

SEPTEMBER 17, 2018

TO: CIVIL SERVICE COMMISSION/EQUAL EMPLOYMENT COMMISSION

FROM: KEVEN P. STAR, DIRECTOR OF HUMAN RESOURCES

SUBJECT: **NOTICE OF CHIEF EXAMINER'S DECISION IN THE MATTER OF THE APPEAL OF MATTHEW SHORT OF THE PROMOTIONAL EXAMINATION FOR THE POSITION OF FIRE FIGHTER ENGINEER IN ACCORDANCE WITH RULE VI, SECTION 12 (e)(3) OF THE CIVIL SERVICE RULES AND REGULATIONS FOR POLICE AND FIRE EMPLOYEES**

Background

The recruitment for the promotional examination of Fire Fighter Engineer opened on March 8, 2018, and closed on Friday, April 6, 2018. The Chief Examiner received a total of 15 applications. The recruitment flier contained instructions for all candidates to obtain a USB flash drive from the Human Resources Department comprised of study materials that assist candidates in preparing for the examination. The examination process consisted of two portions, a written examination conducted on Wednesday, April 25, 2018, and a manipulative assessment, conducted on Tuesday, July 17, 2018.

Discussion

This report is in response to the Appeal of a Non-Written Exam Component for the promotional examination for Fire Fighter Engineer, which Fire Fighter (FF) Matthew Short filed with the Chief Examiner on July 26, 2018. The basis of FF Short's appeal is alleged equipment malfunction that may have caused him to go over the allotted time.

In order to gather all the relevant information and conduct a complete review of the circumstances, Human Resources staff contacted the consultant, Ken Hargis & Associates. Mr. Hargis prepared the exam and reviewed the notes from the raters that evaluated the exercise that FF Short alleges there was an equipment malfunction (Attachment A). After a review of the information, it is determined that FF Short did, in fact, fail the examination. He completed the Large Water Flow Drill exercise in more than 30 seconds over the allotted time of 6 minutes and 10 seconds, which constitutes a fail.

FF Short alleges that two factors contributed to him going over the allotted time in the Large Water Flow Drill exercise.

The first factor that FF Short contributes to him going over the allotted time is that after connecting his 2 ½ inch attack line to the pump panel discharge, he noticed that neither of the 2 ½ discharges on the pump panel was labeled. FF Short stated that he did not want to risk charging the incorrect discharge and therefore spent extra time disconnecting

the attack line and connecting it to a new discharge. According to FF Short, having to do this caused him valuable time during the exercise.

After review of the notes from both the consultant who prepared the exam and raters who assessed all the candidates that participated, it was determined that FF Short's connecting and reconnecting of the of the attack line during the exercise is the result of his own unfamiliarity with the apparatus. It is the candidate's responsibility to have a working knowledge of the operational characteristics of any of the Fire Department's apparatuses.

The second factor that FF Short attributes to him going over the allotted time is that while performing the Large Water Flow Drill exercise, he noticed that the passenger side discharge gauge was moving back and forth, with plus or minus 10-15 psi and that gauge would not maintain a constant pressure. FF Short said that he attempted to correct this problem by shutting the line down and re-charging it, in hopes that this would cause the gauge to correct itself. He alleges that re-performing this part of the exercise cost him valuable time.

After a review of both the consultant and rater notes, it was determined that there was no gauge malfunction. During the entire testing process, there was no indication that there was any malfunction or problem with the gauges. Seven (7) other candidates successfully completed the exercise within the allotted time and did not report any problems with any of the gauges. Furthermore, the raters that evaluated this exercise provided the following comments in FF Short's score sheet for the exercise:

"Automatic failure due to time, .49 seconds over 6.10. Candidate seemed confused. Had to confirm where he connected ground monitor to discharge. Hooked up 2 ½ to side discharge and couldn't figure out how to open valve – then charged to rear discharge. Ran into problems when he was trying to adjust ground monitor pressure. He was gating down discharge and running up throttle – almost lost water. Finally opened up discharge and got pressure up but ran over time."

It is important to note that all candidates are given ample opportunities to practice all the exercises that are part of the Fire Fighter Engineer task book and must be completed and signed off before participation in the Fire Fighter Engineer manipulative exam.

Authority

Rule VI, Section 12 (c) of the Civil Service Rules for Police and Fire Employees states that:

(c) Right of appeal. Any applicant for a promotional examination in the Classified Service shall have a right to appeal to the Chief Examiner any non-written portion of a promotional examination upon showing of a significant irregularity in the examination process; discrimination, as defined under federal or state law; or a violation of these rules that adversely affected the examination process.

Furthermore, Rule VI, Section 12 (e)(1) of the Civil Service Rules for Police and Fire Employee states:

Time and Place of Filing. Appeals shall be filed in writing with the Human Resources Department within ten (10) City work days of the administration of the examination component giving rise to the appeal. However, an applicant, or candidate must bring to the attention of the designated Human Resources representative present at the examination site any alleged irregularity in the examination process that significantly interferes with the applicant's or candidate's performance by 5:00 p.m. of the following City work day. Such irregularities include, but are not limited to, an alleged equipment malfunction or ambiguous test instructions. No appeals shall be accepted unless filed in accordance with this section.

Recommendation

It is the recommendation of the Chief Examiner to deny the appeal of FF Short. After a thorough review of all relevant information, it is determined that FF Short ran over the allotted time in the Large Water Flow Drill exercise because of his unfamiliarity of the apparatus and lack of operational and mechanical knowledge of the rig used in the examination. No equipment malfunction caused him to go over the allotted time during this exercise.

FF Short went over the allotted time for this exercise due to his own performance. It is the recommendation of the Chief Examiner to deny his appeal.



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Attachment A – Response to appeal by exam consultant Ken Hargis & Associates