



STATE OF NEW JERSEY

In the Matter of Aaron Cooper, Fire
Captain (PM5018D), Camden

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

CSC Docket No. 2024-1060

Examination Appeal

ISSUED: December 18, 2024 **(ABR)**

Aaron Cooper appeals his score on the oral portion of the promotional examination for Fire Captain (PM5018D), Camden. It is noted that the appellant achieved a passing score of 79.980 and ranks 29th on the subject 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 first-level 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. For a performance to be acceptable, other than for oral communication, a candidate needed to present the mandatory courses of action for that scenario. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process. Scores were then converted to standardized scores.

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. 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."

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

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

The Evolving Scenario involved a reported fire at a two-family wood-frame residence where the candidate is the first-level supervisor of Engine 2 and that upon the candidate's arrival, Battalion 2 is establishing command. Question 1 asks the candidate, as the supervisor of Engine 2, what orders they will give their crew to complete their orders from the incident commander (IC). Question 2 states that Firefighters Franco and Phillips are conducting fire suppression operations and that Firefighter Phillips slips down the stairs and his improperly secured helmet is dislodged. He proceeds to hit his head hard and is unresponsive. Question 2 then asks what actions the candidate should take or ensure are taken.

The SME awarded the appellant a score of 3 on the technical component of the Evolving Scenario based upon a finding that the appellant missed a number of opportunities, including, in part, having the crew operate in teams of two and instructing the crew to stay low as they advanced. On appeal, the appellant presents that because the ladder company was delayed, the situation was not optimal for there to be teams of two or less during the initial phase of the response. He notes that he stated during his response that he would have members of the first due engine company complete specific tasks that would normally be completed in coordination with the ladder company. In support, he cites sources discussing situations where crew members may function as teams of two or more officers. As to the PCA of instructing crew members to stay low as they advanced, the appellant contends that since the scenario did not place the fire directly at the front door, with the flames being relatively distant and the standard hoseline operations described by sources in the suggested reading list, he and his crew were not in immediate danger and it was unnecessary to stay low. He cites several passages from International Association of Fire Chiefs and National Fire Protection, *Fundamentals of Fire Fighter Skills and Hazardous Materials Response* (4th ed. 2019) and John Norman, *Fire Officer's Handbook of Tactics* (5th ed. 2019) in support.

In reply, concerning the PCA of having the crew operate in teams of two, even assuming, *arguendo*, that it was reasonable to operate in larger-sized teams, it was still necessary for the appellant to indicate that he was doing so or otherwise acting to ensure that no crew member was operating alone. The appellant gave no indication that he was doing so. As such, his arguments regarding this PCA are without merit and must be rejected. With respect to the PCA of telling the crew to stay low as they advanced, the Division of Test Development, Analytics and Administration (TDAA) proffers that firefighters and trapped civilians are instructed to stay low to the ground because it will keep them away from the heat and toxins rising as combustion occurs. The Civil Service Commission agrees with this assessment. Accordingly, based upon the foregoing, the appellant has failed to sustain his burden of proof and his score of 3 for the technical component is affirmed.

The supervision component of the Evolving Scenario indicates that the candidate is dispatched to the same residence again later in the same shift. The building has rekindled and the candidate is tasked with extinguishing the fire. Afterward, it was discovered that the rekindling was due to improper overhaul by the candidate's crew members. The prompt then asks what specific actions the candidate should take.

On the supervision component of the Evolving Scenario, the assessor awarded the appellant a score of 4, based upon a finding that the appellant failed to identify several PCAs, including, in part, the opportunity to review applicable standard operating procedures/standard operating guidelines (SOPs/SOGs). On appeal, the

appellant submits that during his response, he mentioned meeting with his team members, developing an action plan, conducting training and informing the Fire Chief about the actions he took. He proffers that *Fundamentals of Fire Fighter Skills and Hazardous Materials Response*, *supra*, states that training is the most important way to ensure that members apply actions in real life situations.

In reply, the appellant's identification of other relevant actions is immaterial to the question of whether he identified the specific PCA of reviewing SOPs/SOGs. 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 does not appear to dispute that he specifically failed to identify the PCA of reviewing SOPs/SOGs and a review of his presentation confirms that he did not address this PCA during his presentation. Accordingly, his appeal of his Evolving Scenario supervision component is without merit and his score of 4 is affirmed.

The Arriving Scenario involved a response to reported fire in the area of a baseball field in a nearby park. The candidate is the first-level fire supervisor of Engine 3 and will be the incident commander throughout the event. Engine 1 and Ladder 3 are arriving with the candidate, but Battalion 2 is delayed. Upon arrival, the candidate sees a row of bicycles parked in a bicycle rack. The bikes all have an electric motor, and two of the batteries are actively burning. Question 1 asked candidates to deliver their initial report to the camera as they would upon arrival at this incident, with a direction to use proper radio protocols. Question 2 asked candidates for their actions, orders and requests to bring this incident under control.

The SME awarded the appellant a score of 4, based upon a finding that he failed to identify several PCAs, including, in part, the opportunity to position the fire apparatus in a manner that would protect firefighters and bystanders. On appeal, the appellant recaps the actions he mentioned during his response, including, in part, appointing an accountability officer and a rapid intervention crew (RIC) for safety.

In reply, the appellant's identification of other relevant actions during his Arriving Scenario presentation is immaterial to the question of whether he identified the specific PCA of positioning the apparatus in a manner that would protect firefighters and bystanders. 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 does not appear to dispute that he specifically failed to identify the PCA of positioning the fire apparatus to protect the safety of firefighters and bystanders and a review of his presentation confirms that he did not address this PCA during his presentation. Accordingly, his appeal of his Arriving Scenario technical component is without merit and his score of 4 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 18TH DAY OF DECEMBER, 2024



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Aaron Cooper
Division of Administrative and Employee Services
Division of Test Development, Analytics and Administration
Records Center