from the FDC, but the manager was unable to provide any further information on it. Not only did the appellant not attempt to feed the FDC, he did not mention it, even to say that it could not be used. As to the stairways, the use of an attack line in a stairway is not evidence that this stairway has been assigned as an attack stairway. Similarly, the lack of an attack hose at any point in time is not evidence that it has been assigned as an evacuation stairway. Credit is not given for information that is implied or assumed. The assessor notes are correct. The appellant missed the actions noted by the assessor and his score of 2 for this component is correct.

The Arriving scenario involves a report of smoke in a two-story, multi-family, wood-framed residence. Upon Arriving, it is noticed that grey smoke is seeping from under a garage door and from second floor windows, and an orange glow is in the windows. A crowd has gathered, and one person says she hasn't seen the residents. The candidate is the commanding officer of the first Arriving engine company and is first on scene. The question asked for concerns and specific actions to take to fully address the incident.

The assessor noted that the appellant failed to consider fire spread and attached exposures as an initial concern, and to transmit an initial radio report to dispatch, which were mandatory responses. Additionally, he missed the opportunity to set up a command post. On appeal, the appellant states that he had a crew check for extension and perform primary searches, he established command, and he provided the location and size up of the building.

In reply, the instructions indicated that the candidate should be as specific as possible in describing actions, and should not assume or take for granted that general actions will contribute to a score. The appellant began his presentation with a description of the scene read from the exam booklet, and he indicated the equipment they should have. He stated where the apparatus would be placed, and established a water supply. He called for additional resources, assigned a Rapid Intervention Team (RIT) and officers, and gave orders for his crews. The appellant did not set up a command post or transmit an initial radio report to dispatch. Establishing command is not the same as setting up a command post, and describing the scene (reading from the scenario) is not the same as transmitting an initial radio report to dispatch. The appellant did not mention fire spread and attached exposures as an initial concern, and his score of 2 will not be changed.

CONCLUSION

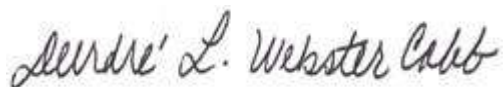
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 23RD DAY OF NOVEMBER, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Lee Park
Division of Test Development and Analytics
Records Center