



**STATE OF NEW JERSEY**

In the Matter of Ischyros Parfait,  
Fire Captain (PM2337C), Newark

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

CSC Docket No. 2023-2415

Examination Appeal

**ISSUED:** August 14, 2024 (**ABR**)

Ischyros Parfait 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 82.420 and ranks 74<sup>th</sup> 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.

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 2 on the technical component, a 5 on the supervision component, and a 4 on the oral communication component. On the Arriving Scenario, the appellant scored a 3 on the technical component and a 4 on the oral communication component.

The appellant challenges his score for the technical components of the Evolving and Arriving 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 report of a car fire at a six-story parking garage where the candidate is the First-Level Supervisor of the first arriving unit who will establish command and will be the incident commander until Battalion 5 arrives in 15 minutes. The candidate reports to the third floor and finds a sedan with smoke and flames billowing from the vehicle's engine. Question 1 then asks what specific actions and orders the candidate would take to fully address the incident. The prompt for Question 2 presents that Battalion 5 is on-site and has assumed command. It further indicates that after the fire is out and the incident is under control the candidate and their crew are ordered to begin overhaul operations. It then asks what actions and orders the candidate should take to fully address this assignment.

The SME awarded the appellant a score of 2 on the technical component of the Evolving Scenario, finding that the appellant missed a significant number of opportunities, including, in part, failing to identify the vehicle type. On appeal, the

appellant contends that there was no evidence as to the type of motor that powered the vehicle in the scenario.

In reply, the appellant's argument regarding the PCA of identifying the vehicle type is without merit. Here, candidates were not expected to state definitively that the car was, for example, a hybrid vehicle. Rather they were expected to articulate the general need to identify the vehicle type because the type of vehicle would dictate the resources and protocols required to extinguish the fire. In this regard, it is noted that International Association of Fire Chiefs and National Fire Protection, *Fundamentals of Fire Fighter Skills and Hazardous Materials Response* 679 (4<sup>th</sup> ed. 2019) states, in relevant part, that:

Following [a motor vehicle accident] or fire, [alternative-fuel] vehicles present hazards that are not encountered in incidents involving conventional vehicles. It is important for rescuers to recognize the hazards these vehicles pose both to rescuers and to victims and to be familiar with the additional steps needed to mitigate these hazards.

It further states that “[i]t will take more water and a longer period of time to extinguish [electric drive vehicle] fires. Apply water even after the flames are no longer visible; this is necessary to continue to cool the batteries. Batteries can reheat and ignite for a long period of time after the flames are extinguished.” *Ibid.* Thus, it was reasonable to require candidates to identify the need to ascertain the type of vehicle when responding to the incident. Accordingly, the appellant's technical component score of 2 is sustained.

The Arriving Scenario involves an incident where the candidate is a first-level supervisor who will be the highest-ranking officer and incident commander at a gas station fire. Upon arrival, a gas station employee reports that a portable kerosene heater in the gas station's convenience store tipped over and the fire spread quickly. Additionally, another employee is trapped inside. Question 1 directed candidates to perform their initial report to the camera as they would upon arrival at the incident. Question 2 directed candidates to give their initial actions and then describe in detail the specific procedures required to safely remove the victims.

The SME awarded the appellant a score of 3, pursuant to the “flex rule,”<sup>1</sup> based upon a finding that the appellant failed to report upon arrival that smoke and fire were showing in response to Question 1. On appeal, the appellant argues that he should have received credit for the subject PCA based upon his statement at a

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<sup>1</sup> Generally, candidates must identify all mandatory responses to receive, at minimum, a score of 3. However, a score of 3 may also be achieved via the “flex rule,” where a candidate provides many additional responses, but does not give a mandatory response. However, a score higher than a 3 cannot be provided utilizing the flex rule.

specified point during his size-up to dispatch that “[t]his is a working fire, transmit a working fire alarm/assignment.”

In reply, a review of the record demonstrates that the appellant’s review package erroneously indicated that he failed to identify the mandatory response of reporting upon arrival that smoke and fire were showing in response to Question 1. A review of the original scoring sheet completed by the SME and the recording of the appellant’s Arriving Scenario presentation demonstrates that the mandatory response he missed in response to Question 1 was actually advising dispatch that a victim was reported inside, which upon review, is correct. Accordingly, the appellant’s score of 3, pursuant to the flex rule, for the technical component of the Arriving Scenario is affirmed.

### 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 14<sup>TH</sup> DAY OF AUGUST, 2024




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