



**STATE OF NEW JERSEY**

In the Matter of Javier Rivera, Fire  
Officer 1 (PM2389C), Jersey City

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

CSC Docket No. 2023-2345

Examination Appeal

**ISSUED: July 24, 2024 (ABR)**

Javier Rivera 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 84.240 and ranks 85<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 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 4 for the technical component, a 2 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 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, the First-Level Supervisor of the first arriving unit, Ladder 3, will be the incident commander throughout the incident and will establish command. The prompt further indicates that one engine will arrive with Ladder 3, while a second engine, Engine 6, will be delayed by 10 minutes. 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 ordering a hoseline stretched to extinguish the fire in the involved unit and ordering a hoseline stretched to protect the exposures, along with a number of additional opportunities. On appeal, the appellant argues that he covered

the mandatory response by ordering Engine 6 to stretch a hoseline and locate, confine and extinguish all fire at two specified points during his presentation.

### CONCLUSION


In the instant matter, a review of the appellant's presentation fails to demonstrate that he should have been credited with the subject mandatory response. In this regard, the Commission observes that the appellant ordered Engine 6 to perform the aforementioned actions, but the prompt for the scenario indicated that Engine 6 would be delayed by 10 minutes. As such, it would be inappropriate to order Engine 6 to perform these actions, rather than one of the units on scene. Accordingly, the appellant's score of 2 for the technical component of the Arriving Scenario is affirmed.

### 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 24<sup>TH</sup> DAY OF JULY, 2024




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