



STATE OF NEW JERSEY

In the Matter of Steven Adams, Fire
Captain (PM2337C), Newark

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

Examination Appeal

CSC Docket No. 2023-2284

ISSUED: August 14, 2024 (ABR)

Steven Adams appeals his score on the oral portion of the promotional examination for Fire Captain (PM2337C), Newark. It is noted that the appellant passed the examination with a final average of 79.320 and ranks 102nd on the 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, 35.90% of the score was the written multiple-choice portion, 22.04% was the technical score for the evolving exercise, 7.45% was the supervision score for the evolving exercise, 5.71% was the oral communication score for the evolving exercise, 23.20% was the technical score for the arriving exercise, 5.71% 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 Scenario); 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 Scenario). Knowledge of supervision was measured by a question in the Evolving Scenario, and was scored for that scenario. 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. It is noted that candidates were told the following prior to beginning their presentations for each scenario: "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to your score."

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 4 for the technical component, a 2 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 and a 3 for the oral communication component.

The appellant challenges his score for the supervision component of the Evolving Scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenario was reviewed.

The Evolving Scenario involves a fire at a parking garage where the candidate is the First-Level Supervisor of the first arriving unit who will establish command. The supervision component of the Evolving Scenario provides that during overhaul procedures, the candidate notices a firefighter joking around, behaving recklessly, removing his self-contained breathing apparatus (SCBA) prematurely and performing actions sloppily with his attention not fully on the matter at hand. The question asks what actions the candidate should take to handle this both on-scene and back at the firehouse.

The assessor found that the appellant missed a number of opportunities on the supervision component of the Evolving Scenario, including ensuring the rest of the

crew was wearing proper personal protective equipment (PPE), recommending progressive discipline, and monitoring the firefighters' progress. Based upon the foregoing, the assessor awarded the appellant a score of 2. On appeal, the appellant argues, in relevant part, that he addressed the crew wearing full PPE at a specified point during his presentation and maintains that he ensured adequate follow-through on this PCA. Similarly, the appellant maintains that he recommended discipline to the Chief as a follow-up action at a specified point in his presentation.

CONCLUSION

In the instant matter, the appellant has failed to sustain his burden of proof. As noted above, candidates were told the following prior to beginning their presentations for each scenario: "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to your score." Regarding the supervision component PCA of ensuring the rest of the crew was wearing proper PPE, the statement cited by the appellant was made in response to Question 1 from the technical component of the Evolving Scenario, which asked about the specific actions and orders the candidate would take to fully address the vehicle fire presented earlier in the Evolving Scenario, and which was a PCA for the technical component of the Evolving Scenario the appellant received credit for. Ensuring the rest of the crew was wearing proper PPE in response to the personnel safety issue was a separate PCA based upon the events chronicled in the supervision component prompt. The appellant does not contend that he separately ensured the crew was wearing proper PPE after the incident he observed during overhaul procedures and a review of the appellant's presentation fails to demonstrate that he identified this separate PCA. As to the PCA of recommending progressive discipline, it is noted that the appellant stated, in relevant part, that he would "go through a disciplinary process of what's happening," would submit the firefighter's written report regarding the incident "to the chain of command for disciplinary actions," and warned the firefighter that if his conduct did not change he would face discipline. These statements fell short of a specific recommendation to the appellant's supervisor that progressive discipline of the firefighter be implemented, as required under the scoring standard for this PCA. Accordingly, the appellant's score of 2 for the supervision component of the Evolving Scenario is affirmed.

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 14TH DAY OF AUGUST, 2024

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