



Candidates were given ten minutes to respond to each question and responses to each question were rated on a five-point scale (1 to 5) from nil response through optimum. The appellant received a score of 2 for the technical components for the Incident Command – Non-Fire, Supervision and Administration scenarios, and a score of 4 for the Incident Command – Fire. He challenges his scores for the technical component of each scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenario were reviewed.

The Incident Command- Non-Fire scenario concerned a report of a trench collapse with entrapment. At the scene, there is a 20 foot by 10 foot by 7 foot deep opening in the front lawn of a residence made by a plumbing company to replace a collapsed sewer line. A worker is inside the hole buried chest deep in soil. Question 1 indicates that the appellant's crew is not certified or equipped to perform trench rescues, and this question asked for specific, initial actions to take upon arrival. Question 2 indicated that there was a report of a gas odor in the basement of a nearby home, and this question asked for specific actions that should now be taken based on this new information.

The assessor noted that the appellant failed to address or eliminate any causes of vibration, which was a mandatory response to question 1. It was also noted that the candidate missed the opportunities to identify or request OSHA, or to identify and speak with the job foreman, which were additional actions in response to question 1. On appeal of this issue, the appellant argues that the scenario outlined that he and his personnel were not equipped and trained to handle the trench aspect, so due to his lack of knowledge he ordered all necessary agencies to resolve the matter. He also states that he requested EPA, utility companies, EMS, a rescue unit, and a shoring unit, and they would address and eliminate all dangers associated with vibrations. He argues that the scenario indicates that he had no knowledge about trench rescue and that he took actions such as evacuating the residence, utilizing meters to check residential properties, and removing all life hazards within the structures.

In reply, question 1 asked for immediate actions to take upon arrival. In this scenario, the SMEs determined that an appropriate mandatory response was to eliminate any causes of vibration. The appellant does not argue that he took the action that the assessor noted, but argues that he had no knowledge of trench rescue. Question 1 actually indicated that the candidate's crew was not certified or equipped to perform trench rescues, and the examination tested the appellant's knowledge regarding the handling of this non-fire scenario. As Incident Commander (IC), the SMEs determined that it was mandatory in this situation to eliminate all causes of vibration, and the appellant did not take this action. The scenario instructed candidates to be as specific as possible in responding to questions, and not to assume or take for granted that general actions will contribute to a score. The appellant cannot receive credit for knowing that he should eliminate

any causes of vibration by simply calling for other resources who would know how to do so. If that was his intention, he needed to verbalize this in his formal presentation by indicating that these resources would eliminate all causes of vibration. It is noted that the appellant received credit for requesting the resources outlined in his appeal. However, as he missed this mandatory response, and the other actions noted by the assessor, his score of 2 is correct.

The Supervision scenario involved an irregularity on the training sign-in attendance sheets for EMT certification. There was an extra signature compared to the number of firefighters who attended a particular class. Firefighter Jones signed in to receive credit for the class but called out sick for that shift. Question 1 asked for initial and specific steps to take to investigate the incident prior to interviewing Firefighter Jones. Question 2 indicated that there was reasonable suspicion that Firefighter O'Connor forged Firefighter Jones' signature, and they are assigned to the same engine company. This question asked what you should say in interviews with both Firefighters based on this new information.

The assessor noted that the appellant missed the opportunities to interview the EMS Chief, review shift roll call, and document all interviews and findings, which were responses to question 1. On appeal of this issue, the appellant argues that he said he would obtain written statements from, and speak with, all personnel involved with the issue of forgery, which would include the EMS Chief. He states that he requested all training reports and files of the individuals, and consulted with the legal department.

In reply, again, credit is not given for information that is implied or assumed. In his presentation, the appellant stated, "With the reports from ah Firefighter Jones and Firefighter O'Connor dis, discretions, I will ID each individual and follow-up the incident. I will meet with them individually. I will have each individual give a written report and statement in regards to what transpired with the sign-in sheet, and if forgery and falsifying of the documents. One, I will analyze, review all, review their written statements of both parties. I will review their files." This is a different statement than the one that the appellant indicated on appeal. On appeal, the appellant states that he spoke with all personnel involved with the issue of forgery, but that is not what he actually stated. In his presentation, the appellant met with and received written statements only from the firefighters. Further, the appellant received credit for obtaining written statements and requesting all training reports and files, as well as consulting with the legal department. Nevertheless, he missed the actions noted by the assessor and other actions. The appellant's score of 2 for this component is correct.

The Administration scenario tasked the candidate with chairing a fire department committee to develop, implement, and monitor a new, updated mutual aid plan, to be reviewed and approved by the Fire Chief and implemented within

the next 90 days. Question 1 asked, as the committee chairman, what specific information would the candidate have, and what assignments should he give the members of the committee to ensure that they have a clear direction on the parameters of their assignment. Question 2 asked what should be included in the new mutual aid plan.

The assessor noted that the appellant missed the opportunities to identify chain of command and authority, length of time personnel can be committed, and liability, hold harmless, and indemnification issues, as items to be included in the new mutual aid plan (Question 2). On appeal of this issue, the appellant argues that he met with the Chief to outline his expectations and then appointed committees “to address areas of concern as it pertains to chain of command and authority.” He also stated that he reviewed his response times with other agencies and the mutual aid agreement and that this addressed the length of time personnel can be committed.

In reply, the appellant received a score of 2 for this component, however, he did not address the actual questions. Question 1 indicated that the appellant was the committee chairman, and in his response, the appellant assigned a committee chairman. Additionally, the question asked for specific information that you should have and the assignments that should be given to the members of the committee. The appellant received credit for “recruiting the right people,” and setting a timeline in response to question 1. The appellant is seeking credit for meeting with the Chief to outline his expectations and then appointing a committee, which was information provided in the scenario. The scenario stated that the Chief directed the candidate to chair a fire department committee. Repeating information given in the scenario and which does not directly address the question does not warrant credit.

In any event, the appellant’s arguments are irrelevant. Question 2 asked for items to be included in the new mutual aid plan, and the assessor notes refer to three things that the appellant did not include in this plan. The mutual aid plan should identify chain of command and authority, which is a completely different issue from appointing a committee. It is noted that nowhere in the presentation did the appellant state that he would appoint committees “to address areas of concern as it pertains to chain of command and authority.” Instead, the appellant’s response was generic. For example, he stated, “I will schedule a meeting with the committee to define goals and objectives, those goals being short, medium, and long term. We will plan a course of action, delegate tasks to the committee members. The early tasks for the committee members will be research and fact finding.” The appellant received credit for “recruiting the right people,” and setting a timeline in response to question 1. However, this response does not indicate that he is including in the new mutual aid plan identification of the chain of command and authority.

Another aspect that should have been included in the plan was length of time personnel can be committed. The appellant's argument that he would review response times with other agencies has no bearing on, or is irrelevant to, this aspect, as it concerns another matter. The appellant's response was nonspecific to the questions given. He discussed a few of the aspects of the scope of the assistance to be provided (staffing, tools and supplies, costs), which should be included in the plan, but that was the only proper response he gave to question 2. His responses to question 1 were minimal, and his response to question 2 was not a substantive answer to the question. For example, he stated, "We will have questions such as response times, dispatch information, who and, and who will respond. Get a general idea of how and compare the mutual aid plan. We will implement the plan. Find out the effectiveness of the plan. Iron out the kinks of the plan to find out how efficient and how effective the plan actually is. We will use tabletop drills, scenarios, response times, to get a better judge of how the mutual aid pact will work and be implemented within the, the fire department." Only the first sentence in this passage pertains to question 2. The remaining response is the appellant's own agenda and what he wishes to present. The appellant continues with an evaluation of the plan, and advising the Chief of the new plan. This had nothing to do with the question. The presentation warrants a score of 1. Nevertheless, as the appellant failed the examination, a lower score is moot.

The Incident Command – Fire scenario involved a reported structure fire of a three-story, non-combustible commercial building undergoing major interior renovations. There is thick black smoke emanating from all three floors, and the ladder crew is attempting to make entry on side A, where the command post has been established. Question 1 asked for specific, initial actions to be taken upon arrival. Question 2 indicated that a Mayday was called as a Truck 1 crew became disoriented on the first floor during their search. This question asked for specific actions to be taken based on this new information.

The assessor noted that the appellant missed the opportunity to establish a dedicated rescue/operations radio frequency, which was an additional response to question 2. On appeal of this issue, the appellant argues that he stated that the beginning of his presentation that operations would utilize frequency number 1 and tactical/rescue would be assigned frequency number 2.

In reply, for a performance to be acceptable in the Incident Command – Fire scenario, a candidate needed to present the mandatory courses of action for that scenario. One of the mandatory responses in question 1 was to support the Fire Department Connection (FDC). The appellant did not indicate this mandatory response, but the assessor gave him credit for it. This was an administrative error which should be corrected.

As to the radio frequencies, question 1 asked for specific initial actions to take on arrival and question 2 asked for specific actions to take after a truck team has become disoriented while searching. The SMEs indicated that establishing a dedicated a rescue operations radio frequency was an additional proper response to question 2, and the appellant did not mention establishing a dedicated radio frequency for rescue in question 2. In response to question 1, the appellant stated, "I will assign my tactical radio frequencies with command on 1 and tactics on 2." This is insufficient information to indicate that the appellant was aware that he needed a rescue operations radio frequency in response to the new information given in question 2. Lastly, the SMEs indicated that candidates should continue fire extinguishment operations in the building after they received the information in question 2. However, the appellant evacuated the building, which conflicts with his goal of property conservation. Holistically, the appellant missed a mandatory action which was not indicated by the assessor, and he missed the action noted by the assessor. This performance warrants a score of 2. However, again, as the appellant failed the examination, a lower score is moot.

### 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 ON  
THE 31st DAY OF OCTOBER, 2018



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