

structure and condition (arriving). Knowledge of supervision was measured by questions in both scenarios, and was scored for each. For the evolving scenario, candidates were provided with a 15-minute preparation period, and candidates had 10 minutes to respond. For the arriving scenario, a five minute preparation period was given and candidates had 10 minutes to respond.

The candidates' responses were scored on technical knowledge and oral communication ability. Prior to the administration of the exam, a panel of Subject Matter Experts (SMEs) determined the scoring criteria, using generally approved fire command practices, firefighting practices, and reference materials. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. For a performance to be acceptable, a candidate needed to present the mandatory courses of action for that scenario. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

Candidates were rated on a five-point scale, with 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. For each of the scenes, and for oral communication, the requirements for each score were defined.

For the evolving scenario, the appellant scored a 2 for the technical component, a 3 for the supervision component, and a 5 for the oral communication component. For the arriving scenario, the appellant scored a 2 for the technical component, a 4 for the supervision component, and a 4 for the oral communication component. The appellant challenges his scores for the technical component of the evolving scenario, and for the technical and oral communication components of the arriving scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The evolving scenario involves the handling of salvage and overhaul in the basement and garage of a single-family home after the fire was knocked down. For the technical component, the assessor assigned a score of 2, and noted that the candidate failed to stretch a hoseline or ensure a water supply to extinguish hot spots, which was a mandatory response to question 1. It was also noted that the appellant missed the opportunities to ensure proper lighting at the scene, and provide additional ventilation, which were additional actions in question 1. On appeal, the appellant states that ensuring a water supply to extinguish hot spots was not the responsibility of the ladder company captain, but was for the engine company officer to consider.

In reply, the appellant is not arguing that he took the action noted by the assessor, but that it was unnecessary as it was the responsibility of the engine company officer to notice what his crew was doing and provide a hoseline. Following that line of reasoning, the appellant would have his crew provide overhaul, opening walls and other places to look for extension, without regard to whether a hose was available to extinguish hidden fire because that was not his concern. Thus, the walls will continue to burn if the engine company officer was not aware of the found hidden fire. This is not a persuasive argument that warrants changing the PCAs. The SMEs who developed the scoring criteria could not disagree more. In fact, they determined that ensuring a hoseline or a water supply was available to extinguish hot spots was mandatory, and the ladder company officer would be remiss in his duties if he did not do so. The appellant missed this mandatory response, and the additional responses, and his score for this component will not be changed.

The arriving scenario involved a report of fire at a building of mixed occupancy of ordinary construction, with an unoccupied basement, a small accounting business, and a studio apartment on the second floor. The owner of the business is not sure if all customers are out, and an adult man is seen leaning out a window on side A, yelling for help. Question 1 asked for the initial report upon arrival using proper radio protocols, and question 2 asked for specific actions to take after the initial report.

For the technical component, the assessor indicated that the appellant failed to name and establish command, and to indicate possible and confirmed victims inside. Both of these actions were mandatory responses to question 1. On appeal, the appellant argues that he stretched a handline between victims and the fire.

In reply, at the end of every scenario and prior to the questions, instructions state, "In responding to the questions, make sure your actions directly relate to the scenario. Do not assume or take for granted that general actions will contribute to your score." In reply, stretching a hoseline is an action to be taken in response to question 2. It is not standard procedure that dispatch should be aware of possible and confirmed victims inside on the basis of actions taken after the initial report. The appellant will not receive credit for implied responses, and his score of 2 for this component will not be changed.

As to oral communication, the assessor noted that the appellant had a distracting mannerism of holding a pencil in front of him in his hands during the presentation. The appellant argues that this notation is unfair as the test proctor made him sign paperwork between presentations and that created a distraction for him.

In reply, a factor in oral communication is nonverbal communication. A weakness in this factor is defined as failing to use gestures effectively, thereby causing confusion or distractions, and failing to maintain eye contact with the camera when speaking. The orientation guide that was available to each candidate indicated that oral communication, the ability to communicate clearly and concisely, was a component of this portion of the exam. Further, it is noted that test conditions were standardized in their application to all candidates, i.e., nonverbal communication was assessed for all candidates.

A review of the presentation indicates that the appellant had many writing implements with him including this pencil from the start of the video. When he was told that his time to take notes had started, he picked up a pen, put it down, and picked up his pencil which he used to take notes. At the start of the arriving scenario presentation, the appellant had seven writing implements on his left-hand side. He had put the pencil down after writing his notes and started the presentation with his hands in a praying position in which he occasionally raises to his chin. After looking at the diagrams, he then placed one hand over the other making a fist with both hands near his chin. When he brought his hands down, he picked up his pencil with his right hand and pointed at his notes. Shortly after starting his response to question 2, he picked up the pencil, placing one end in each hand, and twisted it throughout his remaining time. The appellant's hand gestures were a distraction throughout. The appellants arguments that it was the *monitor's* fault for distracting him by giving him a pencil to take notes during the note taking period is specious, self-serving, and devoid of personal responsibility. His presentation had a weakness in nonverbal communication, and his score will not be changed.

CONCLUSION

A thorough review of the 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 17th DAY OF APRIL, 2019



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