

appeal process, every candidate is given the Appeal Procedures sheet when they arrive at check-in. The check-in monitor tells the candidate what they are receiving and to read over the sheet. If candidates have specific questions regarding the appeals process, they should ask those questions before leaving the test center. The Center Supervisor did not indicate that the appellant filed an appeal at the test center.

Nevertheless, a review of the merits of this appeal shows that appellant is not entitled to any further relief. The Civil Service Commission makes every effort to insure that test administration is as uniform as possible for all candidates. Instructions are given verbally, but they were also given in a video shown to all candidates prior to the administration of the exam, and in the Fire Fighter Physical Performance Test Physical Fitness Manual. The instructions available for the Ladder Climb in the Fitness Manual, on page 8, state, "On the command Ready-Go," the candidate ascends the ladder, holding either the rails or the rungs and stepping each rung along the way, until both feet are standing on the rung at the 18 vertical-foot level. This rung is marked with red tape." The Fitness Manual is available to all candidates well in advance of the administration of the examination. Candidates are given these instructions multiple times in order to ensure that they comply with the testing requirements. A review of these circumstances indicates that, rather than not receiving the proper instructions, the appellant did not follow instructions. The examination was administered to the appellant in the same manner as it was administered to all other candidates, and the situation does not warrant a retest.

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
THE 6th DAY OF SEPTEMBER, 2017



Robert M. Czedo, Chairperson
Civil Service Commission

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