



STATE OF NEW JERSEY

In the Matter of Nicholas Czander,
Fire Captain (PM5027D), Harrison

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

CSC Docket No. 2024-1075

Examination Appeal

ISSUED: February 5, 2025 (ABR)

Nicholas Czander appeals his score on the oral portion of the promotional examination for Fire Captain (PM5027D), Harrison. It is noted that the appellant achieved a passing score of 81.960 and ranks 10th 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 first-level 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. For a performance to be acceptable, other than for oral communication, a candidate needed to present the mandatory courses of action for that scenario. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process. Scores were then converted to standardized scores.

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. 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."

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 5 on the technical component and a 4 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 involves the response to a fire reported at a two-family, wood-frame structure with a wooden truss roof where the candidate is the first-level fire supervisor of Engine 2 and Battalion 2 is establishing command. The incident commander (IC) orders the candidate to stretch a line and begin fireground operations. Question 1 asks the candidate, as the supervisor of Engine 2, to describe in detail what orders they will give their crew to complete their orders from the IC. Question 2 states that while Firefighters Franco and Phillips are conducting fire suppression operations, Firefighter Phillips slips down the stairs and his improperly secured helmet is dislodged. He proceeds to hit his head hard and is unresponsive. Question 2 then asks what actions the candidate should take or ensure are taken.

The SMEs awarded the appellant a score of 2 on the technical component of the Evolving Scenario, based upon a finding that he failed to identify multiple mandatory and additional responses, including, in part, failing to give a LUNAR report. On appeal, the appellant avers that while he did not use the LUNAR acronym, he identified the Location, Unit, Name, Air Supply and Resources needed at a specified point during his response and followed it up with a “who, what, where,” which is an acceptable alternative to LUNAR utilized by some departments because of its less complex nature.

In reply, it is noted that the relevant statement from the appellant was to "see what resources . . . uh . . . who, what and where, and what they need inside of the building." *N.J.A.C. 5:75-2.6(g)*³ specifically indicates that a “person making an ‘emergency traffic’ or ‘mayday’ call shall respond to the incident commander by repeating ‘emergency traffic’ or ‘mayday’, shall identify themselves, their unit and assignment, shall report the nature of the situation including resources needed and shall give their location **(LUNAR-location, unit, name or number, assignment and resources needed)**” (emphasis added). The appellant’s statement failed to specifically request components of the LUNAR, particularly unit and assignment. Therefore, he was appropriately denied credit for this PCA. However, upon review of the appellant’s presentation, the Division of Test Development, Analytics and Administration (TDAA) has determined that the appellant should have been credited with the additional response of providing basic first aid as needed, based upon a statement that he would have Firefighter Phillips seek emergency medical services (EMS) care for treatment and transportation. Nevertheless, TDAA advises that even with this additional credit, the appellant’s rating of 2 on the technical component of the Evolving Scenario would remain unchanged. The Civil Service Commission agrees with TDAA’s assessment.

CONCLUSION

A thorough review of the appellant’s submissions and the test materials indicates that the decision below is amply supported by the record and, except as indicated above, the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be granted in part and that appropriate agency records be revised to reflect the above-noted adjustment to the appellant’s scoring records for the technical component of the Evolving 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 5TH DAY OF FEBRUARY, 2025

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