

B-24



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Kamal Brown,
Battalion Fire Chief (PM1499T),
Newark

Examination Appeal

CSC Docket No. 2017-1344

ISSUED: FEB 14 2017

(RE)

Kamal Brown appeals his score on the examination for Battalion Fire Chief (PM1499T), Newark. It is noted that the appellant failed the examination.

This two-part examination consisted of an integrated system of simulations designed to generate behavior similar to that required for success on the job. The first part consisted of 70 multiple-choice items that measured specific work components identified and weighted by the job analysis. The second part consisted of three oral scenarios; a Supervision, Administration and Incident Command scenario. All candidates received the same multiple-choice exam, but differing versions of the oral exercises were given based on the day the oral exam was administered. The examination was based on a comprehensive job analysis conducted by the Civil Service Commission, which identified the critical areas of the job. The weighting of the test components was derived from the job analysis data.

For the oral portion, candidates had 60 minutes to prepare for all three scenarios and had 10 minutes per scenario to present their response. For all three oral exercises, the candidate was to assume the role of a Battalion Fire Chief. Candidates were scored based on the content of their response (technical) and the how well they presented their response (oral communication). Both of these dimensions were scored on a scale of 1 to 5 with 1 being the lowest rating and 5 being the highest rating.

Each candidate in a given jurisdiction was scored by a team of three different Subject Matter Experts (SMEs), who were trained in current technical and oral communication scoring procedures. Each SME is a current or retired fire officer who

held the title of Battalion Fire Chief (or Fire Officer 2) or higher. As part of the scoring process, an SME observed and noted the responses of a candidate relative to the knowledge, skills and abilities (KSAs) that each exercise was designed to measure. An SME also noted any weaknesses that detracted from the candidates overall oral communication ability. The SME then rated the candidate's performance according to the rating standards and assigned the candidate a technical or oral communication score on that exercise.

In order to preserve the relative weighting of each of the components of the examination, the ratings for each portion were adjusted by a well-recognized statistical process known as "standardization." Under this process, the ratings are standardized by converting the raw scores to z-scores, an expression of the deviation of the score from the mean score of the group in relation to the standard deviation of scores for the group. Each portion of the examination had a relative weight in its relation to the whole examination. Thus, the z-score for the multiple-choice portion was multiplied by a test weight of 36.53%, the oral technical scores were multiplied by a test weight of 53.91% and the oral communication scores were multiplied by a test weight of 9.56%. The weighted z-scores were summed and this became the overall final test score. This was weighted and added to the weighted seniority score. The result was standardized, then normalized, and rounded up to the third decimal place to arrive at a final average.

For the technical and oral communication components of the Supervision, Administration and Incident Command scenarios, the appellant received scores of 4, 2, 1 and 5, 5, 5, respectively.

The appellant challenges his scores for the technical components of the Administration and Incident Command scenarios. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed.

The Administration scenario indicated that the department responded to a fire that was believed to be a one-story, abandoned warehouse. However, upon arrival, it was discovered that the warehouse had recently been converted into a childcare center. While there were no major injuries, the Incident Commander's strategy and tactics were severely affected by the change of use and occupancy. The Fire Chief has called the newly appointed Battalion Fire Chief into his office to discuss the situation, and tasked him with investigating the incident and to revise the department's current pre-fire plan procedure. The scenario asked candidates to answer the questions based on the text *The Fire Chief's Handbook* and their experience. Question 1 asked for specific steps to be taken to investigate the incident and the lack of an updated pre-fire plan. Question 2 asked which should be included in a pre-fire plan standard operating guideline/procedure (SOG/SOP).

For this component, the SME noted that the appellant missed the opportunities to interview the Incident Commander (IC) present on scene (question 1), to contact the building owner (question 1), and to review incident reports at this location (question 1). On appeal, the appellant argues that he conducted an investigation and had a focus group, which would include officers, building and fire code inspectors, the law department and others. He argues that he would not have to talk to the building owner, and that talking to the building inspector was sufficient, as they would have talked to the building owner. The appellant rewords the last comment as "review past inspections," and argues that the focus group would submit their reports to him, and this information would be in their reports.

In reply, the instructions in the scenario tell candidates to be as specific as possible and not to assume or take for granted that general actions will contribute to a score. These instructions were also read aloud to the appellant by the room monitor. This was a formal examination setting, and candidates were required to specifically state the actions that they would take in response to the questions. Candidates cannot receive credit for knowledge that they do not profess. In this case, at the start of his presentation, the appellant states that he is going to make sure that in "this meeting," presumably with the Fire Chief, he meets the vision, the mission and the values of the city and the fire department. He stated he would conduct his own research and start a focus group of building inspectors, fire officers, code enforcement officers, the permits department, and the law department. For this response, the appellant received credit for contacting a city representative. With no further actions, the appellant stated he would formulate an action plan when they got back to him with a report. Essentially, on appeal, the appellant is stating that the focus group would take the specific steps to investigate the incident and provide him with a report. As such, he did not respond with knowledge of the specific steps to take to investigate the incident and the lack of an updated pre-fire plan. Rather, he indicates that he would have this focus group provide him with a response that he needed to provide to the question. This is not acceptable. He provided none of the actions listed by the SME, and except for contacting a city representative, did not provide a further acceptable response to question 1. The appellant's score of 2 for this component is correct.

The Incident Command scenario involved a report of a fire at a local paint store. It is 2:00 PM on a sunny afternoon in April, 55 degrees Fahrenheit, and the wind is blowing from west to east at five miles per hour. The fire building is a one-story, lightweight wood-frame constructed taxpayer with a truss roof measuring 150 feet by 75 feet. The paint store measures 20 feet by 75 feet. The side B exposure is a glass and mirror store, while the side D exposure is a liquor store. Upon arrival, the candidate sees fire and smoke emanating from side A of the paint store. An employee states that the fire spread quickly throughout the store and he believes some customers and employees may not have escaped. The scenario asked candidates to answer the questions based on the text *Fire Officer's Handbook of Tactics* and their

experience. Question 1 asked for specific actions to be taken upon arriving at the scene. Question 2 indicated that, during overhaul, the roof collapses over the paint store trapping several fire fighters. Question 2 asked for specific actions that should now be taken based on this new information.

For this scenario, the SME noted that the appellant failed to: call for additional alarms (question 1); attempt to contact the trapped firefighters (question 2); check for vertical extension into the truss roof/common cockloft (question 1). These were mandatory responses to these questions. The SME also indicated that the appellant missed the opportunity to ensure monitoring of air (question 1). On appeal, for checking for vertical extension into the truss roof/common cockloft, the appellant argues that he sent a roof team to vent via the aerial ladder, and stated that his concerns were life, property and exposures. For attempting to contact the trapped firefighters, the appellant states that he cleared the air for trapped firefighters.

A review of the appellant's video and related examination materials indicates that after establishing command, the appellant gave orders to his companies, but he did not call for additional alarms. He stated, "The first due truck company would ladder the building. They would do that in order to vent for life, being that there are people inside the building. I would make sure that they are ready to rescue any occupants that they come in contact with, along with searching upon entering into the building. Make sure that once they are inside, that they control all the utilities of the building." In his presentation, the appellant did not mention using the aerial ladder to the roof, nor did he indicate that they were doing vertical ventilation on the truss roof of the one-story building. In fact, the majority of his response involves orders for action inside the building, although the appellant does not indicate how they enter. He did not check for vertical extension into the truss roof/common cockloft, or even identify that there was a common cockloft. In response to question 2, the appellant "cleared the air" for the trapped firefighters, but this is not the same as attempting to contact them. Lastly, the appellant did not ensure monitoring of air in question 1. As the appellant missed three mandatory responses, his score of 1 for this component is appropriate.

CONCLUSION

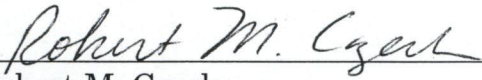
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 8th DAY OF FEBRUARY, 2017


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