



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Gregory Ricciardi,
Battalion Fire Chief (PM1510T),
Union Township

Examination Appeal

CSC Docket No. 2017-1206

ISSUED: DEC 23 2016 (RE)

Gregory Ricciardi appeals his score and his seniority on the examination for Battalion Fire Chief (PM1510T), Union Township. It is noted that the appellant passed the examination with a final average of 85.680 and ranked third 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, 5 and 5, 5, 5, respectively.

The appellant challenges his score for the technical component of the Administration scenario, and his seniority. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed.

As to seniority, the appellant indicates that he was a Battalion Fire Chief for three months, and questions if that is added to seniority. In reply, seniority is based on the time from the regular appointment date (to the eligible title) to the closing date of the announcement, minus the time spent on layoffs and leaves of absence without pay, plus the record of service less any suspensions. Seniority credit is only given for the titles listed on the examination announcement, in this case, the title of Fire Captain. The appellant held a temporary appointment as a Battalion Fire Chief, but his regular appointment remained Fire Captain. As such, he was credited for the time he was in the temporary appointment. No error in calculation of his seniority score is evident.

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 (IC) present on scene (question 1), and to contact the building owner (question 1). On appeal, the appellant stated that he said he would speak to all members on the scene and document his findings. He argues that this includes the Incident Commander as candidates are instructed to assume that they are the IC throughout an entire incident.

In reply, in his response, the appellant stated, "I would speak to the members who were involved at the scene and document what they have told me." 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 did not indicate that he would interview the IC of the scene. If the appellant was aware that he needed to have spoken to the IC, he was to indicate that verbally in his response, but he cannot receive credit on the assumption that he would have done so for having spoken to the members who were involved at the scene. The instructions to candidates that they would remain the IC for an entire scenario have no bearing on this determination. The personnel in the scenario were members of a fictitious fire department, and there was no indication of who the IC was or that the candidate was present at the time when the fire in the warehouse/daycare center was being fought. The appellant missed the actions noted by the SME and his score for this component will not be changed.

CONCLUSION

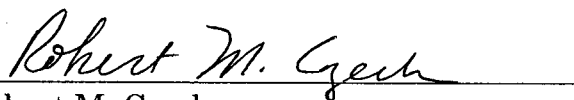
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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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and
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