



**STATE OF NEW JERSEY**

In the Matter of Michael Andrade,  
Fire Lieutenant (PM2361C), Clifton

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

CSC Docket No. 2023-2242

Examination Appeal

**ISSUED: September 25, 2024 (ABR)**

Michael Andrade appeals his score on the oral portion of the promotional examination for Fire Lieutenant (PM2361C), Clifton. It is noted that the appellant passed the subject examination with a score of 89.440 and ranks 11<sup>th</sup> on the subject eligible list.

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, 35.90% of the score was the written multiple-choice portion, 22.04% was the technical score for the evolving exercise, 7.45% was the supervision score for the evolving exercise, 5.71% was the oral communication score for the evolving exercise, 23.20% was the technical score for the arriving exercise, 5.71% was the oral communication score for the arriving exercise.

The oral portion of the Fire Lieutenant 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 Scenario); 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 Scenario). Knowledge of supervision was measured by a question in the Evolving Scenario, and was scored for that scenario. 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. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process. 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."

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.

On the Evolving Scenario, the appellant scored a 5 on the technical component, a 5 on the supervision component, and a 5 on the oral communication component. On the Arriving Scenario, the appellant scored a 5 on the technical component and a 3 on the oral communication component.

The appellant challenges his score for the oral communication component of the Arriving Scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenario were reviewed.

On the oral communication component of the Arriving Scenario, the assessor indicated that the appellant displayed a major weakness in specificity and brevity, as the appellant's response was too brief to demonstrate his oral communication ability. On appeal, the appellant argues that his score of 5 on the technical component demonstrates that he displayed effectiveness in oral communication.

## CONCLUSION

In reply, the Civil Service Commission (Commission) emphasizes that oral communication performance can clearly distinguish candidates, including those delivering presentations with comparable technical details. To wit, it would be

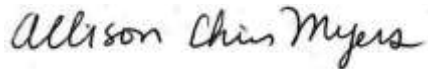
disingenuous to argue that the presentation of one candidate who spoke at a low rate of volume, had their speech punctuated by the frequent use of filler words like “ah” and “um,” rarely made eye contact with their audience and routinely made distracting hand gestures would be as understandable, effective and well-received as the presentation of another candidate who gave a speech with a comparable level of detail, but without these same oral communication issues. Given these considerations, the Commission finds the appellant’s arguments, to the extent they challenge the validity of the scoring of nonverbal communication, are without merit and must be denied. As to brevity, upon review of the appellant’s appeal and presentation, the Division of Test Development, Analytics and Administration (TDAA) advises that the major weakness displayed by the appellant should have been characterized as a weakness in organization, rather than specificity and brevity. Specifically, TDAA observes that the appellant began his presentation with a lengthy pause and that this was not an effective organization of his presentation time. The Commission agrees with TDAA’s characterization of the appellant’s major weakness in organization and affirms the appellant’s oral communication score of 3 on the oral communication component of the Arriving Scenario.

### ORDER

Therefore, it is ordered that this appeal be denied and that appropriate agency records be revised to reflect the above-noted adjustment to the scoring records for the oral communication component of the Arriving Scenario, but that the appellant’s overall score for this component remain unchanged at 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 25<sup>TH</sup> DAY OF SEPTEMBER, 2024



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