

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

Examination Appeal

ISSUED: MARCH 4, 2022 (RE)

The examination for the written portion of the first level fire supervisor, including Fire Captain, was administered on October 2, 2021. At the test center, the appellant appealed the testing conditions. Specifically, he stated that the surrounding classrooms were loud and there was outside noise, specifically, a truck backing up constantly for 30 minutes. Also, he added the comment, “minimum ladder on truck, minimum rungs ladder above roof, and contradictory questions.”

The Civil Service Commission (Commission: makes every effort to insure that the environment for testing is comfortable and free of extraneous distractions. Nonetheless, situations occur which are outside the control of the Commission. It is unfortunate that a truck was present at the test center, but the Commission does not always have the authority to limit the use of the facilities which are donated or rented. At this point, the administration of the examination is complete and there is no possibility of rectifying this particular problem. In this case, the appellant does not specify how this affected him and he does not request a remedy. He has taken the examination, answering all the questions, and been provided the opportunity for an examination review. There are no provisions in the rules for a retest. As such, and in fairness to other candidates, appellant cannot be given the

same examination, or test questions, again. Lastly, Commission staff will take the appellant's comments into consideration.

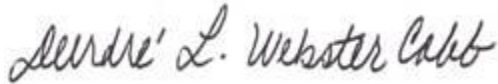
A thorough review of the record indicates that the administration of the subject examination was proper and consistent with Civil Service Commission regulations, and that appellant has not met his burden of proof in this matter.

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 ON
THE 2ND DAY OF MARCH, 2022



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Chairperson
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