



STATE OF NEW JERSEY

In the Matter of Joseph Kelly, Fire
Officer 1 (PM2389C), Jersey City

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

CSC Docket No. 2023-2476

Examination Appeal

ISSUED: July 24, 2024 (ABR)

Joseph Kelly appeals his score on the oral portion of the promotional examination for Fire Officer 1 (PM2389C), Jersey City. It is noted that the appellant passed the examination with a final average of 88.470 and ranks 38th 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 Officer 1 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 5 for the technical component, a 4 for the supervision component, and a 5 for the oral communication component. On the Arriving Scenario, the appellant scored a 2 for the technical component and a 5 for 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 technical component of the Arriving Scenario involved a report of a fire in a storage unit in a storage facility where the candidate will be the incident commander throughout the incident and will establish command. The candidate is the First-Level Supervisor of the first arriving unit, Ladder 3. Engine 2 arrives with the candidate, but a second engine, Engine 6, is delayed by 10 minutes. The prompt further indicates that residual ice and snow remain from a recent snowstorm. The question asks what the candidate's concerns are when sizing up this incident and what specific actions the candidate should take to fully address this incident.

On the technical component of the Arriving Scenario, the SME awarded the appellant a score of 2 based upon findings that the appellant failed to identify the mandatory responses of securing a water supply and ordering hoselines to protect exposures. In addition, the SME found that the appellant missed a number of additional responses, including, in part, the opportunity to order back-up hoselines.

On appeal, the appellant argues that he should have received credit for all of the PCAs at issue.

CONCLUSION

In the instant matter, upon review of the appellant's appeal, the Division of Test Development, Analytics and Administration (TDAA) has determined that the appellant should have received credit for the mandatory response of ordering hoselines stretched to protect exposures and the additional PCA of ordering a back-up hoseline stretched. However, TDAA maintains that the appellant was properly denied credit for the mandatory response of securing a water supply. In this regard, TDAA presents that although the appellant accounted for a water supply by stating that he would have his chauffer go through the front grass and take the hydrant that was out in the street, such a strategy would be inappropriate for several reasons. First, because the prompt indicated that the appellant was the First-Level Fire Supervisor of a ladder truck, when the appellant stated that he would send his chauffer for the water supply, this meant he was sending a ladder truck. However, this would be incorrect, as an engine would be the apparatus that the candidate should send to the hydrant for a water supply. Further, even assuming, *arguendo*, that the appellant were to send the first engine on scene, Engine 2, to lay a hoseline in the manner he described, it would be highly problematic with Engine 6, the second due engine, delayed by 10 minutes. The best tactic for establishing a water supply under the circumstances would be the use of a forward lay, where the hoseline would be laid from the water source to the fire. What the appellant describes would be a reverse lay. This would have Engine 2 begin laying the supply line from the incident scene and bring it back to the water source. Doing so would be imprudent, as it would take Engine 2 outside of the storage complex at a time where it would be needed to stretch the necessary hoselines for extinguishment operations. Having Engine 2 move back outside of the complex to perform a reverse lay would make it difficult to stretch attack lines because of the distance between the hydrant and the involved storage unit, and it would move Engine 2 out of range for preconnected hoselines. Moreover, having Engine 2 drive on the grass to get to the hydrant could be perilous,¹ as the prompt stated that the ground has residual ice and snow from a recent snowstorm, meaning that it could be difficult to get traction, especially if it has softened from melting snow and ice. The Civil Service Commission (Commission) agrees with TDAA's assessment on appeal. Critically, the Commission observes that even with the additional credit awarded for the above-noted mandatory and additional responses, the appellant's score of 2 for the technical component of the arriving scenario remains unchanged.

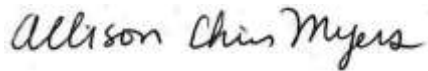
¹ Further, one of the test booklet diagrams shows there is a fence on Side "A" that separates the inner storage complex access road from the grass and the street running adjacent to the storage facility. Thus, it appears that fencing would have to be removed before Engine 2 could attempt to traverse the strip of grass noted by the appellant.

ORDER

Therefore, it is ordered that the appellant's score for the technical component of the Arriving Scenario remain unchanged at 2, but that any appropriate agency records be revised to reflect the above-noted changes to the PCAs awarded to the appellant on the subject examination.

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 24TH DAY OF JULY, 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: Joseph Kelly
Division of Administrative and Employee Services
Division of Test Development, Analytics and Administration
Records Center