



STATE OF NEW JERSEY

In the Matter of Matthew Okpych,
Fire Captain (PM2325C), Elizabeth

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

CSC Docket No. 2023-2271

Examination Appeal

ISSUED: September 25, 2024 (ABR)

Matthew Okpych appeals his score on the oral portion of the promotional examination for Fire Captain (PM2325C), Elizabeth. It is noted that the appellant passed the subject examination with a score of 82.680 and ranks 33rd 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 Captain 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. On the Arriving Scenario, the appellant scored a 2 on the technical component and a 5 on the oral communication component.

The appellant challenges his scores 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 Arriving Scenario involves a fire in a small wooded area in a residential neighborhood in which the candidate is a first-level fire supervisor who will serve as the incident commander. Question 1 asks the candidate to deliver their initial report to the camera as they would upon arrival at this incident, using proper radio protocols. Question 2 asks the candidate what their initial actions should be.

The SME awarded the appellant a score of 2 for the technical component of the Arriving Scenario, based upon a finding that the appellant missed multiple mandatory responses, including, in part, failing to address the fire impinging on residential homes in response to Question 1. On appeal, the appellant argues that four of his statements during his presentation addressed the mandatory response at

issue. Specifically, he points to his discussion of how the fire was wind driven and can move quickly to unburned areas like residential houses; his ordering the ladder company to evacuate the residential homes; his directing an engine company to use the deck gun and soak down unburned areas to slow and confine fire spread; and his allowing residents to return to their homes after the fire was brought under control and the incident was de-escalated.

CONCLUSION

In the instant matter, the appellant has failed to sustain his burden of proof. A review of the appellant's presentation fails to demonstrate that he should have been credited with the mandatory response at issue. To receive credit for the Question 1 mandatory response at issue, he needed to indicate during his initial report that fire was impinging on residential homes. The appellant did not do so. While the appellant is correct that he requested that homes in the path of the fire be evacuated, it is noted that this was a distinct mandatory response to Question 2, for which he received credit. The remaining statements cited by the appellant were insufficient to award the appellant credit for the mandatory response at issue. 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." These other statements presented by the appellant were too general to award him credit for advising that fire was impinging on residential homes during his initial report.

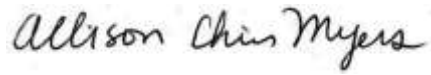
Moreover, a review of the appellant's presentation on appeal demonstrates that he was erroneously credited with the Question 1 additional responses of mentioning that there is visible fire with heavy smoke and fire within a wooden area. As such, his credit for these additional responses must be stricken. However, the foregoing will not alter his score of 2 on the technical component of the Arriving Scenario.

ORDER

Therefore, it is ordered that this appeal be denied and that appropriate agency records be revised to reflect the above-noted credit changes for the technical component of the Arriving Scenario, but that the appellant's overall score for this component remain unchanged at 2.

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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