

This examination was given using the chain oral testing process, and candidates were given ten minutes to respond to each question. Candidate responses to each question were rated on a five-point scale (1 to 5) from nil response through optimum according to determinations made by the SMEs. Oral communication for each question was also rated on the five-point scale. This five-point scale includes 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. The appellant received the following scores for the technical component for each question, in order: 1, 4, 2, and 5. He received the score of 5 for each of the oral communication components.

The appellant challenges his score for the technical components of the Incident Command – Non-Fire Incident, and Administration scenarios. As a result, the appellant's test material, audiotape, and a listing of PCAs for the scenario were reviewed.

The Incident Command – Non-Fire Incident scenario pertained to a report of a freight train derailment near the train station in the middle of town. It is 9:00 PM on a winter evening, 20°F, with wind blowing from the east at 15 mph. Upon arrival, the Deputy Fire Chief finds that the derailment is limited to one car, which did not overturn. There were no serious injuries and no fire, but a gasoline tank car has a sizable leak and gasoline is flowing onto the rail bed, and onto Main Street below, and possibly into the shops below the tracks. The candidate has performed a 360° reconnaissance, established command and a command post, and given dispatch an initial report including requesting additional alarms. Instructions to candidates were to base their responses on the text *Hazardous Materials: Managing the Incident*, and their experience. Question 1 asked for specific concerns and tactical objectives at the incident. Question 2 asked for specific actions regarding the leak/spill that should be taken at this hazardous materials incident.

For this incident, the assessor noted that the appellant failed to verify that rail traffic has been halted, which was a mandatory response to question 1, and that he failed to apply AFFF foam to suppress vapors wherever feasible, which was a mandatory response to question 2. They also indicated that he missed the opportunities to establish a staging area, which was an additional response to question 1, and to estimate foam requirements in response to question 2. On appeal, the appellant argues that he notified the rail line of the incident and had the rail line shut down. He states that he also requested a rail line representative at the scene to assist with operations and provide another car to transfer the remaining hazardous material from the derailed car. He states that he said he would call for additional resources and established a staging area and assigned those resources to the staging area.

In this scenario, certain responses to the situation presented are mandatory. That is, mandatory responses are responses that are requirements for a performance to be acceptable (a score of 3). Sometimes, a candidate states many additional responses but does not give a mandatory response: however, the SMEs cannot provide a score higher than a 3 in those cases. All mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or five of them. It is not assumed that candidates receive a score of 5 which is then lowered for lack of responses. Performances that include mandatory responses get a score of 3, and those without mandatory responses get a score of 1 or 2. Additional responses only increase a score from 3 to 4 or from 3 to 5.

The appellant received a score of 1 for this component which reflects a much less than acceptable response as he did not address two mandatory responses. For question 1, verifying that rail traffic has been halted was a mandatory response. A review of the appellant's audiotape indicates that he responded to question 1 in less than a minute and spent the remaining time on question 2, although many of his responses to question 2 incorporated those responses that should have been given for question 1. Just prior to the 2 minute warning, the appellant stated, "I'm going to secure the scene and turn it over to the responsible party. I'm also gonna um make sure I have a representative from the rail line on scene to assist with the ah, with the incident. Possibly um (two minutes) transportation for the um, I'm gonna make sure my EMS also is in place with treatment triage and transport of, of the injured."

In the instructions listed after the questions, candidates were told that in responding to the questions to be as specific as possible. They were told to not assume or take for granted that general actions would contribute to their score. The monitor read these instructions immediately after reading the questions. The candidate's response was to call a rail line representative to assist with the incident, but he did not mention that he would verify that rail traffic would be halted. His presentation did not contain the further details listed by the appellant in his appeal. The appellant's response is not the same as that listed by the assessor, and credit cannot be given for information that is implied or assumed. For question 2, the appellant missed the other mandatory response as noted by the assessor as well.

After the two-minute warning, the appellant called for utilities and the police department. He then stated, "Call additional alarms and have companies staging for additional resources if need be." Having companies stage it is not the same as establishing a staging area or assigning a staging manager do so. In order to receive credit, the candidates must articulate their responses during their presentation. The appellant may have known that he would assign a staging area, but he did not do so in his presentation, which allowed the companies to stage

anywhere they chose to stage. The appellant missed this additional response and his score of 1 for this component is correct.

The administrative scenario indicated that local organizations in the community have contacted the Fire Chief's office to express concern over the diversity of the upcoming pool of Firefighter candidates. Applications for the upcoming Firefighter entrance examination will issue next week. The Fire Chief placed the candidate in charge of a team to implement a recruiting program to aggressively recruit Firefighter applicants in the community, and he requested that this include traditional recruitment incentives and innovative recruitment strategies to broaden the Fire Department's outreach and diversify the pool of Firefighter candidates. Instructions to candidates were to base their response on the text *The Fire Chief's Handbook*, and their experience. Question 1 asked for traditional recruitment sources to be used for this project. Question 2 asked what innovative recruitment strategies should the candidate use to diversify the applicant pool and what community organizations should be included in the recruitment program.

The assessor noted that the appellant missed the following opportunities: to recruit at colleges and universities; to advertise on city/Fire Department web site; to utilize social media (Facebook, Twitter, etc.) to get the word out; and to contact veteran organizations. The appellant argues that he said he would visit schools and educational facilities to recruit from an academic population. He also states that he said he would meet with the Fire Chief and "local organizations" to seek their expectations and assistance in the recruitment process.

In reply, a review of the appellant's audiotape and related examination materials indicates that he stated, "In response to question number one, to so with needs and assessment, what I'll do is I'll contact local community groups within the City to assist with the recruitment process and that'll be one of my biggest sources of um, recruitment." After responding to question 1, the appellant began his response to question 2 with, "I'm going to move to question number two. Once again, there's going to be a needs assessment that's done. I'm going to develop, and this is a, I'm going to develop a recruitment program. I'm going to meet with the Fire Chief and local organizations to obtain their expectations of the program. I'm going to ID the problem, the concern for diversity of the upcoming ah pool of cand..., Firefighter candidates." This response makes no mention of contacting veteran organizations. Question 2 asked for community organizations that should be included in the recruitment program, in the response that the appellant gave, meeting with local organizations, is unspecific and lacking in details which would be evidence of his knowledge in this area. In fact, the assessor asked the appellant be more specific regarding which local organizations he was referring to in his response for question 2. The appellant responded that he would contact youth

groups, YMCA's, YWCA's, and church groups. He did not mention veteran organizations.

In addition, in response to question 1, the appellant stated, "I'm going to visit high schools and conduct seminars." Later on, he stated, "I'm going to determine a plan of action which will be an outreach to the local, local community organizations, churches, high schools, ah organizations of that matter." The appellant mentioned the high school twice, and he received credit for sending personnel to high schools, which was an additional response to question 2. Nonetheless, he did not mention colleges and universities. The appellant missed the action noted by the assessor that his score of 2 for this component is correct.

CONCLUSION

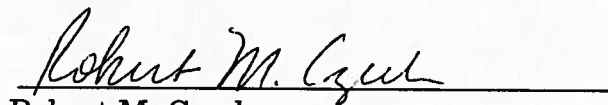
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 1st DAY OF OCTOBER, 2014



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