



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

In the Matter of
Edward Suggs II, Fire Captain
(PM1110S), East Orange

CSC Docket No. 2016-2720

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ISSUED: ~~NOV 16 2016~~ (RE)

Edward Suggs II appeals his score for the oral portion of the promotional examination for Fire Captain (PM1110S), East Orange. 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. 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 fire fighters 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. Each performance was evaluated by two SMEs who currently are a first level supervisor or higher. If the SME scores differed by 1 point, the score was averaged. If they differed by more than 1 point, the SMEs were required to confer with each other until they agreed on a score. 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, a 2 for the supervision component, and a 4.5 for the oral communication component. For the arriving scenario, the appellant scored a 2 for the technical component, a 3 for the supervision component, and a 4 for the oral communication component. The appellant challenges his scores for the technical and supervision components 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 involves a report of a fire in a bakery, which is a single-story, wood-frame building with a wood truss roof built in the 1970s. It is 9:00 AM on a Sunday in September and the temperature is 72° Fahrenheit with clear skies and a wind blowing from west to east at 6 MPH. Upon arrival, it is noticed that smoke is coming from the front door on side A. The candidate is the commanding officer of the first arriving ladder company, is first on scene, and establishes command. Question 1, asked for specific actions to be taken upon arrival. Question 2 indicated that fire has reached the wood roof trusses, causing one to fail. This question asked for actions that should now be taken based on this new information.

The supervision question indicated that, while on scene, a firefighter from the candidate's crew hesitates and is slow to comply with an order he gives. The firefighter insists that there is a more important task to complete first, and the candidate disagrees. This question asks for actions to be taken at the scene and after returning to the firehouse. 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 assessors indicated that the appellant failed to order an evacuation of crews or sound an evacuation tone/alert in question 2, which was a mandatory response. They also indicated that he missed the opportunities to stretch a backup hoseline to the kitchen, which was an additional response to question 1, and to request a Personnel Accountability Report (PAR) after evacuation, which was an additional response to question 2. On appeal, the appellant argues that he made reference to going into defensive mode/operations.

In reply, as noted above, credited could not be given for information that was implied or assumed. The appellant received credit in question 2 for setting up a collapse zone and setting up a defensive attack. These are separate actions from ordering an evacuation of crews or sounding an evacuation tone/alert, which was a mandatory response to question 2. It cannot be assumed that the appellant ordered an evacuation simply because he took these different actions. This was a formal presentation, and candidates were required to provide specific responses to the information in the scenario. A review of the appellant's presentation indicates that his response to question 2 was very brief. For this question, the appellant stated, "Once the fire has reached the wood roof trusses, I will at that point I would be, make sure that we are aware of all collapse hazards. Be prepared to go into defensive mode and have RIT team ready." The appellant never mentioned ordering an evacuation during his presentation, so it is unknown if he knew to take this action. As such, he cannot receive credit for it. The appellant missed the additional responses listed by the assessors as well. His score for the technical component is correct.

For the supervision component, the assessors indicated that the appellant missed the opportunities to recommend or provide any necessary training, to recommend disciplinary action, or to monitor the firefighter's progress. On appeal, the appellant argues that he referenced Standard Operating Procedures/Standard Operating Guidelines (SOPs and SOGs).

In reply, a review of the appellant's scoring sheet indicates that he was credited with reviewing applicable department SOPs and SOGs. Again, this is not the same action as any of those actions listed by the assessors. His response to this question

was, again, very brief, and the appellant cannot receive credit for actions that he did not verbalize during his presentation. His score for this component will not be changed.

CONCLUSION

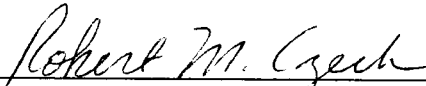
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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
THE 10th DAY OF NOVEMBER, 2016



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