



STATE OF NEW JERSEY

In the Matter of Michael Somma,
Fire Officer 1 (PM2389C), Jersey City

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

CSC Docket No. 2023-2419

Examination Appeal

ISSUED: July 24, 2024 (ABR)

Michael Somma 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 87.540 and ranks 45th 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 3 for the technical component, a 5 for the supervision component, and a 4 for the oral communication component. On the Arriving Scenario, the appellant scored a 3 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 will be the incident commander throughout the incident and will establish command. 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 3, pursuant to the "flex rule,"¹ based upon findings that the appellant failed to perform the mandatory response of ordering forcible entry on Side "A" to gain entry to the involved unit and missed a number of additional

¹ 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.

opportunities, including the opportunity to give a progress report to dispatch. On appeal, the appellant argues that he addressed the mandatory response at issue by addressing the rolldown gate and unit on fire, and by ordering the crew from his truck company to the front of the building with proper equipment for them to open the rolldown gate. Additionally, the appellant maintains that he stated during his presentation that all other units would need to be opened for search, access, ventilation, checking for extension and fire attack.

CONCLUSION

In the instant matter, upon review of the appellant's appeal, the Division of Test Development, Analytics and Administration has determined that the appellant should have received credit for the mandatory response of ordering forcible entry on Side "A" to gain entry to the involved unit. The Civil Service Commission agrees with this determination. However, a review of the appellant's presentation also reveals that the appellant should not have been credited with the additional response of establishing a command post. In this regard, while the appellant established command, he did not address the distinct action of establishing a command post. As such, the credit awarded to the appellant for establishing a command post shall be reversed. Based upon these changes to the PCAs credited to the appellant, his score for the technical component of the Arriving Scenario shall be raised from 3 to 4.

ORDER

Therefore, it is ordered that this appeal be granted in part and that the appellant's score for the technical component of the Arriving Scenario be raised from 3 to 4. It is further ordered that this scoring change be given retroactive effect.

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: Michael Somma
Division of Administrative and Employee Services
Division of Test Development, Analytics and Administration
Division of Human Resource Information Services
Records Center