



STATE OF NEW JERSEY

In the Matter of Dairen Torres III,
Fire Officer 1 (PM2389C), Jersey City

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

CSC Docket No. 2023-2371

Examination Appeal

ISSUED: July 24, 2024 (ABR)

Dairen Torres III 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 75.720 and ranks 138th 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 3 for the supervision component, and a 4 for the oral communication component. On the Arriving Scenario, the appellant scored a 1 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 1, based upon findings that the appellant failed to perform a number of mandatory and additional responses, including ordering a hoseline stretched to extinguish the fire in the involved unit; ordering forcible entry on Side "A" to gain entry into Unit 209; transmitting an initial report to dispatch; and ordering hoselines stretched to protect exposures. On appeal, the appellant argues that he covered ordering a hoseline stretched to extinguish the fire in the involved unit by stating that he would stretch a 2.5 inch hoseline for reach and penetration to

locate, confine, and extinguish the fire. The appellant avers that he addressed ordering forcible entry by ordering his ladder company to bring forcible entry tools as part of their ladder operations. He further submits that he covered stretching hoselines to protect exposures by stating that he would have his engine company locate, confine and extinguish the fire at the source and knock down hidden hot spots and exposures. Finally, he maintains that contrary to the SME's finding, he stated during his presentation that he was terminating the incident.

CONCLUSION

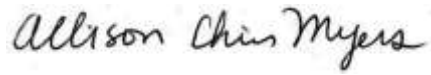
In the instant matter, upon review of the appellant's appeal, the Division of Test Development, Analytics and Administration (TDAA), has determined that the appellant made a series of statements which demonstrate that he should have been awarded credit for the ordering a hoseline stretched to extinguish the fire in the involved unit. The Civil Service Commission (Commission) agrees with this determination. However, the record fails to demonstrate that he has sustained his burden of proof with respect to the remaining test items that are the subject of this appeal. In this regard, while the appellant mentioned forcible entry tools among the items he would have his crew take, that did not equate to an order to use those tools to force entry into the involved unit at the scene. As such, he was properly denied credit for that PCA. As far as ordering hoselines stretched to protect exposures, the appellant's statements failed to specifically establish that he was ordering hoselines stretched for that purpose. Therefore, the Commission finds that he has failed to satisfy his burden of proof with respect to that issue. Finally, the appellant's contention that he should have received credit for ordering the incident to be terminated is misplaced, as the PCA noted by the assessor was to transmit an initial report to dispatch and a review of his presentation fails to demonstrate that he did so. Based upon the foregoing, even with the award of additional credit for ordering a hoseline stretched to extinguish the fire in the involved unit, the appellant's score of 1 for the technical component of the Arriving Scenario shall remain unchanged.

ORDER

Therefore, it is ordered that the appellant's oral technical component score for the Arriving Scenario on the subject examination remain unchanged at 1, but that any appropriate agency records be revised to reflect the appellant's identification of the above-noted test item.

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: Dairen Torres III
 Division of Administrative and Employee Services
 Division of Test Development, Analytics and Administration
 Records Center