



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

Examination Appeal

In the Matter of Scott Della Salla,
Fire Officer 1 (PM1100V),
North Hudson Regional Fire
and Rescue Service

CSC Docket No. 2019-2505

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ISSUED: April 22, 2019 (RE)

Scott Della Salla appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM1100V), North Hudson Regional Fire and Rescue Service. It is noted that the appellant passed the subject examination with a final average of 82.480 and ranks 31st on the resultant eligible list.

This two-part examination consisted of a written multiple-choice portion and an oral portion. Candidates were required to pass the written portion of the examination, and then were ranked on their performance on both portions of the examination. The test was worth 80 percent of the final score and seniority was worth the remaining 20 percent. Of the test weights, 31.35% of the score was the written multiple-choice portion, 22.49% was the technical score for the evolving exercise, 7.53% was the supervision score for the evolving exercise, 4.28% was the oral communication score for the evolving exercise, 19.23% was the technical score for the arriving exercise, 7.53% was the supervision score for the arriving exercise, and 7.59% was the oral communication score for the arriving exercise.

The oral portion of the Fire Officer 1 examination consisted of two scenarios: a fire scene simulation with questions designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of fire fighters and the ability to assess fire conditions and hazards in an evolving incident on the fireground (evolving); and a fire scene simulation designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of firefighters and the ability to plan strategies and tactics based upon a building's 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. 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 3 for the technical component, a 5 for the supervision component, and a 5 for the oral communication component. For the arriving scenario, the appellant scored a 3 for the technical component, a 4 for the supervision component, and a 5 for the oral communication component. The appellant challenges his scores for the technical component of both scenarios. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The evolving scenario involves a fire in a bookstore, and fire has broken through the roof. For the technical component, the assessor indicated that the appellant failed to evacuate the crew from the building, a mandatory response to question 2. The assessor also noted that the appellant missed the opportunity to report to the Incident Commander (IC) after evacuation, an additional response to question 2. He used the "flex" rule to give a score of 3.

On appeal, the appellant states that he did not evacuate his crew because there were no signs of failure in the truss. The appellant cites page 357 of *Fire Officer's Handbook of Tactics*, by John Norman, 4th addition, which states, "The second problem with truss roofs - the danger of some catastrophic collapse - isn't as likely in steel joist supported roofs as it is with other styles of trusses. Although the steel joists are very seriously weakened by exposure to fire, they initially sag rather than snap. Past experience has shown that while these roofs fail in less than 5 minutes of exposure to heavy fire, they don't fail without sufficient warning. In other words,

the roof or floor will drop, but there should be ample warning to firefighters on the level of the deck over the fire. Of course, firefighters advancing below the roof may not be able to see this sag because of heavy smoke or fire and can thus be endangered. For this reason, it is best to use large hoselines on straight stream to sweep the ceilings well ahead of the line's advance. Provided that it hasn't already pulled free of its support, the steel will regain its previous strength and load-carrying ability when the hose stream cools it." The appellant states that he used hoselines on straight stream to sweep the ceiling well ahead of the line, requested additional companies to assist with horizontal ventilation, and there is nothing in the scenario stating that the truss was showing signs of failure. He states that he did not need to report to the IC after evacuation because one was not needed, but he kept his IC informed of his actions through a radio report.

Regarding the flex rule, mandatory responses are responses that are requirements for a performance to be acceptable (a score of 3). Sometimes, a candidate states many additional responses but does not give a mandatory response. The flex rule was designed to assign a score of 3 to candidates who fail to give a mandatory response but who provide many additional responses. However, a score higher than a 3 cannot be provided in those cases.

Question 1 asked candidates to describe in detail the orders they would give to their crew to carry out their assignment from the Incident Commander (IC). Question 2, indicates that, upon entry to perform a primary search, the candidate notes extremely high temperatures and a lot of smoke, and fire spreading across the ceiling from side C to side A. Candidates were to describe their next action. The description in the scenario indicated that the fire building was in a strip mall of lightweight steel truss construction that was built in 1967. The SMEs determined that the conditions given in question 2 indicated that there was heavy fire in the truss, and therefore, it was likely to fail in less than 5 minutes. Page 360 of *Norman* states that, "If roof ventilation isn't possible due to the danger of collapse, then aggressive interior operations must also cease." An evacuation in the described circumstances was not only necessary, but mandatory, and the appellant did not take this action. Instead, he provides a LUNAR (Location, Unit, Name, Assignment, Additional Resources) report to the IC, stretches a hoseline to his location to reach the truss, stays one truss back and gave constant progress reports to the IC. A review of the video indicates that the appellant also did not report to the IC after an evacuation. The appellant missed the actions noted by the assessor, including a mandatory response, and his score of 3 using the flex rule is correct.

The arriving scenario involved a report of fire on the first and second floor of a row home, where there were people squatting inside when the fire broke out. Question 1 asked candidates to use proper radio protocols to perform an initial

report upon arrival, and question 2 asked for specific actions to take after the initial report.

For the arriving scenario, the assessor noted that the candidate failed to report possible victims inside upon arrival, which was a mandatory response to question 1. The assessor used the “flex” rule to assign a score of 3. On appeal, the appellant states that he was not required to state that there are possible victims in his initial report to dispatch. The appellant cites The Fire Service Reference Booklet Number 9, *Model Fire Department Incident Management Standard Operating Guides*, states what the initial report shall include on the bottom of page 1 under “Responsibilities of Command.” Nowhere does this reference indicate that possible victims should be reported to dispatch. He also argues that if any victims were shown in the diagram he would have indicated in his initial report. He contends that he made reference to possible victims in the building when he conducted a search.

A review of the appellant’s presentation indicates that he did not indicate in his initial report that there were possible victims inside. The appellant relies on Fire Service Reference Booklet Number 9 which provides the responsibilities of command including the contents of the initial report. One of those items is “obvious description of conditions (working fire, nothing showing, etc).” The SMEs determined that the IC should tell dispatch that there were possible victims inside, and this item would be included in obvious description of conditions. This information is also included in *Fire Officer Principles and Practice*, Ward, 3rd edition, on page 134. Ward includes, “Obvious conditions, such as a working fire, multiple victims, a hazardous material spill, or a dangerous situation” in his list of items to inform dispatch. As the scenario indicated that the fire building was abandoned by its owner several years ago and is often used for squatting, and also that the neighbor reports that there were people squatting inside when the fire broke out, the IC would be remiss not to tell dispatch of an obvious condition of possible victims inside. Further, 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 did not give this mandatory response, and his score of 3 using the flex rule is correct.

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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