



STATE OF NEW JERSEY

In the Matter of Maurice Hunter,
Fire Lieutenant (PM2366C),
Irvington

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

Examination Appeal

CSC Docket No. 2023-1716

ISSUED: August 14, 2024 (ABR)

Maurice Hunter appeals his score on the oral portion of the promotional examination for Fire Lieutenant (PM2366C), Irvington. It is noted that the appellant failed the subject examination.

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 Lieutenant 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.

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.

On the Evolving Scenario, the appellant scored a 1 for the technical component, a 4 for the supervision component, and a 4 for the oral communication component. On the Arriving Scenario, the appellant scored a 2 for the technical component and a 4 for the oral communication component.

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

The technical component of the Evolving Scenario involves a fire at a music store. Upon arrival of the candidate's crew, the incident commander reports that the fire was knocked down and orders the candidate's crew to begin salvage and overhaul in the music store as other crews conduct secondary searches. Question 1 then asks what the candidate's initial actions will be and to describe, in detail, how they and their crew will conduct salvage and overhaul operations at this incident. Question 1 further directs candidates to include descriptions of techniques, firefighter safety concerns, and any coordination with other fire personnel. The prompt for Question 2 states that when conducting overhaul operations in the music store, the candidate and their crew discover a severely compromised structural member with the potential for collapse. Question 2 then asks what actions the candidate should take now.

The SME awarded the appellant a score of 1 based upon a determination that he missed a significant number of mandatory PCAs, including, in part, ensuring that all members were donning their SCBAs and on air. On appeal, the appellant presents

that he stated that he would tell all members to dress in full personal protective equipment (PPE) during his Arriving Scenario presentation.

In reply, the appellant's statement from the Arriving Scenario—a separate scenario he addressed after the Evolving Scenario—clearly cannot be utilized to award him credit for the Evolving Scenario PCA at issue. Accordingly, his challenge regarding the PCA at issue is denied and his score of 1 for the technical component of the Evolving Scenario is affirmed.

The supervision component of the Evolving Scenario involves an incident that transpires during salvage operations at a response to fire at a music store. The prompt states that the candidate sees one of their firefighters throwing debris out of a window onto salvaged, undamaged instruments placed outside of the shop. The owner sees this and begins screaming at the firefighter. It then asks the candidate what actions they should take at the scene and after returning to the fire station.

The assessor awarded a candidate a score of 4, based on a finding that the appellant missed multiple PCAs, including, in part, the opportunity to keep his supervisor informed of the investigation progress/outcomes. On appeal, the appellant maintains that he should have received credit for the subject PCA based upon a statement he made during his Evolving Scenario presentation that he would inform his supervisor “face to face or via radio.”

In reply, a review of the appellant's Evolving Scenario presentation fails to demonstrate that he should have been credited with the PCA at issue. The Evolving Scenario statement the appellant points to on appeal relates to informing his supervisor about the collapse of a beam in response to the events outlined in Question 2 from the technical component of that scenario. The supervision component PCA at issue relates to keeping his supervisor informed of the investigation progress/outcomes from the investigation of the subsequent salvage operation events. Accordingly, the appellant has failed to sustain his burden of proof and his score of 4 on the supervision component of the Evolving Scenario is affirmed.

Finally, the appellant requests verification of whether his correct seniority was taken into account with the scoring of his examination.

In reply, *N.J.A.C. 4A:4-2.15(b)* provides that candidates who do not receive a passing score on one part of an examination shall be deemed to have failed the entire examination and those candidates shall not receive credit for seniority. Thus, since the appellant did not pass the examination, his seniority was not credited to his final score.

CONCLUSION

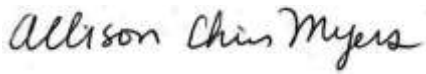
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record and the appellant has failed to meet his burden of proof in this matter.

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 14TH DAY OF AUGUST, 2024



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