



**STATE OF NEW JERSEY**

In the Matter of Terence Thornton,  
Deputy Fire Chief (PM5159C), East  
Orange

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

CSC Docket No. 2023-1859

Examination Appeal

**ISSUED:** October 11, 2023 **(ABR)**

Terence Thornton appeals his score on the promotional examination for Deputy Fire Chief (PM5159C), East Orange. It is noted that the appellant passed the examination with a final average of 77.390 and ranks tenth on the eligible list.

The subject promotional examination was held on April 23, 2022, and 10 candidates passed. This was an oral examination designed to generate behaviors similar to those required for success in a job. The examination consisted of four scenario-based oral exercises. Each exercise was developed to simulate tasks and assess the knowledge, skills and abilities (KSAs) important to job performance. These exercises covered four topic areas: 1) Incident Command: Non-Fire Incident, 2) Supervision, 3) Administration, and 4) Incident Command: Fire Incident. 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: technical score for the Incident Command: Non-Fire Incident, 24.42%; oral communication score for the Incident Command: Non-Fire Incident, 3.155%; technical score for the Supervision scenario, 14.17%; oral communication score for the Supervision scenario, 3.155%; technical score for the Administration scenario, 11.81%; oral communication score for the Administration scenario, 3.155%; technical score for the Incident Command: Fire Incident, 36.98%; and oral communication score for the Incident Command: Fire Incident, 3.155%.

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, fire fighting 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 in the technical component for some scenarios, 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.

This examination was given using the chain oral testing process, and candidates were given 10 minutes to respond to each question. Candidate responses to each question were rated on a five-point scale (1 to 5) from no response through optimum according to determinations made by the SMEs. Oral communication for each question was also rated on the five-point scale. This five-point scale includes 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. It is noted that candidates were told the following prior to beginning their presentations for each scenario: "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to your score."

For the Incident Command: Non-Fire Incident, the appellant scored a 1 on the technical component and a 4 on the oral communication component. For the Supervision scenario, the appellant scored a 4 on the technical component and a 5 on the oral component. On the Administration scenario, the appellant scored a 3 on the technical component and a 5 on the oral component. Finally, for the Incident Command: Fire Incident, the appellant scored a 2 on the technical component and a 5 on the oral component.

The appellant challenges his scores for the technical components of the Incident Command: Non-Fire Incident and Incident Command: Fire Incident. As a result, the appellant's test material, video recording and a list of possible courses of action for the scenarios were reviewed.

The Incident Command: Non-Fire Incident involves the response to a car submerged in a pool at a residence. The prompt asks what actions the candidate would take in response to the incident.

For the technical component of the Incident Command: Non-Fire Incident, the assessor found that the appellant missed the mandatory responses of performing a 360-degree size-up, establishing a Rapid Intervention Crew/Back-Up Team (RIC), and numerous additional responses, including assigning a Public Information Officer.

On appeal, the appellant argues that he should have been credited with the 360-degree size-up PCA because he established command as the Incident Commander and gave a 360 size-up in which he stated the type of incident involved, the resources he would need, and noted the need to rescue the person trapped inside the vehicle in the pool. He also contends that he should have been credited with the PCA of establishing a RIC/Rapid Intervention Team (RIT) because he called for second and third alarms in order to secure additional personnel. Finally, the appellant contends that he established that he would appoint a Public Information Officer (PIO) by referencing a “safety officer (communication) safety officer/PIO.”

In reply, a review of the appellant’s presentation for the technical component of the Incident: Non-Fire Incident demonstrates that the assessor properly awarded the appellant a score of 1 on this scenario. A review of the appellant’s presentation reveals that he did not state he would conduct a 360-degree size-up. The appellant read aloud the portion of the prompt that described the basic incident scene, but this did not sufficiently cover conducting a 360-degree size-up, as his recital did not identify essential pieces of material information not in the prompt that would be needed to appropriately respond, such as the location of utilities and whether there were any fluids leaking from the vehicle. Therefore, the appellant was correctly denied credit for this mandatory response. Regarding establishing a RIC/RIT, at the outset, the Civil Service Commission (Commission) notes that calling for an additional alarm was a separate PCA for which the appellant received credit. While the appellant’s statement that he would request additional alarms does signal that he would call for additional personnel and resources, critically, such an action does not mean that the additional crew members would automatically be assigned to a RIC/RIT upon arrival. Accordingly, the assessor properly found that the appellant could not be credited with establishing a RIC/RIT. Moreover, the record fails to demonstrate that the appellant should have been credited with appointing a PIO. The appellant indicated during his presentation for this scenario that he would appoint a safety officer. However, a safety officer is a distinct role from a PIO and appointing a safety officer was a separate action for which the appellant received credit. Therefore, based upon the appellant’s failure to identify the foregoing PCAs, along with several other additional responses, he was appropriately awarded a score of 1 for the technical component of the Incident Command: Non-Fire Incident.

The Incident Command: Fire Incident involves a fire at a one-story recreation center that consists, in part, of attached classrooms on Side C utilizing steel bar joists. The Fire Department Connection (FDC) is on Side C. Question 1 asks what actions the candidate should take to full address the incident. Question 2 provides that during the incident someone busts out of a window from one of the Side C classrooms and a recreation center counselor yells that there are still kids in there. It also states that crews are reporting that water is not flowing from the sprinkler heads. Question 2 then asks what actions should be taken based on this new information.

For the technical component of the Incident Command: Fire Incident, the assessor found that the appellant missed two mandatory PCAs, including checking the pressure being fed to the FDC in Question 2. The assessor also found that the appellant missed several additional responses, including the opportunity to assign a PIO. On appeal, the appellant argues that he addressed the issue of the FDC connection not working by assigning an engine company to create its own standpipe by using an apartment house pack with a gated wye, donut roll and a three-inch supply hose line into a manifold. He maintains that he pursued this course of action because, as the incident commander, he wanted to get ahead of the fire by dousing it with water as soon as possible. The appellant also contends that he should have been credited with appointing a PIO because he referenced a “safety officer (communication) safety officer/PIO” during his response.

In reply, the statements cited by the appellant do not demonstrate that he should have been credited with the PCAs at issue. In this regard, with Question 2, the appellant presented a workaround to provide water to the affected area. However, he did not indicate that he would check the pressure being fed to the FDC before doing so. Checking the pressure being fed to the FDC is a critical first step because if low pressure is causing the sprinkler system to be inoperable, then it may be possible to remedy the issue by simply increasing the pressure being fed into it thereby conserving the resources that would otherwise be required for the appellant’s proffered solution. As to the PCA of assigning a PIO, the Commission observes that while the appellant did state that he would appoint a safety officer and/or liaison officer, his statements do not convey that he would appoint a PIO. In this regard, the PCA of appointing a safety officer was a distinct action for which the appellant received credit. Moreover, the Commission observes that a liaison officer tends to describe a position that works with other government and non-government organizations and is a position distinct from that of a PIO, which focuses on sharing information with the media and sensitive issues like civilian deaths. *See e.g., State of New Jersey, Department of Community Affairs, Model Fire Department Incident Management System Sample Standard Operating Guide 22-23 (Oct. 30, 2014), [https://www.nj.gov/dca/divisions/dfs/publications/publication/reference\\_booklet9.pdf](https://www.nj.gov/dca/divisions/dfs/publications/publication/reference_booklet9.pdf).* As such, the assessor appropriately awarded the appellant a score of 2 for the technical component of the Incident Command: Fire Incident.

## CONCLUSION

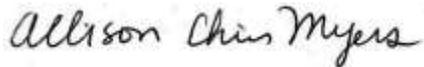
A thorough review of the appellant’s submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

**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 11<sup>TH</sup> DAY OF OCTOBER, 2023



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