



STATE OF NEW JERSEY

In the Matter of Joseph Ventura, Fire
Captain (PM2337C), Newark

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

CSC Docket No. 2023-2316

Examination Appeal

ISSUED: August 14, 2024 (ABR)

Joseph Ventura 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 84.700 and ranks 44th 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.

On the Evolving Scenario, the appellant scored a 5 on the technical component, a 5 on the supervision component, and a 5 on the oral communication component. On the Arriving Scenario, the appellant scored a 1 on the technical component and a 5 on the oral communication component.

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

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 1 on the technical component of the Arriving Scenario based upon a finding that the appellant failed to perform several

mandatory actions, including, in part, ensuring the victim was rescued/removed in response to Question 2. In addition, the SME indicated that the appellant missed several additional opportunities. On appeal, the appellant points to a statement he made about conducting a primary search and requesting emergency medical services (EMS) to argue that he should have been credited with the aforementioned mandatory response.¹ In support, he cites statements from John Norman, *Fire Officer's Handbook of Tactics* 268-69 (5th ed. 2019) that a “[p]rimary search is a quick search for live victims before the fire has been brought under control” and a “[s]econdary search is performed after the fire is under control, the secondary search must be extremely thorough to ensure that there is no possibility of a fire victim remaining undiscovered.”

CONCLUSION

In the instant matter, a review of the appellant’s appeal and presentation fails to demonstrate that he should have been credited with the mandatory response of ensuring the victim was rescued/removed. 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.” The appellant received credit for conducting a primary search and for requesting EMS², which were distinct PCAs from the mandatory response at issue. However, the appellant did not specifically indicate that he would ensure the rescue or removal of the victim trapped in the gas station’s convenience store after locating the victim during a primary search. His effort to point to his statements that he would conduct a primary search and “have EMS on scene for treatment, triage and transport of firefighters and civilians” is an effort to claim that his general actions were sufficient to cover the specific action of rescuing/removing a victim. Given the clear mandate of the examination instructions, his argument must fail. Therefore, the appellant’s score of 1 for the technical component of the Arriving Scenario is affirmed.

¹ The appellant labels his appeal as “[a]ppeal for ‘arriving scenario’ ([c]ar fire in parking garage).” However, the scenario with a car fire in a parking garage was the Evolving Scenario and the appellant was awarded the maximum technical component score of 5 for that scenario. The Arriving Scenario, which involved a gas station fire, was the scenario where the assessor indicated that the appellant failed to ensure the victim was rescued and removed. Since the appellant stated during his Arriving Scenario that he would conduct a primary search and he also requested EMS, his appeal is construed as arguing that his statements about performing these actions and the relevant sources he cites in support, demonstrate that he should have been credited with the mandatory response of rescuing and removing the victim in the Arriving Scenario.

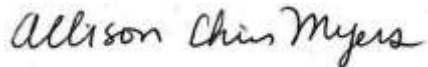
² Specifically, the appellant stated that he would “have EMS on scene for treatment, triage and transport of firefighters and civilians.”

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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