



**STATE OF NEW JERSEY**

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

In the Matter of  
Louis Manning Jr., Fire Captain  
(PM1131S), Newark

CSC Docket No. 2016-2897

Examination Appeal

**ISSUED: DEC 13 2016 (RE)**

Louis Manning Jr. appeals his score for the oral portion of the promotional examination for Fire Captain (PM1131S), Newark. It is noted that the appellant passed the subject examination with a final score of 84.740 and his name appears as the 51<sup>st</sup> ranked eligible on the subject 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, 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 firefighters 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 3.5 for the technical component, a 4.5 for the supervision component, and a 3.5 for the oral communication component. For the arriving scenario, the appellant scored a 5 for the technical component, a 4 for the supervision component, and a 5 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 fire in a single-story, steel-frame building built in the early 1980s. The building is a Collision and Frame Straightening garage with three bays. It is 1:30 PM on a Monday in May and the temperature is 41° Fahrenheit with clear skies and a wind blowing from west to east at 7 miles per hour. Upon arrival, it is noticed that smoke is coming from garage bay doors on side A, and from the windows of the office area on sides A and D. Dispatch indicates that an employee says that a fire started in the reception area and quickly filled the area with smoke. He is unsure if all the employees and customers were able to evacuate the building. The candidate is the commanding officer of the first

arriving engine company and he establishes command. There were two technical questions. Question 1 asked for initial actions and specific orders at the incident upon arrival. Question 2 indicates that a drop-ceiling collapse occurs in the reception area and there is a report of a missing firefighter. The question asked what actions should now be taken, based on this new information. Question 3, the supervision question, indicates that, during fire operations, the nozzleman gets distracted and hits another firefighter with the hose stream, injuring him. This question asks what should be done 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.

In regard to the technical component, the assessors noted that the appellant missed the opportunities to call for Haz-mat and to perform a secondary search, which were additional responses to question 1. On appeal, the appellant states that he performed a secondary search.

A review of the appellant's video and related examination materials indicates that, in response to question 1, the appellant ordered two companies to perform a primary search, but he did not order a company to do a secondary search. He missed other actions as well. He did not do a LUNAR<sup>1</sup> in response to question 2, or include all aspects of it in his response, and he did not call for an additional alarm after the call for the second alarm. The appellant's response was unclear as to whether or not he stretched a hoseline to the collapse area in question 2. The appellant's response to question 2 was minimal; however, he provided many additional actions in response to question 1. Viewed holistically, the appellant's presentation was more than acceptable. As such, his score for this component should be changed from 3.5 to 4.

In regard to the supervision component of the evolving scenario, the assessors noted that the appellant missed the opportunity to have the injured firefighter seen by EMS. On appeal, the appellant states that he said all victims would be seen by EMS for triage, treatment and transport.

A review of the appellant's video and related examination materials indicates that the action that the appellant listed on appeal was in response to question 1. On scene, the appellant did not deal with the firefighter who was injured from the hose stream by the distracted nozzleman. He said he would analyze the situation and establish a goal. He dealt with the distracted firefighter, but he did not deal

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<sup>1</sup> A LUNAR is an acronym used to help firefighters remember the important information that should be included in any Mayday call: L-Location; U-Unit; N-Name; A-Assignment and Air Supply; and R-Resources Needed.

with the injured firefighter except to say he would interview "all parties." He also did not create or file an incident injury report. After responding to question 3, the appellant gave additional responses to question 1. He states, "I want to conduct a PAR during the fire operations. I want to make sure all members are accounted for. I want to ah, look at my notes for a second. Okay, in my progress reports if I have any, any victims on the primary search I want to know the location of the victims, how many victims are there, what the status of the victims, and what means egress they be using to have EMS stand by for triage, treatment and transport. I have police there for crowd control, traffic control, and help with evacuations." Clearly, the appellant is responding to question 1 in this passage, not having the injured firefighter seen by EMS. Responses are scored in the context of the discussion given, and credit is not given for information that is implied or assumed. As the appellant did not deal with the injured firefighter, his score for this component should be reduced from 4.5 to 4.

### CONCLUSION

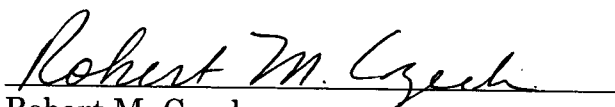
A thorough review of the appellant's submissions and the test materials indicates that, except for the technical component of the evolving scenario, the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

### ORDER

Therefore, it is ordered that this appeal be granted in part, and the score for the technical component of the evolving scenario be increased from 3.5 to 4. Also, the score for the supervision component of the evolving scenario be reduced from 4.5 to 4.

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 7<sup>th</sup> DAY OF DECEMBER, 2016



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