



STATE OF NEW JERSEY

In the Matter of Shaun Magill, Fire
Lieutenant (PM2384C), Ventnor City

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

CSC Docket No. 2023-2389

Examination Appeal

ISSUED: September 25, 2024 (ABR)

Shaun Magill appeals his score on the oral portion of the promotional examination for Fire Lieutenant (PM2384C), Ventnor City. It is noted that the appellant passed the subject examination with a score of 84.000 and ranks fifth 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 Fire Lieutenant 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. 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."

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 2 on the technical component, a 5 on the supervision component, and a 5 on the oral communication component. For the Arriving Scenario, the appellant scored a 5 on the technical component and a 5 on the oral communication component.

The appellant challenges his score for the technical component of the Evolving Scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenario were reviewed.

The Evolving Scenario involved the response to a two-car motor vehicle accident in which the candidate, the first-level supervisor of Ladder 5, will be the incident commander and will establish command. The prompt advises that Engines 2 and 3 are delayed and will arrive in 10 minutes. Upon arrival, the driver of a crossover SUV that hit a sedan head-on is seen sitting on the ground by his vehicle, appearing dazed and having a large gash on his forehead. The sedan driver is still in her vehicle and appears to be unresponsive and entrapped. A dog is barking loudly in the backseat of the sedan. Question 1 asks what specific actions the candidate would take to address this incident. The prompt for Question 2 provides that a small pickup truck flying down the shoulder of the roadway slams into the back of parked Engine 3. The front end of the pickup truck has been smashed and Engine 3 skids forward a

few inches. The driver stumbles out of the cab of the pickup truck, looking bewildered. Question 2 then asks what actions the candidate would take to address this development.

The SME awarded the appellant a score of 2 on the technical component of the Evolving Scenario, based upon a finding that the appellant failed to identify the mandatory response of ordering a charged hoseline to be stretched as a precaution/fire extinguisher in response to Question 1 and missed a number of opportunities, including, in part, opportunities to call for an additional alarm and establish a working area. On appeal, the appellant states that with the mandatory response of ordering a charged hoseline to be stretched as a precaution/fire extinguisher, he believed that because the first page of the Evolving Scenario test booklet listed “drops and advances hose lines to begin fire attack” as one of the first arriving engine unit functions and he mentioned in his initial radio report that it would be an offensive attack with rescue operations, he genuinely believed that the hoseline would be advanced based on this standard for all scenarios. He also notes that he called for a safety officer to prioritize safety in the event that a company did not take a precautionary measure such as the mandatory response at issue. With regard to the opportunity to establish a working area, the appellant avers that he established a working area by having police control the traffic and bring it to a halt on both sides of the roadway, placing the fire apparatus in a blocking position, performing a 360-degree size-up and setting up a command post.

CONCLUSION

In the instant matter, the appellant has failed to sustain his burden of proof. 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.” Further, Question 1 explicitly asked “[w]hat specific actions do you take to address this incident?” Here, the appellant’s reliance on the general instruction about the role of each unit cannot be said to reasonably excuse the need to identify the specific action of ordering a charged hoseline to be stretched as a precaution/fire extinguisher during his presentation. Similarly, with regard to the PCA of establishing a working area, many of the actions cited by the appellant were distinct PCAs for the subject scenario and actions for which the appellant received credit and are not a substitute for specifically establishing a working area.

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 25TH DAY OF SEPTEMBER, 2024

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