

B-85



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of  
Christopher Scaletti, Fire Captain  
(PM1131S), Newark

Examination Appeal

CSC Docket No. 2016-2835

ISSUED: DEC 13 2016

(RE)

Christopher Scaletti 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 80.460 and his name appears as the 85<sup>th</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 4 for the technical component, a 3 for the supervision component, and a 3 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 3 for the oral communication component.

The appellant challenges his scores for the oral communication components of both scenarios. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

For the oral communication components of both scenarios, the assessors indicated that the presentations had weaknesses in word usage and nonverbal communication. Specifically, for the evolving incident, they indicated that he used the words "ah" and "um" a total of 102 times, and that he failed to establish eye contact for the duration of the presentation. For the arriving incident, they stated that he used the words "ah" and "um" a total of 103 times, and he failed to establish eye contact throughout the presentation. On appeal, the appellant contends that he is confident in his skills and strategies, and gives directions and orders during real life incidents. In an unsigned letter on the appellant's behalf, a Deputy Chief states

that he has worked with the appellant for five years, and the appellant has proven abilities in real life events. He states that the appellant's word usage in real life incidents has never interfered with the task at hand, and he is a deserving firefighter.

In reply, the orientation guide that was available to each candidate indicated that oral communication, the ability to communicate clearly and concisely, was a component of this portion of the exam. Thus, the candidate's oral communication for each presentation was assessed, and real life experience was not a factor in scoring. Only the behaviors that candidates actually demonstrated during their presentation were scored. To receive a score of 5, candidates were expected to communicate clearly, concisely, specifically, and confidently, and in an organized fashion, with no errors in word usage or grammar, or distracting verbal or nonverbal mannerisms. For the oral communication dimension, a candidate's score is reduced by one point for each observable weakness; thus, a score of 3 indicates at least two observable weaknesses.

Nonverbal communication includes using gestures effectively without causing confusion or distractions, and making eye contact when speaking. Candidates were permitted to use their notes, and test conditions were standardized in their application to all candidates, *i.e.*, nonverbal communication (including eye contact) was assessed for all candidates. At the start of the presentation, the assessor stated, "I will return your notes before we begin, and you may refer to your notes throughout the exercise." Thus, candidates were permitted to use their notes. However, this was a formal examination setting and, knowing that oral communication was being scored, the appellant should have realized that the camera was his audience. The candidate who speaks to his audience and makes eye contact with them does not have a weakness in this area.

Another factor in communication is word usage/grammar which is defined as using appropriate words and using sentences that are grammatically correct. It was not acceptable to present many distracting verbal mannerisms, such as "ah." This was an examination setting where candidates were given scenarios, and a question or questions for each scenario, and were required to provide direct answers to those questions and, in this setting, candidates are required to maintain the flow of information. There is a well-known phenomenon of hesitational disfluency that can afflict a speaker trying to cope with the pressures of immediate processing, and some level of disfluency is acceptable when it does not affect the continuity of a presentation. At some point, however, the use of distracting verbal mannerisms is not acceptable.

For the evolving scenario, a review of the appellant's presentation indicates that it contains the weaknesses noted by the assessor. The appellant rarely looked up

from his notes during his presentation. At times when he did so, he did not look at the camera. Additionally, his presentation was replete with distracting verbal mannerisms. The appellant's presentation for the arriving scenario was similar. The appellant looked down at the table during his presentation and did not establish eye contact with the audience. He used "ah" and "um" in most of his sentences. Both presentations contained the weaknesses noted by the assessors and the scores for the oral communication components for both scenarios will not be changed.

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

  
\_\_\_\_\_  
Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Christopher Scaletti  
Michael Johnson  
Records Center