



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION

In the Matter of Daniel Connors,
Battalion Fire Chief (PM1510T),
Union Township

Examination Appeal

CSC Docket No. 2017-1518

ISSUED: **DEC 23 2016** (RE)

Daniel Connors appeals his score on the examination for Battalion Fire Chief (PM1510T), Union Township. It is noted that the appellant passed the examination with a final average of 82.030 and ranked sixth on the eligible list.

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 5, 3, 1 and 5, 4, 4, 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 scenarios 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 question, the SME noted that the appellant missed the opportunities to interview the Incident Commander present on scene (question 1), and to review incident reports at this location (question 1). These reports would have included NFIRS and 911 calls. On appeal, the appellant stated that he would review the incidents and responses to this location, indicated he would talk to other officers for their help and experience, and indicated he would review the SOPs with other officers to get input and advice.

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. This was a formal examination setting, and candidates were required to specifically state the actions that they would take in response to the questions. In this case, the appellant was giving a laundry list of items and questions that were not specific steps to investigate the incident and the lack of an updated pre-fire plan. He stated, "Get a plan of the building. What's the construction? Is it a truss construction, lots of um, warehouses, if it's switching to a day care center like this, there's probably lots of hybrid construction involved that was used for speed and um, speed of construction, and time involved. Find out the, you need a complete layout of the building. Is there basement involved? Warehouses probably don't have a basement but there could be a sub..., ah, smaller section that's off the school. Um, what kind of storage do they have? What kind of ah, facilities do they have? How many children are there? Um, safety of the children comes first. How many children are going to be there? Do they have any special needs? I'm sorry, I'm jumping ahead. Um, what's the history of that building and the responses with the warehouse? What kind of damage was done there in previous incidents or responses there? Make sure that responding to this location you're gonna have more resources responding there with you. Alright, second part of this question." The appellant argues that this response indicates that he said that a specific step to investigate the incident and lack of an updated fire plan was to review the incident reports at this location. Nevertheless, responses are scored in context in which they are given. In this case, the appellant was asking for previous incidents and responses, specifically to find out the history of the building and what damage was done. This narrow view does not encompass the scope of the expected response. He did not say he would review incident reports at this location. Rather, he was formulating questions without indicating actions he would take to get the answers to those questions.

In response to question 2, the appellant stated, "What are your department requirements for an SO...ah, an SOP like this? Write it up, and get the help of other officers, experienced officers, a new battalion chief, or I'm a new battalion chief. You're going to get help from other officers, um, you're going to review other SOGs to see how they were written up and you're gonna create your report from there. And your fire attack plan should be there, your rescue plan. You have to know what kind of manpower you're going to need." This response does not indicate that the appellant

would interview the Incident Commander present on scene at the incident described in the scenario. Later, the appellant stated, "You're going to have to notify all hospitals and pediatric centers. Know whose, what resources are going to respond here, other township departments. You're gonna write the SOP. If you deal with other officers, get input and advice from them. Get info from the building department of town hall. See what they may want, or what they ah, what advice they can give you for, again for this SOG." Clearly, in these passages, the appellant did not take the actions noted by the SME, and again, candidates are not given credit for information that is implied or assumed. The appellant's responses for this component were acceptable, but not more than acceptable, and his score of 3 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 question, the SME noted that the appellant failed to attempt to contact the trapped firefighter (question 2), and to activate the Rapid Intervention Team/Crew (RIT/RIC) (question 2). He also noted that the appellant missed the opportunities to call for ATF/Health Department (question 1) and to sound evacuation tones (question 2). On appeal, the appellant stated that he called for a Personal Accountability Report (PAR).

In reply, conducting a PAR is another proper response to question 2, and the appellant received credit for it. He cannot receive credit for attempting to contact the trapped firefighter by conducting a PAR, as these are separate actions. The appellant missed the actions noted by the SME and his score for this component is correct.

CONCLUSION

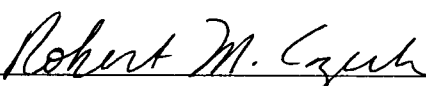
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 21st DAY OF DECEMBER, 2016



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