



STATE OF NEW JERSEY

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

In the Matter of Melvin Rodgers II,
Fire Captain (PM1057V),
Roselle

Examination Appeal

CSC Docket No. 2019-2171

ISSUED: April 22, 2019 (RE)

Melvin Rodgers II appeals his score for the oral portion of the promotional examination for Fire Captain (PM1057V), Roselle. It is noted that the appellant passed the subject examination with a final average of 80.360 and ranks fourth 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 Captain 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 2 for the technical component, a 4 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 5 for the oral communication component. The appellant challenges his scores for the technical components 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 involved a report of smoke and fire at an old theater called The Auditorium, a two-story ordinary structure with a timber truss roof built in 1928. As the commander of the first arriving engine, the candidate was ordered to establish a primary water supply upon arrival and attack the fire. Question 1 asked candidates to describe in detail the orders they would give to their crew to complete this assignment. Question 2 indicated that the candidate and his crew were attacking the seat of the fire when they were hit in the face with a hose stream coming from the opposite direction, and this question asked for actions that should be taken now.

The assessor indicated that the appellant failed to retreat to a safe area, which was a mandatory response to question 2. The assessor also indicated that the appellant missed the opportunity to determine an adequate amount of hose line and, and to ensure that there are no kinks or flake out the hose, both additional

responses to question 1. On appeal, the appellant indicates that he took a defensive position which required him to be out of the building and using master streams.

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." Question 2 indicated that the appellant and his crew were hit in the face with a hose stream coming from the opposite direction. In response to question 1, the appellant indicated that if an offensive attack did not cool the truss he would switch to a defense of attack. Nevertheless, taking a defensive position is a call made by the Incident Commander, not the supervisor of an engine company. By any standard, taking a defensive position is not the same as retreating from a safe area after being hit in the face with a hose stream. One is a method of attack on the fire, and the other is a specific action taken to be safe in the course of duties. The only action of the appellant took in response to question 2 was to radio the engine company to adjust the flow. He missed a mandatory response noted by the assessor, and the other opportunities as well, and his score of 2 for this component is correct.

The arriving scenario involved a report of fire at a barbecue restaurant, one employee is missing, and the hood suppression system has failed. Question 1 asked candidates to use proper radio protocols to perform initial report upon arrival, while question 2 asked for specific actions to be taken after making this initial report.

For the technical component, the assessor noted that the appellant failed to mention one person is missing in his initial report, which was a mandatory response to the first question, and that he failed to check the cockloft for extension, which was a mandatory response to question 2. It was also noted that he missed the opportunity to contact the health department, which was an additional response to question 2. On appeal, the appellant argues that he performed a primary search, cooled the truss, and mentioned that if operational needs were not being met, he would move to a defensive position.

In reply, again, credit cannot be given for information that is implied or assumed. Question 1 asked for the use of proper radio protocols and giving an initial report. The appellant mixed his responses to question 1 with question 2. For example, he did not mention the life safety as a size up factor nor tell dispatch that there was a missing person. Instead, he said, "The tactics used, we will stretch an inch and $\frac{3}{4}$ to the seat of the fire. I want to give my size up, which is going to consist of a one and half story, type two construction with a restaurant. I want my en..., my first arriving engine company to take the hydrant on the A/D corner of the building and stretch an inch and $\frac{3}{4}$ line and also start a primary search as per we do not know the location of the employee earlier." This is not the same as telling dispatch that there is one person missing, and this is not proper radio protocol. That is not a

proper response to question 1, and the appellant cannot be given credit for something he does not state.

As to question 2, it was mandatory that the appellant check the cockloft for extension. The fire started in the kitchen, and the kitchen ceiling is constructed of suspended ceiling tiles. However, the dining area of the restaurant had open ceilings that show the steel bar joists. The appellant stated that, "Ah, also this is a steel bar web truss so you want to make sure that we stretch a 2 inch line to back up the inch and $\frac{3}{4}$ line as they began to try to cool the truss." This response is not specific to the kitchen, and is not the same as checking the cockloft for extension. The appellant missed two mandatory actions, as well as the additional action noted by the assessor, and his score of 2 for this component is correct.

CONCLUSION

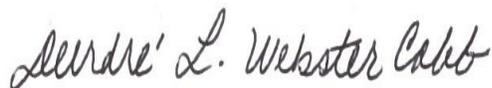
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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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