

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT

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B E F O R E: JOSEPH C. BORELLI  
Chairperson

COUNCIL MEMBERS: Alicka Ampry-Samuel  
Justin L. Brannan  
Fernando Cabrera  
Alan N. Maisel

## A P P E A R A N C E S (CONTINUED)

Daniel A. Nigro, Commissioner  
New York City Fire Department

Laura Kavanaugh, First Deputy Commissioner  
New York City Fire Department

Cecilia Loving, Deputy Commissioner  
Chief Diversity and Inclusion Officer  
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Nafeesah Noonan, Assistant Commissioner  
Bureau of Recruitment and Retention  
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Don Wynn, Assistant Commissioner  
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Owen Borianano, Local 2507 FDNY

Yetta Kurland, Kurland Group  
Representing Local 2507 & Local 3621  
EMS officers and FDNY Members Appearing for:  
Vincent Variale, President, Local 3621

Michael Greco, Vice President, Local 2507

Regina Wilson, President, Vulcan Society  
Also Appearing for: Sarinya Srisakul, President  
United Women's Firefighters

Paul Washington, Past President  
Vulcan Society and Captain, NYC Fire Department

Kristen Rouse, New York City Veteran's Alliance

Dr. Barron Fortune (sic)

Josefina Sanfenliu, Latinas Against FDNY Cuts

[sound check, pause] [background  
comments, pause] [gavel]

CHAIRPERSON BORELLI: Good morning  
everyone. Thank you for coming to my first hearing.  
I am Council Member Joe Borelli, and I am the new  
reformed chair of the Committee on Fire and Emergency  
Management. I would like to start by thanking all of  
you who are here today to discuss the very important  
topic of diversity in the New York City Fire  
Department. This is the first hearing of this  
committee. So, I would like to take few moments to  
introduce our committee members and give a brief  
description the committee's purview. Right now, we  
have joining Council Member Cabrera, Council Member  
Diaz, and Council Member King as well as Council  
Member Maisel, and Council Member Brannan. I also  
want to thank our committee staff Brian Crowe,  
William Hognatch (sp?), Josh Kingsley, Jen Lee Isa  
Wright and my Chief of Staff Frank Macchia. The  
committee oversees the FDNY and the City's Emergency  
Medical Services, which is principally responsible  
for firefighting as well as First Responder Medical  
Services. While the Fire Commissioner administers  
the Fire Department the Chief of the Department

commands the Uniform Services, which consists of more than 11,000 firefighters. FDNY and EMS is staffed by approximately 4,400 emergency personnel also known as EMTs, paramedics and supervisors who are assigned to 37 EMS stations citywide. FDNY EMS happens to be the largest municipal emergency service system in the United States. The committee also oversees the Office of Emergency Management. OEM is a charter agency tasked with coordinating the city's multi-agency response to all emergency conditions and potential incidents, which affect public health and safety, such as severe weather, threats from natural hazards and natural disaster, power and other service outages, hazards and substance discharges, building collapses, aviation disasters, acts of terrorism. In addition to coordinating multi-agency response, OEM is responsible for planning and emergency preparation including educating the public about preparedness, and collecting and disseminating critical information to key stakeholders and the public during emergencies. This committee has a broad purview, and it is my intention to routinely focus on all of the subject matter we oversee, and I look forward to working with all of you in doing so. Regarding the

subject of today's meeting, we are here to discuss diversity in the FDNY. During last session the former Committee on Fire and Criminal Justice Services addressed this issue through several oversight and budget hearings. The FDNY has since made a series of improvements to its hiring process from addressing deficiencies in its FST exam, bolstering female and minority recruitment efforts. Additionally, to help create a more diverse culture from the top down. The department promoted two women to their executive team. I applaud the department's efforts in addressing the underrepresentation in the FDNY of minorities and women. That being said, the number the women and minority firefighters remains extremely low relative to the other firefighting agencies across the city. For example, the current number of FDNY female fighters--firefighters is 68, which is approximately .6% of the 11,000+ city firefighters. I believe that we can all agree that this is unacceptable. It is my hope that with today's hearing, we can continue this important conversation and keep working on a solution to better provide a better road for minorities and women to become one of New York City's greatest. Are you

speaking? I'd like to call upon our distinguished speaker to also offer some opening remarks.

SPEAKER JOHNSON: Thank you, Chair Borelli. Good morning everyone. Good to see, Commissioner. Congratulations First Deputy Commissioner. Great to see you. Good morning. I want to thank you all for being here today to discuss the important issues facing the FDNY and its lack of diversity amongst firefighters. I want to thank Chair Borelli and members of the New Fire and Emergency Management Committee for organizing and holding this important hearing. The FDNY is made up of highly skilled women and men willing to risk their lives on a daily basis to protect us, and we as a city are very thankful for their service. This Council, Chair Borelli, and the Committee members are committed to working with the Fire Department to enhance public safety, and the safety of members of the FDNY. However, even in the great-greatest Fire Department, it can improve, and we as the committee are working with the department to make those improvements especially in the area of diversity. The historic lack of diversity in the FDNY has been a serious problem as you all know, and the issues facing the

department that we're going to discuss today are not new. For decades the department routinely discriminated against women and minorities, and only truly began integrating these communities into their workforce when they were forced to by court orders after losing numerous lawsuits filed on behalf of women, and minority groups. The result of this historical discrimination is evident today.

According to DCAS, the FDNY has the second lowest percentage of women employees of any city agency at only 10% and the number was much lower, as you heard from Chair Borelli as it related to firefighters.

The department lags behind only the Department of Sanitation with its 9% female workforce as compared to 34% of the NYPD and 44% of the Department of Correction, and of that 10% cohort of female employees, we know that virtually all of them are in non-firefighting positions because again as Chair Borelli said, only 0.6% of firefighters are women.

Let me say that again, 0.6% of firefighters are women. We also know from DCAS that the Fire Department is among the least racially diverse agencies in the city. Only 31% of the FDNY's workforce is non-white compared to 61% of the NYPD



and 86% of the Department of Correction. The FDNY is quite simply out of step with other city agencies, and other firefighting departments across the country when it comes to diversity. Fortunately, we have seen a renewed focus on fixing these problems from this Administration, and from this department and I want to thank you Commissioner Nigro for your commitment to this issue. We are going to keep pushing you to do even better. So far, the results are promising. Record numbers of women and minorities are applying to become firefighters. Record numbers of women and minorities are actually becoming firefighters, which I'm sure you're going to detail in your testimony today, and the department's upper management has grown significantly more diverse as well. As I look at the panel in front of me, that is quite evident, and I am so happy to see this here today. Unfortunately, we still have a long way to go [coughs] and this Council will continue to examine this issue regularly until the FDNY begins to reflect the diversity of those that they serve. I look forward to productive discussion of these issues today, and I want to thank everyone for engaging in this important issue. Before I turn it back to Chair

Borelli, I want to congratulate the Chair on his appointment to this very, very, very important committee. Even though he and I, of course, disagree on many things, I am really grateful that the first hearing that he's having as Chair of this committee is on this issue, which is diversity in the FDNY amongst women and minorities. This is a non-partisan issue. This is an issue about getting the best and the brightest and ensuring that the FDNY again reflects the diversity of our city, and so I am grateful and excited that Chair Borelli agreed to take this position, and I look forward to working with him, the members of this committee, the members of the Council, the Mayor's Office and with you, Commissioner Nigro and your staff to ensure that we do even better. That 0.6 number has to come up significantly, and this Council wants to support you in whatever way we can to ensure that happens rapidly and that we sustain it moving forward in the years and decades to come. So, with that, I turn it back over to our Chair, Chair Borelli.

CHAIRPERSON BORELLI: Thank you, Mr. Speaker, and thank you for appointing me, and any

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 11

2 time you want to come and say nice things about me,  
3 certainly the floor is always open.

4 SPEAKER JOHNSON: Don't get used to it.

5 CHAIRPERSON BORELLI: [laughs] So, now we  
6 will administer the oath, and begin with our  
7 testimony. Will you do it?

8 LEGAL COUNSEL: Yes. Do all of you  
9 affirm to tell the truth, the whole truth, and  
10 nothing but the truth in your testimony before the  
11 committee, and to respond honestly to Council Member  
12 questions?

13 COMMISSIONER NIGRO: I do.

14 CHAIRPERSON BORELLI: Okay, thank you.  
15 Commissioner, please-welcome and look forward to  
16 hearing what you have to say.

17 COMMISSIONER NIGRO: Well, good morning,  
18 Chairman Borelli. Good morning Speaker. Thank you  
19 for your support. Good morning to all Council Members  
20 present. My name is Dan Nigro. I'm the Commissioner  
21 of the Fire Department. I'm joined this morning by  
22 First Deputy Commissioner Laura Kavanaugh; Deputy  
23 Commissioner Cecilia Loving who is the department's  
24 Chief Diversity and Inclusion Officer; Assistant  
25 Commissioner Nafeesah Noonan, who oversees the Bureau

of Recruitment and Retention; and Assistant Commissioner Don Wynn, who oversees our Bureau of Equal Employment and Opportunity. Thank you for the opportunity to speak with you today about diversity in the FDNY. As I've stated before this Council and in many venues across the city, it is a top priority of my administration to create a more diverse, more inclusive and more equitable FDNY. Diversity and inclusion are key values of this department. We know that these values enhance our strength and fortitude as an institution. We strive to create a department that reflects the people of the city that we serve. This commitment starts at the top. For virtually the entirety of its history the New York City Fire Department has been led by men, but we've made great strides in a short period of time. We were honored to have you Chairman Borelli present for a promotion ceremony last week during which I swore in the second ever female First Deputy Commissioner and the first female Chief of Staff in the history of the Fire Department. During my administration I have also appointed the first black female Deputy Chief and the first female Fire Department chaplain and the first two Chief Diversity and Inclusion Officers, both of

whom were women of color. Never in its history has the department been run by a leadership team as rich in diversity including women and people color and our team has produced dramatic advances in this mission. Diversifying our ranks means an evolution of the way we recruit candidates. The vision statement of our Office of Diversity and Inclusion holds that the excellence of the New York City Fire Department is enhanced by the ability to recruit, hire, retain and promote highly skilled, talented and motivated members from diverse backgrounds. FDNY prides itself in attracting candidates of diverse gender, age, culture, race, religious preference and sexual orientation because the expression of unique ideas provides for better productivity, efficiency and service to a diverse and multi-faceted community. Our most recent Firefighter Exam was given last fall, and the recruit-recruiting campaign leading up to it was an unprecedented effort to expand and diversity the applicant pool by attracting more women and people of color than ever before. This \$10 million effort developed aggressive goals for recruiting Black, Latino, Asian and female candidates. We also focused on amplifying our recruitment of LGBTQ candidates and

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 14

2 military veterans. We conducted more than 10,000  
3 recruitment events and collected approximately  
4 200,000 expressions of interest. We trained and  
5 employed a team of over 100,000 recruiters including  
6 active duty firefighters to reach underrepresented  
7 communities. Our members recruited at high schools,  
8 colleges, community celebrations, subway stations,  
9 cultural events, youth gatherings and career fairs.  
10 We also held a large number of our own dedicated  
11 recruiting events including hosting summer block  
12 parties in every borough and events for potential  
13 candidates at the FDNY Training Academy. We created  
14 the Mobile Academy, which allowed our recruiters to  
15 conduct training exercises out in the community.  
16 Potential applicants were also able to participate in  
17 activities from the Candidate Physical Ability Test,  
18 CPAT, which is required of candidates to become  
19 firefighters. Our recruitment team worked in tandem  
20 with our Community Affairs Unit broadening the reach  
21 of our recruitment efforts and strengthening  
22 relationships with community boards and groups with  
23 shared missions. We realized that challenge of  
24 reaching underrepresented communities on our own.  
25 So, we also partnered with outside groups to help us

reach potential applicants. We worked with organizations such as the New York Urban League, Make the Road New York, the LGBTQ Center, the Dominican Women's Development Center, 100 Black Men, Non-Traditional Employment for Women, the Center for Family Life in Sunset Park, and many others. We looked at what was working with military entities and other domestic fire departments. We consulted with recruiting experts, and employed marketing and media specialists to design a targeted communication strategy that involved social media, focus group message testing with our target audience, and modern print and video ads in subway stations, bus stops, billboards, firehouses, and any location we determined would be effective for attracting candidates. We implemented significant innovation in our use of technology and data analytics and the effect was significant. We sent more than 1.7 million email communications to potential candidates. We conducted more than 150,000 phone calls to interested recruits. 14,771 applicants attended an FDNY in-person tutorial session, and 8,600 applicants downloaded online tutorial material to help them prepare for the exam. When it came time for

applicants to take the exam, our recruitment efforts produced record breaking results. We succeeded in drawing interest in firefighters' careers for more young men and women than ever before. A record setting 46,300 people took the exam. For the first time ever, a majority of test takers were people of color, a total of 26,000. More women than ever took the exam at 4,181, which is more than twice as many as took the prior exam in 2012. Looking at individual ethnicities, improvements from the prior exam were dramatic. The number of Asian test takers increased by 55%; Black test-takers increased by 39%; Latino test takers increased by 29%; Native American test takers increased by 35%; and the number of female test takers who took the exam improved by 115%. Our recruitment efforts are also bolstered by the department's association with the Captain Vernon A. Richards High School for Fire and Life Safety. We worked in collaboration with the school to introduce the high school population to the benefits of a career with the Fire Department, and many of these New York City students go on to become FDNY EMTs and firefighters. I also want to update the committee on our efforts to recruit military veterans to the ranks



2 of the FDNY. The department has a long history of  
3 involvement with the United States Armed Forces, and  
4 we found that former members of the military often  
5 make extraordinary firefighters, EMTs, officers and  
6 civilian staff. Our members share a number of  
7 characteristics with members of the military  
8 including a commitment to public service possessing  
9 responsibility and discipline, maintaining physical  
10 fitness and are willing to make sacrifices for the  
11 benefit of others. Currently, there are 1,200  
12 uniformed FDNY members in the fire ranks who are  
13 military reservists or veterans. Four hundred and  
14 thirty-one have been hired since 2013. When combined  
15 with the members in EMS and civilians, that number  
16 increase to 1,443 or just over 8% of the department,  
17 and we are proud of ever one of them. We also take  
18 great pride in the 44 FDNY personnel who are  
19 currently on extended military orders including  
20 firefighter Rory Allen of Ladder 165. Firefighter  
21 Allen is returning home next week from a—for a short  
22 leave from his current deployment to Afghanistan,  
23 which is his fourth tour in the region. In 2015, the  
24 department created a military outreach coordinated  
25 position to focus specifically on increasing the

representation of veterans within our ranks. We strive to accomplish this by maximizing recruitment opportunities for veterans and raising awareness of an FDNY career among active duty members of the Armed Forces. In the most recent firefighters' recruitment campaign, we held 112 veteran specific recruitment events. This included participating in three large scale events conducted via the Hiring Our Heroes Program, which is run by the U.S. Chamber of Commerce Foundation. At these programs, two at Joint Base McGuire Dix Lakers, and worn at the 69<sup>th</sup> Regime Armory, our military outreach coordinator and recruiters met with potential candidates at events that were attended by more than 1,300 active duty members who were transitioning out of the military. While the number is not final and could increase, we know that almost 2,200 of the individuals who took the Firefighter Exam last fall have identified as having military veteran status. Our military outreach team has been escalating efforts on multiple fronts to reach potential candidates in the military. We think that there's real value in building relationships with members of the Armed Services before they are looking to transition out of the

military, and we like to engage them even as early as the point where they enter military service. We are negotiating and expecting to complete within the next 60 days a memo of understanding with the U.S. Army's Partnership for Youth Success Program, which will give us the ability to work with new soldiers over the course of their time in the Army, and prepare them to apply to the FDNY upon completion of honorable service. We are working on a similar program with the United States Marine Corps that will enable us to connect with new Marines prior to them attempting boot camp. Perhaps the best examples of ways in which we reach out to members of the military as early as possible in their career are the department's partnerships with CUNY ROTC and Francis Lewis High School, Junior ROTC. We work with individual members to develop a plan to apply to the FDNY when they exit the military. We have also entered into a partnership with NYC Fleet Week that enables us to set up recruiting stations at multiple locations during the week to speak with current sailors and veterans about joining the FDNY. We've hosted many events for Fleet Week military visitors in our fire houses. Our military outreach team has

engaged with more than 15 military units, 8 military installations, more than 20 veterans' groups at educational institutions and more than a dozen veteran service organizations, and we will continue to expand our efforts as we identify successful avenues for recruiting veterans to join the department. Chairman Borelli, I know that you have a particular interest in this area, and I look forward to working with you to grow our outreach to members of the military. Finally, we have made extensive advancements in recent years in addressing diversity inclusion issues within the department. During my time as Commissioner we created the position of Chief Diversity and Inclusion Officer, appointed a new Diversity Advocate and convened the Fire Commissioner's Diversity and Inclusion Committee. We launched a vision, mission and goal statement for diversity inclusion, which is now displayed in department facilities. We have designed and published eight issues of the new Quarterly Newsletter on Diversity and Inclusion, and host multi-cultural events on almost monthly basis including a Martin Luther King, Jr. celebration, a variety of Black History Month events, a Women's

Empowerment Summit, pride celebration events and many others. I was pleased last year to host the first very SEDER at FDNY headquarters, which was attended by numerous rabbis and faith and community leaders from across the city as well as department employees of all backgrounds. We make sure that probationary firefighters understand that diversity and inclusion values in several ways, including on their first day at the Academy and through meetings with affinity groups. The CDIO also meets with the trainers and instructors before each new class. The department also developed a new diversity and inclusion training unit with over 20 members of the department serving as trainers. This new unit has been very active. We created an e-platform so that we could make trainings information and resources widely available, and we designed LGBTQ and unconscious bias training modules. Over 13,000 members of the department have now received EEO and unconscious bias training, and supervisors and frontline staff have received LGBTQ training. We've put an increased emphasis on mentoring, and we held a speed mentoring event and plan to hold more in the coming year. It is not a simple task to drive cultural evolution in an

organization that is as large and carries as much history as the New York City Fire Department. We know that we face and will continue to face challenges in these areas, but I have made a personal commitment to improve the diversity of this department. As I have said since the moment I arrived as Commissioner, we serve a diverse city, and if our department doesn't reflect that city, we're not doing our job. We strive every day to further that goal, and I am proud of the progress we've attained during my administration. I thank the Council for its attention to these important issues and for its ongoing support of our mission. Thank you.

CHAIRPERSON BORELLI: Thank you very much, Commissioner and I certainly will commend you because there is significant evidence that things are looking better than they were prior to you joining us. I did commit to giving Council Member King the first question because he has to attend another hearing. So, Council Member King.

COUNCIL MEMBER KING: Thank you, Mr. Chair. I appreciate you Commissioner and your team for being here today, and I thank you again for your

agenda item of making sure that diversity and fairness is applied throughout the Fire Department and your efforts to make sure that we improve the numbers when it comes to the ethnicity makeup of FDNY. With that being said, I just want to, you know, I just have one question because as we fight for diversity and respect whether it's in the EMT workers or our firefighters, you know, in December the Council we had a conversation. We sent a letter to—in regards to one of your recruits by the name of Cossano, and we wanted to know at that point when he was being brought back in as a firefighter his past history demonstrated that he had actions of bigotry and prejudice against the people in New York that he had to serve. So, my question would be to you: How does FDNY moving forward take into account people who have demonstrated a history of not respecting diversity, which in a city which we respect diversity, we demand respect for diversity, how do we allow individuals who have a known history to come into the department to serve the city of New York as being a firefighter? And, secondly, what kind of message are we sending to the communities of color when we have someone whose demonstrated bigotry and

hatred in Tweets from 2013 that forced him to resign as opposed to being terminated, but now today gets hired in the month of December as a firefighter?

COMMISSIONER NIGRO: Well, thank you. I will say hopefully all of us in this room will not be judged eternally by our worst day or our statements or our worst actions ever, and I think it was clear in what you stated that these--these Tweets occurred in 2013. Subsequent to that, this candidate came back as an EMT and has served the city proudly as in that role for a number of years before qualifying for the firefighter test. What we believe that in this Administration is a second change for folks, that people who show remorse, who take action to improve themselves can come back, and have a career in the Fire Department, a successful career. So, in this case, this candidate and many others who might have had indiscretions in--at some point in their life have been given a second chance, and given an opportunity, and it is this department's belief that these people can change, and can be successful.

COUNCIL MEMBER KING: So, with that being said, I want to thank you for your answer, and I'm praying moving forward that if there is a person of



color, which you are trying to make sure are part of FDNY, if they have an indiscretion that that's considered just as this young man was considered because I don't want it, you know, to be a—I'm trying to put it nicely. I just don't want it to apply to one set of people in the city of New York and it doesn't apply to another set of folks, and we've known the history of this country, and we say for Caucasians things work one way, and then when it comes to everyone else, things operate differently. That's why we're here talking about how do we bring more people of color in the fight into the system? But that means we got to treat them equally as—with the same privileges that we're treating those who said they've made a mistake or not people of color. My next—my next question and my last question would be as you do more recruitment, and I saw the numbers that you said how many blacks have taken the test. Is there a system in place right now to assure that those people of color who have passed the test, who qualify get into the Fire Department? Because as we understand, whether some of our Caucasian brothers who get into the Fire Department sometimes go through the side door whether it is through promotional exams

to get into the--get into fire--be a firefighter while there may be a number of people from communities of color who might have made the number, but because the spots and slots and how things are manipulated I can say that they still don't get a chance to be firefighters. So, what mechanisms do we have in place for our best and brightest people of color who have passed exams. They didn't actually get in without having to fight any other systems that might be in place.

COMMISSIONER NIGRO: Well, certainly you can be assured that there are no double standards in this department as it exists today under this administration, and that the department did extend an extraordinary effort to recruit people of color in order to not have them transition into to the department. It was department's desire to make ourselves more diverse. So, we will ensure that those people who want to become members of this department qualifying will become members of the department, and that anything that may have occurred in the past to diminish that, their ability to come in will not occur under this administration.

COUNCIL MEMBER KING: Well, I thank you for your answers, and I'll definitely look forward to working with you all, look forward to working with you, and if then if someone who is part of your team or is a firefighter if the mess it up, hold them accountable day one. They only get a chance to mess with two or three times because a mess-up is kill-can save-will not save lives. It can kill lives. So, I thank you again for your time and Mr. Chair, I appreciate and thank you so much.

CHAIRPERSON BORELLI: Thank you very much. So, we have the statistics that the department has been afforded from the 2012 test, and we can see that there have been some days in hiring people of color and women. If we-if we play that out over the next 15 or 20 years, what does-paint the picture for us of the department of 2030 if we continue at the same rate from the 2012 exam.

COMMISSIONER NIGRO: Well, as you can see, in the previous test we have made great advances. We're certainly nowhere near where we need to be. We do believe that with a recruitment effort for this past test in the fall that we will improve upon the numbers that we had from the 2012 test. So,

as you say, if we want to extrapolate and move forward, we do believe that this department will reflect the population of our city at some point in the future. The department will continue to pursue a path of diversity, and will consider to-or will continue to improve these numbers, and the department will finally be where it should be.

CHAIRPERSON BORELLI: So, again, looking at the 2012 test results, and going through the-the DCAS steps, it would seem that there's a higher percentage of-percentage and not raw numbers, but percentages of African-Americans and Hispanic candidates who pass the test and are invited to take the physical exam than there are of like candidates. So, if the percentages are higher at that stage where people are passing and invited to take the physical portion of the exam, where do you as the agency find the-the drop-off occurring?

COMMISSIONER NIGRO: I thank Laura can best address that.

DEPUTY COMMISSIONER KAVANAUGH: So, we use the vast majority of candidates of all races, but especially among the black, Latino and female candidates through voluntary attrition. So, they

don't show up to the various hiring steps, and that's one of the things we've been working on, one of the things we've found in doing our focus groups is that candidates who spent a lot of time thinking about this job and studying this job are far more likely to move on in the process. Part of it is because it's a very complex and long process, and we need to know you want this job, and you need to understand that that means. And so, a lot of what we've implement in recruitment are things that recruit candidates earlier give them more information actually a mention over a certain point now, and we hope to see the effects of that in the future being that we work with these candidates we recruit and speak to and have in our system for years. But the less that we see that voluntary attrition, I think the better.

CHAIRPERSON BORELLI: So, you're saying that it is safe to say that there is a likelihood that many of the people who pass who are black and Hispanic are—are causing their own attrition due to the lag between the time they sign up for the exam and from their eventual date of hire?

DEPUTY COMMISSIONER KAVANAUGH: I wouldn't say they're causing their own attrition, but I would say all candidates--

CHAIRPERSON BORELLI: [interposing] Likely to get a job.

DEPUTY COMMISSIONER KAVANAUGH: Yeah, all candidates of all races are far more likely to take another job--and we found this out in the focus groups--than to wait for the Fire Department job. The reason for that slight difference among different races and different genders that we found was usually to how prepared they were willing to wait those years or whether or not they even knew that they needed to wait years. And so, we have seen that gap narrow. We hope eventually it goes away once we've been doing these affirmative methods over a number of years.

CHAIRPERSON BORELLI: Have--have you guys suggested to DCAS that they move to a shorter lag between tests? Could they go a 2-year test, could they go to a 1-year test, continuous testing?

DEPUTY COMMISSIONER KAVANAUGH: Yeah, so we've discussed--we've discussed this with DCAS. We've discussed it with NYPD actually who has done more experimenting than we have in terms of test

takers, and then we've talked to a number of other departments about it through the nation who've tried this. And all of them that it didn't make a difference one way or another in terms of risk. Mostly for us that's because our hiring is quite slow because our members are hired at a fairly low rate. They really like their jobs, but that affects recruitment in the sense that no matter when or how we give the test or in what format, our hiring remains slow. Very few people would hire routines remain on, a much lower number of recruits than most other agencies. So, I think it's probably best to say we've found that on diversity we are agnostic as to when the test is given. It wouldn't make a huge difference in our end number, although we're open, you know, to ways to make it easier.

CHAIRPERSON BORELLI: And do you find that one also holds true for women or--or is that--?

DEPUTY COMMISSIONER KAVANAUGH: Yeah, when--when people did it--I believe that NYPD had a rolling test cycle at one point, and they actually halted doing that because they also found it didn't make a difference in who is hired. It may have made a difference in certain steps along the way, but it

ultimately did not result in greater diversity or lesser diversity. It simply didn't make a difference.

CHAIRPERSON BORELLI: Okay. [pause]  
Thank you. I will turn it over to the Speaker for some questions.

SPEAKER JOHNSON: Thank you again, Commissioner. I have a few questions, and again, congratulations First Deputy Commissioner Kavanaugh. So, when I was looking at the background material in preparation for this hearing today, I saw that the 2007 Department of Justice lawsuit--it is actually by the Vulcan Society--put in place some mechanisms so that people of color who apply get some type of priority. Is that correct?

COMMISSIONER NIGRO: I think that--that part of it those people were hired what they call priority hires that the judgment placed, and we hired 170 people who we, you know, were affected by previous exams, and those people were brought into the department in a different manner than others.

SPEAKER JOHNSON: So, but women were not included on that priority, right?

COMMISSIONER NIGRO: They were not.



2 SPEAKER JOHNSON: So, why?

3 COMMISSIONER NIGRO: Well, I—I believe  
4 the suit that was brought by the Justice Department  
5 and joined by the Vulcan Society--

6 SPEAKER JOHNSON: [interposing] I know—I  
7 know--

8 COMMISSIONER NIGRO: --might have  
9 addressed that.

10 SPEAKER JOHNSON: I know the suit, but  
11 the issue is the—the United Women's Firefighters  
12 Organization was going to potentially file their own  
13 litigation similarly in the way that the Vulcan  
14 Society did, but I believe there were conversations  
15 that took place between the FDNY and UFW to say don't  
16 do that. We'll work with you, and we'll figure out a  
17 way to make this happen is my understanding. No?  
18 Jump in if I'm wrong here?

19 DEPUTY COMMISSIONER KAVANAUGH: So, I  
20 would say sort of separating lawsuits out from  
21 policy, so the lawsuit with the Vulcan only covers  
22 black and Latino candidates, and we cannot give any  
23 candidate regardless of race or gender priority in  
24 the process as a matter of law other than what the  
25 judge prescribed. We were able to do it in that case

2 because a federal judge prescribed that for us. In  
3 terms of working with EWF on matters of policy, and  
4 we have worked with them extensively. We meet with  
5 them constantly I'd say almost everything you saw in  
6 the testimony and some other things we can speak  
7 about regarding women cannot be (sic), but has been  
8 the Commissioner and the Department working with the  
9 UWF to figure out what the best methods are. So,  
10 everything involving women we implemented because we  
11 wanted to. It was not part of the lawsuit.

12 SPEAKER JOHNSON: What percentage of EMTs  
13 and Paramedics are women or people of color?

14 DEPUTY COMMISSIONER KAVANAUGH: About 25%  
15 of our EMTs and Paramedics are women and about 60%  
16 are people of color.

17 SPEAKER JOHNSON: So, instead of waiting  
18 for the 4-year cycle, it's a 4-year cycle because to  
19 take the test right?

20 DEPUTY COMMISSIONER KAVANAUGH: Yes.

21 SPEAKER JOHNSON: If you are already an  
22 FDNY employee, if you're an EMT—and I'm surprised  
23 this wasn't in your testimony—if you are an EMT or a  
24 Paramedic and you're a woman or a person of color,  
25 you could get a promotion to firefighter instead of

going through the same process that someone who's not currently in the FDNY. How come we are seeing more promotions from within from EMTs and Paramedics amongst women and people of color who are already employees of the FDNY.

DEPUTY COMMISSIONER KAVANAUGH: So, the Commissioner asked us to look at that or asked the department to look at that and we did so over the past couple of years, and actually founded the first ever EMA Recruitment Unit and recruitment for that exact unit. So, we now work on both better recruitment for EMS, but also hoping any members of EMS who wish to promote and sort of educating them about that opportunity, and I mean this promotional exam that was given last year that was the first time ever that we had done that work in terms of actually speaking to our own members who are already quite diverse about the opportunities on the fire side, and of course, ever EMT or Paramedic does not want to promote. You know, many love their jobs, but we do hope that in the future this EMS Recruitment Unit and the work that Recruitment has done will show a much better path from EMS to Fire for women and people of color.

SPEAKER JOHNSON: When was that unit  
crated?

DEPUTY COMMISSIONER KAVANAUGH: I think  
it was two years ago was not? [background comments].

FEMALE SPEAKER: [off mic] Yes, it was.

DEPUTY COMMISSIONER KAVANAUGH: Yes.

FEMALE SPEAKER: [off mic] And I believe  
actually it was recently from what--

SPEAKER JOHNSON: [interposing] If you  
could—if you could turn the mic on and speak directly  
into it.

FEMALE SPEAKER: Alright. So, we've been  
doing EMS specifically for—for over two years. In  
addition to that recruitment, we are recently hiring  
a director specifically for EMA recruitment because  
one of our new pipelines is the EMT training, and  
that gives us—gives us an opportunity to focus on  
recruitment efforts towards the people that are New  
York City residents and, of course, that are diverse,  
and start, you know, engaging them early about the  
promotion process. The EMT and Paramedics but also  
the opportunity to promoted and to qualify them.

SPEAKER JOHNSON: So, there are 11,000 uniformed firefighters in the FDNY currently. How many EMTs and Paramedics are in the FDNY?

COMMISSIONER NIGRO: Currently, about 4,500 EMTs, Paramedics and Units Officers.

SPEAKER JOHNSON: So, what I love to say I do not say with a broad brush, I do not say to stereotype or disrespect hardworking firefighter, New York's bravest who do an amazing job, but I want to say that given the history that we've all acknowledged and that you've acknowledged in the past, Commissioner, that you outlined in your testimony and that I outlined in my opening statement, there, of course, have been issues over the years and over the decades, which has resulted in lawsuits, and as I said, I'm very, I mean really, I'm very happy to see that your top leadership in the FDNY is I think way more effective of New York City than the rank and file. When First Deputy Commissioner Kavanaugh answer a question from Chair Borelli related to why are we seeing a drop-off? Why are we seeing women and people of color go through certain steps, and then eventually not proceed further? Could potentially part of the reason, which

might be anecdotal, and I don't know if we can even get statistics on this, it's more maybe doing more focus groups of people that have dropped off. The fact that they start going through the process, and then they realize I'm a woman, I'm a person of color, and I may not want to be in a--in a culture in a firehouse setting where I'm the only the one.

COMMISSIONER NIGRO: Certainly, that is something that we have been working very hard to overcome, and certainly that exists. One cannot deny that it's difficult convince the thousands of women in our city who are capable of doing the job of firefighter that that is a career that they would enjoy. The more we realize that--

SPEAKER JOHNSON: [interposing] Tens--tens of thousands, hundreds of thousands.

COMMISSIONER NIGRO: Perhaps hundreds of thousands. Certainly, tens of thousands--

SPEAKER JOHNSON: [interposing] Yes.

COMMISSIONER NIGRO: --who are capable, and we do believe that there is a tipping point, and part of what the--the, you know, what the judge has ordered, part of the solution is that when people of color see more people of color in this department, as

they see them on the fire--on the fire engines, as they see them in the neighborhood supermarket they say that's a career I want. That's a career for me, and there will be more numbers, and we believe we are reaching that point, we are reaching that tipping where more and more people see it as a career that they will not only be accepted in, but excel in, and--and we're certainly getting closer and closer to that point, and your point is well taken.

SPEAKER JOHNSON: Explain that to me.

How are you getting--and this is not me criticizing you, this is I really want to understand this. How are you getting closer and closer to that point when it's still 0.6%?

COMMISSIONER NIGRO: Well, women here, let's separate the two groups out.

SPEAKER JOHNSON: [interposing] Okay, let's separate these out.

COMMISSIONER NIGRO: I think--I--I think with women, our job is much more difficult, and as you see, we--we've attracted a few thousands now to take the exam. Now, it's our job to keep moving them in the system to keep them interested in this as a career. As far as people of color, many of our units

now in—in neighborhoods that are reflective of people of color, the units that they see have many, many more African-Americans firefighters on those apparatus. So, that's—that's what I'm saying. We're getting much closer to that point where these young folks in a neighborhood look up at—at that firehouse and see half of the people perhaps on a tour are people of color, and that's just a complete game changer of this equation. If we could do the same at that same pace with women, I believe the same thing would occur, but as you know, 0.6% we're so far down that it is with great difficulty to increase that number drastically and quickly in the Civil Service system as it exists.

SPEAKER JOHNSON: So, what is the, and with this, I'm going to hand it back over to the Chair and the other members that are here to ask questions. What is the goal? What's the number? What's the five-year goal? We're at this number today. We hope that through all of our efforts, through our recruitment campaigns, through the money we've put in we're hiring a talented, capable, diverse leadership team. Our goal is what? What's the goal?



COMMISSIONER NIGRO: Well, our goal is to reflect--

SPEAKER JOHNSON: What's the number?

COMMISSIONER NIGRO: What's the number? What's the number in the city right now? You know, I'd be—I'd be untrue if I said this, but there is more than 50% women in our city. So, our goal should be to have a department, but not in my lifetime I'm sure.

SPEAKER JOHNSON: Yeah, no, I want realistic number.

COMMISSIONER NIGRO: A realistic number is to get beyond that—whatever the tipping point is. I think a realistic number for people of color in our city and in our department is more than 50%--

SPEAKER JOHNSON: We're at what right now?

COMMISSIONER NIGRO: --to reflect the city.

SPEAKER JOHNSON: What's the percentage right now?

COMMISSIONER NIGRO: Oh, it's certainly far below that right now.

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 42

2 DEPUTY COMMISSIONER KAVANAUGH: We're at  
3 about 20%.

4 SPEAKER JOHNSON: What are at?

5 DEPUTY COMMISSIONER KAVANAUGH: About  
6 20%.

7 COMMISSIONER NIGRO: Twenty.

8 SPEAKER JOHNSON: At 20%.

9 DEPUTY COMMISSIONER KAVANAUGH: Amongst  
10 the firefighter.

11 SPEAKER JOHNSON: Amongst firefighters.  
12 When do we get, but I'm saying when could we get to  
13 50%?

14 COMMISSIONER NIGRO: I would say that  
15 would take at least a few more exams, which come  
16 every four years. So, we're talking--

17 SPEAKER JOHNSON: [interposing] It'll be  
18 another--

19 COMMISSIONER NIGRO: --10 to 12 years  
20 about. Sure.

21 SPEAKER JOHNSON: And then women, what's  
22 the goal.

23 DEPUTY COMMISSIONER KAVANAUGH: So, I'd  
24 say with women one of the things we've tried to study  
25 is what is the number in departments who have

successfully done this, whether it be a portable or on their own or in the Army, and that sort of number right now is 15% nationwide. We expect that probably changes right? Hopefully, young women, you know, have sort of less maybe gender constraints as they grow up, as we hope at least in society, and maybe that number goes up, and we could adjust accordingly, but at least as of right now, 15% seems to be the number for success for departments who have been able to do this over a 15-year process.

SPEAKER JOHNSON: So, you want to go from optimally 0.6% to 15% over the course of potentially three exams?

DEPUTY COMMISSIONER KAVANAUGH: A few cycles, yeah.

SPEAKER JOHNSON: Which is—

DEPUTY COMMISSIONER KAVANAUGH:

[interposing] And we hope to do it faster obviously—

SPEAKER JOHNSON: [interposing] And to do it faster.

DEPUTY COMMISSIONER KAVANAUGH: --because some of this is driven by requirement.

SPEAKER JOHNSON: So, I would love, and I'm going to end with this, I would love to—we should

be held accountable as a Council. You should be held accountable as the FDNY, and I would love to see a plan about if that is the goal 50% amongst people of color over three, because you said a few, exam cycles, and 15% [coughs] amongst women over three exam cycles. I would love to see that broken out with a real road map and a real plan of the number of women and people of color per exam cycle [coughs], the budget dollars you need to actually get that done, and to have a real road map. So, I would ask that before the budget hearing, which will take place for the FDNY, the Preliminary Budget Hearing, which will take place in March, to at least have some preliminary roadmap to share with us at that budget hearing, so we can delve more deeply into the questions we've asked today, as we put forward the FDNY budget as a city to make sure that you have the resources you need to execute that plan and execute that road map going forward.

COMMISSIONER NIGRO: Thank you. Okay.

SPEAKER JOHNSON: So, you'll have that road map by the Preliminary?

COMMISSIONER NIGRO: Yes.

SPEAKER JOHNSON: Thank you, Commissioner Nigro, and congratulations again, First Deputy Commissioner Kavanaugh. Thank you all very much. Chair Borelli.

CHAIRPERSON BORELLI: Thank you, Mr. Speaker. Just to follow up on this question before I hand it over, the—the number of women hires from the 2012 exam, were all according to my math under 3 or 4%. Can we say we're—we're meeting any—any type of goal with that?

DEPUTY COMMISSIONER KAVANAUGH: Um, I—I—

CHAIRPERSON BORELLI: [interposing] In terms of actual numbers of women hired?

DEPUTY COMMISSIONER KAVANAUGH: I would not say we're meeting where we want to be. What we've tried to do between the 2012 and this one was at least double those numbers, which we did in terms of the percentage of women in the pool, and we hope to that again in the exam. What we saw in other departments once they began this work is the women's numbers sort of gained traction over time by sort of leaps and bounds. Like once they were actually talking to them and then a candidate it took them a few years to actually see the results of that work.

So, our first role was to double the percentages, which we did meet, but we would hope to double that again in our next--

CHAIRPERSON BORELLI: [interposing] But over four years the number actually stayed almost exactly the same in terms of women (sic) hired. There was I think eight graduates every year. Are you--are you limited, though, in some capacity by the fact that you have to go on a test for four years?

DEPUTY COMMISSIONER KAVANAUGH: Yeah, so, I was going to say, you know, the last test in 2012, this administration did not recruit for that exam. We were involved in getting those candidates through the process. So, I can't sort of speak to what their initial goal was or why that number, you know, why it is that sort of consistent a number. But we are constrained by the list. You know, once the list is set after we do the recruitment for that exam, we have to take people in the order they appear on the list.

CHAIRPERSON BORELLI: Thank you. Council Member Diaz, please.

COUNCIL MEMBER DIAZ: Thank you, Mr.--Mr. Chairman. Commissioner, yeah, I will allow probably

a line a caution with the Speaker, and I have to say that there was old [coughs] TV commercial, there's old lady they used to have where is the beef. And I'm—I'm saying that because I read four pages of your testimony where you claim all the things that you have done to bring the number of minorities black and Hispanic to where—an acceptable position. You said: Our most recent—recent—prior—prior exam was given last fall, and the recruiting—recruiting campaign leading up was an unprecedented for Hispanic and the diversified. The applicants who were reflecting more women and people of color. \$10 million effort that there's to address the goal for recruiting the black, Latino, Asian, female and female colleagues. You continue saying: We conducted more than 10,000 recruitments to date, and collected approximately 200,000 expressions of interest. We train and recruit, and recruitment is then an employee—a team of over 1,000 recruiters. Today, you're saying—you keep—you keep saying all of the things that you are doing to do that. You say: when it came time for applicant to take the exam, our recruitment efforts produced record breaking results. We succeeded in growing interest in firefighting careers for—for

more—for more young men and women than ever before.

A record setting 46,300 people took the exam. For the first time, you say, ever a majority of test takers where people of color, a group out of 26,000, more women than ever before took the exam. And then you continuing saying: Looking at the neighborhood ethnicity improvements from the prior, and some were dramatic the number of Asian test takers increased by 55%. Black test takers increased by 39%. Latino test takes increased by 29%. I—I—I was reading. I was—I was assuming that at the end of your whole text you would say: As a result of all the effort, I think that I don't—now the department could proudly say we approached—we have increased the number of Hispanics or that to such a level the number of—of black or women, and this is out of so many employees. Now, we got this out as this as quota (sic), but you didn't say that. So, my question was the beef?

COMMISSIONER NIGRO: Well, I think you and I think you and I will both have to wait until the—you know, this is who we recruited to take the exam. The exam was given in the fall. No one from this exam has yet to be hired. So, beginning with next year's testimony or the following year as we



start hiring from this list, because that's how the system works is the--

COUNCIL MEMBER DIAZ: [interposing] But there's--there's no beef on it?

COMMISSIONER NIGRO: These people are--are still candidates. They were--they were not yet hired. So, what are--what we're encouraged by is this great number of people who have taken the exam, which will translate into a similar number of people being hired and there's the beef.

DEPUTY COMMISSIONER KAVANAUGH: So, you're--so, you're telling me that we're still at the same level, no beef?

COMMISSIONER NIGRO: Well, a little beef.

COUNCIL MEMBER DIAZ: [interposing] So, what you have done to increase the number? How many--how many--

COMMISSIONER NIGRO: [interposing] The--the exam--

COUNCIL MEMBER DIAZ: [interposing] --how many--how many minorities have been hired under your administration?

COMMISSIONER NIGRO: Well, as we can see since 2012, and this is from the recruitment efforts

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 50

2 of the previous administration, the--the people of  
3 color hired were about 44%, but we believe by those  
4 numbers that our recruitment efforts, which were  
5 extraordinary, will result in a large number from  
6 this exam, but I can't show you that yet because we  
7 haven't hired them yet.

8 COUNCIL MEMBER DIAZ: So, you--

9 COMMISSIONER NIGRO: [interposing] We  
10 can't.

11 COUNCIL MEMBER DIAZ: Thank you.

12 COMMISSIONER NIGRO: Okay.

13 CHAIRPERSON BORELLI: Thank you. Next,  
14 I'll call upon Council Member Cabrera.

15 COUNCIL MEMBER CABRERA: Thank you so  
16 much, Mr. Chairman, and congratulations. It's good  
17 to be back. Like looking around, I think I'm the  
18 only Council member who was in this committee the  
19 last four years coming back. So, I think the Speaker  
20 for that opportunity, and we welcome all the new  
21 members. I have a couple of questions for you.  
22 Number one, do you have--do you survey your minority  
23 FDNY members so we could know their sentiments, their  
24 struggles, how are they dealing with their present  
25 culture of the FDNY?

COMMISSIONER NIGRO: There is a survey that's taken when people leave for the school, and right now there is a--underway a--a survey being designed that will be given to members of this department, a climate survey. So, we have not done that in the past of members beyond their graduation and preparation in the firefighters school, but one will be done in 2018.

COUNCIL MEMBER CABRERA: I'm just curious, Commissioner, why haven't we done one in the last four years in light of all the lawsuits, in light of the low numbers that we have. I'm just--I mean didn't anybody think of about this two years ago?

DEPUTY COMMISSIONER LOVING: We do and a survey as part of our diversity and inclusion training, and we have a portion of it, and so for our training, we do that almost every single day of the year. We're meeting with firefighters, EMTs, prevention as well as civilians in our department, and as part of that training process, we ask them what should the department start doing, what should it stop doing, and what should it continue doing? And we encourage a very robust conversation about

what they would like to see take place. One of the things that the Commissioner has made clear is that he wants diversity and inclusion to be an integral part of the department's core values, and every bureau and unit is accountable for that. And so, we take that feedback and we talk to the leadership of the department, and we invite new initiatives so that we can make sure that listen to what is being said, and hold ourselves accountable for bringing the necessary changes.

COUNCIL MEMBER CABRERA: So, can you share with us what were the results, and how long have you been gathering this data?

DEPUTY COMMISSIONER LOVING: So, we've been gathering this data for the last two years. That's how long we have been doing this type of training, and the amount of feedback that we get back it's—it's for every particular bureau and unit. I can't share with you the specifics of what that data is at this moment because it's a—it's a huge amount of data, but we--

COUNCIL MEMBER CABRERA: But aren't—you know, the whole idea of driving data is not just that you've got the data, it's to gather and then

extrapolate that data, and then so that we could come up with a plan, and then execute and to make the changes. So, can you share with us what were the findings, the overall findings and as a result of that, what policy changes have taken place?

DEPUTY COMMISSIONER LOVING: So, that's— it's not that much of a simplistic process. It's just getting a broad overview is something that we meet with our leadership about so that we can discuss all of those different things that come up in those meetings, and so that we can do what's necessary to bring about new initiatives and changes in policy for the department. It's something that we are still looking at and still working with. So, perhaps in the future, we'll be able to provide you with some more comprehensive.

COUNCIL MEMBER CABRERA: I have to tell you after two years, you should have some definite numbers, and variables to bring to here, and you're already sending, you're already looking at and you're discussing. In order to discuss something, when you have some definite answers that the discussion is taking place. So, the answer to me seems a bit nebulous, to be honest with you, and I would hope

2 next time that we gather her together that you could  
3 come back with the results of this survey because  
4 it's been two years, and we are talking about it.  
5 You are having meetings with the upper echelon.  
6 Therefore, it tells me that, you know, you're doing  
7 something that--and you've got to know something.  
8 So, it you could bring that, Commissioner, next time  
9 I would really appreciate that. The second question  
10 I had was in terms of how many--how many Latinos and  
11 African-Americans issues are in leadership right now  
12 in your department?

13 COMMISSIONER NIGRO: How would--how would  
14 we define leadership?

15 COUNCIL MEMBER CABRERA: Well, how do you  
16 define leadership?

17 COMMISSIONER NIGRO: How would I define  
18 leadership?

19 COUNCIL MEMBER CABRERA: Yes.

20 COMMISSIONER NIGRO: Well, there's  
21 different levels of leadership certainly. The  
22 leadership, you see the civilian leadership of the  
23 job, as the Speaker said that I have no control over,  
24 which is outside the Civil Service system, I would  
25 say is extremely diverse in terms of people of color

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 55

2 and woman uniform within the firefighter ranks it's  
3 lagging behind the hiring. So, therefore, there is  
4 work--there will be work to be done as we bring people  
5 in, in order to move--that they move up in the  
6 department in similar numbers to the numbers of  
7 people coming. Right now, it's not a--

8 COUNCIL MEMBER CABRERA: [interposing] Do  
9 you have any numbers before us?

10 COMMISSIONER NIGRO: Do we have the  
11 numbers? Yes, we do. I think we can--we can provide  
12 that to you.

13 COUNCIL MEMBER CABRERA: Okay, thank you.  
14 Do you mind sharing all of that?

15 COMMISSIONER NIGRO: Yeah, I can do that.  
16 I think that--let's see. I think it would be easier  
17 to do it later. As it's laid out, we have 44 company  
18 officers.

19 COUNCIL MEMBER CABRERA: And how many  
20 officers are overall in the department?

21 COMMISSIONER NIGRO: Male and His-- No,  
22 male and Hispanic, male black and Hispanic officers  
23 are 154 or about 2,000.

24 COUNCIL MEMBER CABRERA: Out of 2,000.  
25 So, you're talking about 5%?

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 56

2 COMMISSIONER NIGRO: Women officers are 7  
3 out of 64, out. Out 64 women, 7 of them are  
4 officers.

5 COUNCIL MEMBER CABRERA: And the reason  
6 for that is because--?

7 COMMISSIONER NIGRO: Mainly because the  
8 bulk of the firefighters hired were people of color,  
9 have been hired in the last cycle of 3,000 people,  
10 and have not yet qualified to take promotional exams.  
11 I would say that's the main reason or certainly  
12 secondary and tertiary reasons for the--for that lag?

13 COUNCIL MEMBER CABRERA: Have you seen an  
14 uptick in you membership coming up that are there  
15 right now applying and who are eligible?

16 COMMISSIONER NIGRO: I think it's too  
17 early yet, you know, as far as looking at the numbers  
18 of people who are eligible and extrapolating that.  
19 We'd have to get those numbers to you. I do not have  
20 those.

21 COUNCIL MEMBER CABRERA: Okay. Just two--  
22 two more quick questions here. One is there was  
23 comment made before that 0.6 and we have of women  
24 firefighters. That was a hard number to move. But I  
25 learned when we have such a small number, it's



actually easier to move that number, and I'm—I'm looking at the L.A. numbers. Their department I think if I saw it was 4%. Why have they been more successful in—in recruiting and being able to have more women in—in their department?

DEPUTY COMMISSIONER KAVANAUGH: So, we've met with L.A. actually quite extensively, and actually they look to us for recruitment advice. You know one of the reasons we see the difference in numbers, the difference in size, we're more than twice as large as L.A., L.A.'s Fire Department. So, while the percentage is higher, they don't necessarily have more female firefighters than we do, and so we've actually tried to work collaboratively—collaboratively with them to figure out what things have worked and what things have not. I mean we continue to do that together. As the Commissioner said, we are very constrained by Civil Service. We have to take who's on a list we already have, and so a lot of what we've done is where we're looking is looking to how to get more women on the next list, which we did more than double the number on this next list.

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 58

2 COUNCIL MEMBER CABRERA: But if they use  
3 the CPAP with them. Does that make a difference?

4 DEPUTY COMMISSIONER KAVANAUGH: All—all  
5 large departments nationwide use the CPAT as the way.

6 COUNCIL MEMBER CABRERA: Do we use CPAT?

7 DEPUTY COMMISSIONER KAVANAUGH: Yes.

8 COUNCIL MEMBER CABRERA: That's the test,  
9 but we have our internal?

10 DEPUTY COMMISSIONER KAVANAUGH: There are  
11 test ones that are in the Academy but there is only  
12 one physical test to get on to the job, and that's  
13 the CPAT, and all large departments use that test.

14 COUNCIL MEMBER CABRERA: Okay. Let me  
15 close with this, Commissioner. I actually started  
16 with this. So, I'll leave the best for last. Thank  
17 you for all you're doing. You're moving in the right  
18 direction. I see significant changes from the last  
19 four years when I first started in this committee. I  
20 commend you for that. I commend you for all the work  
21 and the leadership that has taken place. Let's keep  
22 moving in that direction, and putting more resources,  
23 and I'm glad to—I see that we—I don't know \$100,000  
24 in retention equipment, and I think that's a lot of  
25 bread in our briefing notes. So, again, I commend

2 you and--and--and great group that you are. Thank you  
3 so much.

4 COMMISSIONER NIGRO: Thank you.

5 CHAIRPERSON BORELLI: Thanks very much,  
6 and finally, Council Member Brannan.

7 COUNCIL MEMBER BRANNAN: Thank you,  
8 Chair. Congratulations and I'm honored to be part of  
9 this group. Commissioner, the--the effort to  
10 diversity the ranks and--and having a CDIO, is that--is  
11 that peerless to New York? Are we the only ones that  
12 have that? L.A. or Phoenix or Chicago, is anyone  
13 don't that too?

14 COMMISSIONER NIGRO: I believe the role  
15 of CDIO has expanded throughout, you know, academia  
16 through business and through departments. I--I don't  
17 know if other departments have someone who fills that  
18 role. They might. Some of them have people who do  
19 that as part of their tasks. I don't know if they  
20 have someone who's specifically who's that--their only  
21 job is the CDIO.

22 DEPUTY COMMISSIONER KAVANAUGH: Yeah,  
23 most of the other departments I've seen that with  
24 because they're so much smaller, they usually have  
25 people doing--You know, one person might be doing the

jobs of three or four of us I'm sure, but I think most other large departments are at least looking at the issue or diversity in the same way we are.

COUNCIL MEMBER BRANNAN: And was your effort--was the FDNY's effort to diversify its ranks based on any other model like PD's model or--?

DEPUTY COMMISSIONER KAVANAUGH: We have worked with NYPD, Sanitation, Corrections, and we really carry all the other large departments in the country, and some experts in the diversity inclusion work. So, all of those we tried to drop them, and it was like rise in (sic) overtime with the Fire Department.

COUNCIL MEMBER BRANNAN: The last question. As far as attrition with folks retiring, is there an idea? Do you have a handle on the percentage of folks that are taking their place that are women or people of color or maintaining women or people of color?

COMMISSIONER NIGRO: You know, traditionally, in our department folks worked 27 to 28 years prior to retirement. There was a bit of a--a glitch, a blip after 9/11 in which we lost quite a significant number of members of the department

through retirement. Now, we've hired, there was also a break in which the department couldn't hire while this case was being settled by the federal courts. So, in the past three years, we've hired 3,000 people to fill the ranks of the department. So, I think we're back down to a number of--of--approximately 600 people a year retiring are looking forward and that would meet more of the traditional model really in the department.

COUNCIL MEMBER BRANNAN: I think one of the things that great about this city is that it is a what have you done for me lately, but I give you guys credit from turning and facing this issue, and working in the right direction. So, thank you.

COMMISSIONER NIGRO: Thank you. [pause]

CHAIRPERSON BORELLI: Well, thank you. Just a few more questions, and then we will have our next panel. Can you just talk about the--the funding over the past couple of years that has been a freeze for minority of color and any improvement? How has it gone up over the past couple of budgets? Is your goal to have more? Can you use some funding?

DEPUTY COMMISSIONER KAVANAUGH: So, it was \$10 million for this last campaign. I'm not

1 actually sure. Because I've forgotten the person's  
2 (sic) name. I don't want to answer that, but I would  
3 say for future campaigns, one of the things that one  
4 of the things we're doing right now is looking at  
5 them now that we've give the test and completed this  
6 recruitment cycle, we're doing a cost benefit  
7 analysis of that cycle. I don't the goal necessarily  
8 it to be spent--to spend more or less if we could  
9 spend where it showed to have the best results in the  
10 next campaign. So, we're currently undergoing that  
11 effort right now as we're looking at the budget.

13 CHAIRPERSON BORELLI: And how much staff  
14 is dedicated to recruitment efforts overall?

15 DEPUTY COMMISSIONER KAVANAUGH: So,  
16 there's a full-time staff and recruitment that is  
17 there, you know, every year, which is I think 15 or  
18 20 people, but during the recruitment cycle when the  
19 test is about to be given hundreds of the uniformed  
20 members come and do overtime with the unit. So, so,  
21 that in terms of the whole department it's quite  
22 large, but that ebbs and flows with the testing.

23 COMMISSIONER NIGRO: [interposing] And--and  
24 in the previous we used a thousand people in the  
25 department overall as recruiters.

2 CHAIRPERSON BORELLI: And--and so,  
3 overtime over the past six fiscal years for  
4 recruitment was \$23 million. That's primarily  
5 because the people were using two or three  
6 candidates, they're firefighters themselves and  
7 they're on life duty or they're doing a culture of  
8 overtime, or--?

9 COMMISSIONER NIGRO: They're doing it,  
10 and most of them part-time on overtime. Most of  
11 them, a thousand number, yes.

12 CHAIRPERSON BORELLI: Is--I mean have you  
13 looked at whether that's a--a good way to spend money?  
14 I mean would it be better to have certain people who  
15 are assigned full time to recruitment.

16 DEPUTY COMMISSIONER KAVANAUGH: That is  
17 one of the things that after action is whether or not  
18 offline details versus part-time overtime details  
19 would be better. So, it's one of the things we're  
20 looking at.

21 CHAIRPERSON BORELLI: I--I guess to--to be  
22 frank, you know, if you're getting two firefighters  
23 who are just happy to make some overtime, you know,  
24 what--what is the--is there a goal for them, or are  
25 people they get it kind of back or are they--

DEPUTY COMMISSIONER KAVANAUGH: No, so there's a-a pretty I'd say intensive quality assurance role. We have a number of officers who come to the unit, and help us out, and Commissioner Noonan can expand on that, but we do look at that very closely.

ASSISTANT COMMISSIONER NOONAN: It's definitely more important to not just look at the overtime, and being cautious about having more details to a unit means that you burn out the recruiter. So, having fresh blood coming into unit, having them go out energetic and recruit new people every day is something that we look at. We do notice that the members that are detailed to the unit sometimes they can be a little bit engaged to go for an entire year depending at that level at the end of the day. So, we do encourage the fresh blood, which is why we train over 1,000 recruiters to help us out.

CHAIRPERSON BORELLI: And your vision Commissioner going forward, are you prepared to give us a plan of the direction you'd like the recruitment office to go in, but you feel is budgetary next month. (sic)



DEPUTY COMMISSIONER NOONAN: Yeah, we've been working pretty tirelessly on that action plan based on the last campaign. A lot of the--the results of that action we look at where people score so that would be something we are looking at this point, but there's a lot of data to look at. You know, not only just with the field campaign. There's a lot of what we did within social media. That was something new to the department. So, we have a lot of different facts to look at and allow based on the based, and how successful each type of program we want to have there. (sic)

COUNCIL MEMBER BORELLI: Have we identified any things that we've done in the--in the 2017--in the advance of the 2017 test, and how it worked?

DEPUTY COMMISSIONER NOONAN: We're still analyzing. For me to say right now without having the final report, which would be in advanced, I would rather we wait for the final.

CHAIRPERSON BORELLI: Okay, and the final question I have is the--the department testified at hearing I think two years ago that the percentage of firehouses equipped to accommodate FEMA firefighter

were 80%. What is the current percentage and what's the plan for the rest?

COMMISSIONER NIGRO: Right now, it's 100%--

CHAIRPERSON BORELLI: Okay.

COMMISSIONER NIGRO: --but the department is also planning to make improvements on areas, dressing areas or transitional areas and there is money budgeted towards that, and that work is ongoing, but they're now--every firehouse is suitable.

CHAIRPERSON BORELLI: So, there's no prohibition from any female to be in relocated in a firehouse for--for that reason?

COMMISSIONER NIGRO: Not to my knowledge.

CHAIRPERSON BORELLI: Okay. Thank you very much.

COMMISSIONER NIGRO: Okay. [pause]. The next panel we'll be calling is Owen Barsali (sp?) and I see some of his members from Local 2507 and all guys and gals, and also Yetta Kern from EMF&E. (sic) [pause] We have to wait for Brian. I don't know the oath by heart. [background comments] Oh, okay, well nothing serious. Alright, so I guess we will begin with--with Owen. Thank you.

OWEN BORIANO: Good morning Chairperson Borelli and committee members. Thank you for the opportunity to address you today with regards to the issue of diversity within the FDNY. Diversity is not just about--about numbers. It is about ensuring respect, recognition and equal treatment within the ranks. The bias that hinder diversity on the fire side in the department also adversely impacts our members who serve on the EMS side of the department. While the department and Commissioner Nigro specifically has made strides to improve diversity, our members are predominantly minorities, and there are significant numbers of women. While this may seem like an improvement, unfortunately despite this, or maybe because of this, EMS workers are severely underpaid earning a fraction of what other members and workers earn. While open discipline in a higher ratio compared to the fire side, imposing penalties being levied on them and including withholding pay. For employees who are already significantly underpaid, this can be devastating. On top of this, the EMS side of the Fire Department are not always given the resources or attention or recognition they deserve. The EMS workers handle a good majority of

the calls that come into the Fire Department. They put their lives on the line protecting New Yorkers in the most dangerous situations that face the city in responding to hazardous material incidents, act of trades (sic) and terrorism tactics. Yet, too often the department forget to recognize its contributions and the sacrifices we make. I hope the work of this committee will result in encouraging the department to see the value of the EMS side of the department so that the work can begin in ensuring that only EMS—not only is the FDNY diverse, but the diversity is embraced within the same dignity and respect as all other members of the FDNY, and given the same equal opportunity, which they earned and deserve will thrive within the department. I look forward to the chance to work with this committee and the department to remedy these problems and build as strong as possible FDNY for New Yorkers. Thank you.

CHAIRPERSON BORELLI: Thank you very much, Mr. President. Do you have a statement on half of Mr. Variale?

MALE SPEAKER: I'm sorry. I apologize.

YETTA KURLAND: Good morning. My name is Yetta Kurland, from the Kurland Group. I represent

both Local 2507 as well as Local 3621, which make up the EMS officers and members. Mr. Variale who is the President of Local 3621 couldn't be here today. So, he asked me to read a prepared statement. He wanted to show his respect and appear here today. Dear Chairperson Borelli, and committee members of the Fire and Emergency Management Committee, thank you for holding this hearing and for helping to bring attention to the challenges the FDNY faces with regards to diversity. We are committed to eliminating the bias, which can lead to issues with diverse representation within the department, but also we are committed to working within the department to ensure that there is a fair and treatment and promotional process and equal employment for all members currently within the department. We must improve the department's message to minorities and women. We can begin by improving the message to the Emergency Medical Service members by recognizing them as uniformed officers. The EMS is the most diverse group within the FDNY. We need to have these members feeling respected so then they will bring back a message to their respective communities that others who join the department will

also be treated equally. In the absence of this commitment, in the absence of this, others who join the department will just perpetuate a perception that the FDNY is not welcoming to diverse members. Instead, we want to send the message that the department embraces diversity, and will work to represent the equality of those members. This can begin by providing the Civil Service career ladder that helps eliminated the implicit and explicit bias that currently occurs in the promotional processes that happen now. This could be a step towards ensuring equal and fair treatment to the EMS workforce so that they are treated the same as other uniformed emergency service members both within the department and throughout the city. As long as there is a negative image of the Fire Department, and as long as there is unfair treatment within its ranks, we will continue to diminish the department and hurt New Yorkers who rely on us. I very much look forward to providing this committee and the department with extensive examples and constructive paths forward to help remedy these challenges. I thank you for your time and commitment to this issue, and thank you for your time.

CHAIRPERSON BORELLI: Thank you very much. I'm sorry. I only have two cards here. Can you please state your name?

MICHAEL GRECO: Yes, I am Michael Greco, Vice President of Local 2507.

CHAIRPERSON BORELLI: Nice to meet you, Michael.

MICHAEL GRECO: Nice to meet you. I didn't fill out the card. I didn't plan on speaking, but a couple of things came up that in case it comes back I would like to address specifically the promotion from EMS to follow. It's something I would like to address, yes. You guys brought it up as a path increase diversity on the Fire side. What I'd like to make sure you guys know is that to me is a 3 card monte game of just moving your diversity resources. It's severely hinders our service this promotion. The medical profession is an experienced game. So, when your Paramedics and EMTs out there were serving the citizens of New York you want them experienced. By devastating our ranks every four or five months, you're taking the experience away, and you're calling a promotion, which for the most basic way I can put it is an insult to a Paramedic and the

1 EMT. A Paramedic trains if they go straight 40 hours  
2 a week for nine months to become a Paramedic to treat  
3 the citizens of New York. The EMTs do that for three  
4 months. Firefighter training is three months. A  
5 Paramedic gives up his patch, takes it off of his  
6 shoulder and puts it on the ground to get what's  
7 called a CFR, Certified First Responder, which is  
8 about an 80-hour course that you can do, and it's  
9 called a promotion. Why do they do that? Because  
10 it's about \$50,000 more a year. So, we have a lot of  
11 our members who want to treat the citizens of New  
12 York, but they're told by their family, by others  
13 give it up. You—you can make much more money. So,  
14 we bring up the numbers. Thirty percent are female,  
15 there's 51 plus non-white. That is a form of a  
16 diversity problem. It's not just numbers. It's how  
17 you treat our members, how you treat our service.  
18 So, that's where we just—I—I really wanted to address  
19 that promotion opportunity. Thank you for your time.

21 CHAIRPERSON BORELLI: Thank you Vice  
22 President Greco, and thank you to the panel. I just  
23 have one question, and I know Council Member Cabrera  
24 has a question. The turnover rate from people who  
25 leave the EMT job, do you have a rough idea what's



the percentage that go onto an EMT officer program and Paramedic versus what's the percentage of people who just leave the job to explore a new career, your best estimates.

OWEN BORIANO: Our retention rate is extremely high. Just last month in December they took 10% of our workforce to go over to the Fire side. That was devastating for us. As Mr. Greco mentioned, we're taking experienced people from our side to go to the other side. As far as other positions within the city, we're losing people left and right whether it's the MTA, NYPD, Sanitation, we're—we're a revolving door for all the opportunities in—opportunities within the city.

YETTA KURLAND: If I could just follow up and maybe weave in what both the President and Vice President have said. I think if we could focus on two issues, and I know this will be a process and the committee will look at lot of different issues, but I think speaking from the EMS side, we need to really think about how the promotional process happens in a way that is investing in and developing the EMS and the Fire Department as a whole both for diversity purposes and for retention purposed. And a second

issue is I think we need to look at that pay inequities that are happening. The rate of pay on the EMS side is just—it's below the poverty line in New York City and the EMS workers are working overtime 10 and 12 years on a job could still be making in the \$40s in terms of overall salary with overtime. So, I think if we could focus in on those two areas we'd make great strides, and I think it also adds to the idea of the sense of respect. We talk about bringing in diversity, and then how do we treat that diversity once they are amongst the ranks, and we really want to create an idea where the FDNY is seen as embracing diversity and recruiting diversity. We have to treat those diverse numbers well once they come within the ranks.

CHAIRPERSON BORELLI: Okay. Thank you.  
Council Member Cabrera.

OWEN BORIANO: Can I—can I just make one—  
—

CHAIRPERSON BORELLI: [interposing] Sir.

OWEN BORIANO: --one more point. On the EMS side, as far as promotion to other ranks, other than a lieutenant, everything else is no Civil Service. There's no opportunities other than—

CHAIRPERSON BORELLI: And in your experience, what leads to promotion beyond lieutenant? You seem like you have an answer, Yetta.

YETTA KURLAND: That—that is a big topic.

OWEN BORIANO: That is a big a concern that we are trying to legislate as we speak to have it for the Civil Service because otherwise it's who you know. Basically, it's who you know.

YETTA KURLAND: Currently, there's an internal process, and this is also a place where 3621 is in the process of litigating. Um, there is an internal process that we would nothing other than an interview that lends itself to subjectivity and at the least impulsive bias, and there needs to be a formalized process. What 3621 is looking to do is create the Civil Service protections that would both address the concerns with the diversity and bias in that promotion, and just also make those positions more stabilized. So, that's what we're looking to do, and there really isn't a lot we talk about in terms of how that testing works exactly, but it is very limited, and it is still in just the FDNY. There's no oversight with DCAS as there is in the Civil Service exams.

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 76

2 CHAIRPERSON BORELLI: Thank you. Council  
3 Member Cabrera.

4 COUNCIL MEMBER CABRERA: Thank you so  
5 much, Mr. Chair. It's truly a shame what we're doing  
6 to you in terms of this inequality of pay. It sends  
7 a message that you're not being valued in your work.  
8 I just want to be clear that if I heard right, the  
9 max pay is \$44,000?

10 OWEN BORIANO: It's \$44,000 for the EMTs  
11 and about \$60,000 for Paramedics.

12 COUNCIL MEMBER CABRERA:

13 MICHAEL GRECO: That's the max.

14 OWEN BORIANO: That's the maximum.

15 COUNCIL MEMBER CABRERA: Wow and that's  
16 shocking. It truly and I can see why you—you saying  
17 the numbers because they want to stay. They love  
18 their job, which anybody who says careers of products  
19 forcing this subject matter will tell you that people  
20 are leaving because of the pay not because of what  
21 they love. So, when they go to their next job,  
22 they're not going to do it with the same love.  
23 There's something about when people work with passion  
24 they give more attention to a position, to  
25 excellence, and so, um, and Chairman, I hope that we

could work together in helping them to making this a reality. I--the one question I had was in regards to what the Commission said regarding the reason why some minorities were dropping out was because they didn't--they weren't waiting long enough. Therefore, they didn't want it bad enough. Do you--do you buy into that argument?

OWEN BORIANO: Well, the Civil Service program is very complex. So sometimes it is a lengthy process. If an opportunity comes to somebody before the FDNY some people may take it. If NYPD came in quicker than FDNY, then they may jump on that one.

COUNCIL MEMBER CABRERA: But shouldn't it be the same ratio with Caucasians as it is with minorities? Why is it that minorities are higher, a higher number? It should be proportionate, right?

OWEN BORIANO: It should be proportionate.

COUNCIL MEMBER CABRERA: Then why--? That, but that struck me odd.

OWEN BORIANO: This issue is not being addressed by this administration. No, with all respect, Mr. Nigro, the Commissioner of our

Department who like in favor of this. What happened to this thing is why we—we're here today.

YETTA KURLAND: Yes, I would just add to that. I think we have to be really careful about blaming employees from problems with attrition and recruitment from employers. That just puts us down a very dangerous slippery slope. I actually think, and again, we are positively engaging with the department and we want to work with them in a partnership to solve this problem. We do recognize some of the steps that have been made by the department at the same time what I was struck with when the Commissioner was speaking was that he referred to the fire side as the uniform service members, and referred to the EMS side as civilians, and that is really a punch in the stomach to those brave men and women. I think it undermines what some of these problems are when you think about that type of exclusionary mentality, we then understand that a predominantly white male fire side that's the uniform service is much higher paid, which God bless. We wouldn't want—we want them to be well compensated, but then you look at the predominantly of color large female base of EMS workers. We're not recognizing

them as uniform service. When it serves us to do so, we hold them to that standard, but then we don't reward with the structure. I think we have to change that mentality.

COUNCIL MEMBER CABRERA: Well, said, and if you had mic, you could have dropped that there. [laughter] Thank you so much. Thank you, Chairman.

CHAIRPERSON BORELLI: Thank you very much Council Member. No other questions for you guys. Oh, you have one?

OWEN BORIANO: If I just may add.

CHAIRPERSON BORELLI: Sure.

OWEN BORIANO: By the end of this year, we're going lose 30% of our members going to the other side.

CHAIRPERSON BORELLI: And what--what does it cost to retrain? What--what is the cost of training a new EMT hire?

OWEN BORIANO: It's two to three months in our academy. The average stay here is two years, two or three years. That's all, but we're wasting all this money on training new hires that want to stay, but they're only leaving because of the compensation.

CHAIRPERSON BORELLI: Sure.

OWEN BORIANO: So, we're wasting more money on train-on constantly training people instead of making a commitment to a job that they want.

CHAIRPERSON BORELLI: And losing the experience?

OWEN BORIANO: Correct, but there's—there's a study showing that experience impact the results of patient care.

CHAIRPERSON BORELLI: When I have my heart attack, I hope the very experienced EMTs comes and I'll be the first to admit that.

OWEN BORIANO: Yeah, yeah.

CHAIRPERSON BORELLI: But thank you very much folks. I appreciate it.

OWEN BORIANO: Thank you.

MICHAEL GRECO: Thank you.

CHAIRPERSON BORELLI: Next, we have Regina Wilson, President of the Vulcan Society, Paul Washington, Colleen Barrett. [pause] Good morning. Thank you so much. Would you prefer to start Ms. Wilson?

REGINA WILSON: [off mic] Thank you.

[background comments] Thank you. Good morning to all



2 the Council Members in attendance here today, or to  
3 parties and guests. Thank you for allowing me to  
4 speak today to the issue of diversity in the FDNY.

5 My name is Regina Wilson and I'm the President of the  
6 Vulcan Society of New York. Throughout the history  
7 of the FDNY, diversity inclusion has always been an  
8 issue, which the Fire Department of New York has  
9 seemed to have a hard time getting resolved. If you  
10 simply look at the very visible percentage of people  
11 of color and women throughout the fire service in  
12 150+ years it tells the story of true-of-of-it tells  
13 the story of true commitment, of untrue commitment to  
14 diversity of the fire service. African-Americans  
15 represent only 8% of suppression-on the suppression  
16 side of the FDNY. Women represent less than 1%,  
17 Hispanics 10%, Asian and Native Americans are also  
18 less than 1%. Unfortunately, all changes to  
19 diversifying the FDNY did not come with the  
20 willingness, views of-or of the future to make the  
21 FDNY the best fire department in the world. Due to a  
22 diverse workforce on the suppression side of the  
23 department or the possible opportunities for the  
24 community, it was due to the several lawsuits from  
25 the Vulcan Society fighting for people of color and

women and the lawsuits from Captain Linda Berkman for equality and fair hiring practices for women to join the fire service. The path of resistance has been met from many years. I believe we are—we are still being met with that resistance today. The FDNY just completed a recruitment job for the position of firefighter. Although we have recruited a large amount of women and people of color, this is still not enough, and the department still has not reached a court settlement number of outreach to people of color and test takers. In the recruitment process, there were poor—poorly trained recruiters and little to none retraining for recruiters who have poor performance skills. I believe this inability to consistently monitor recruiters in their work performance and ethics cause critical errors in our recruitment job. These critical—these errors—errors of—errors of address may have yield numbers—I'm sorry. These errors addressed may have yielded the numbers needed to have critical—to have the critical numbers given to the city that will represent the percentage of African-Americans in the City. Although the FDNY has yield high numbers from the latest recruitment campaign, if the department in any

way does not continue to commit to a high level of diversity—the suppression side of the department in the ongoing years, and fix some of these critical errors, this department will never reach its full potential of greatness nor will it ever truly represent the city it serves. The other alarming issues resolving diversity, the department—in the department is FDNY’s lack of preparedness for the increased number of women and people of color into the department in the firehouse. The message of inclusiveness in the department true vision and support of diversity inclusion is not done on a consistent basis. The FDNY historically has done nothing in its power to oppose the two—nothing in its power to oppose the inclusion of women and people of color by the means of harassment, segregation, violence, and unfair hiring practices. The tradition and culture of the department, which some firehouses still practice today, is that anyone who is non-white male or female is not welcome. It is more critical than ever before that for all levels of the department to understand the diversity inclusion and equal treatment are the core values of the department. Without this message, you’re not only

being sent in the form of electric and print messaging, we have to hold people accountable when we they do not commit to the values of the department or the officers of the FDNY do provide the atmosphere in the firehouse that holds those values as well.

Because of the seriousness of this matter is not addressed or not upheld properly by the department, now more than ever members of the organization, other people of color are being harassed and treated unfairly in the firehouses by the Fire Department as well as firefighters. Firefighters have been subjected to discrimination of race and religion, gender biases, disability and consistent abuse, and I will also add sexual abuse. I have attached some examples of such actions. When these actions are performed, the department at times have a delay or non-reaction these cases, and they do not give the message that the bad actors do not represent the department in any way, and that these actors will never be tolerated in the department. This is never a consistent message from the department because it is not expressed to the members on a consistent basis. The message is used as a—as a passing phase. More often the department is dealing with the problem

or has taken some sort of action. The issues in the firehouse are not addressed to the firehouse directly of the wrong committed or why the action taken by the department is anyway necessary. If the department does not take a more deliberate action in truly valuing the greatness that a diverse workforce can bring to the department and the citizens and which they serve, we will never be the greatest fire department in the world. Every citizen applying should not fear not being accepted because of color, the skin, gender, religion, belief or disabilities. The Fire Department still has a lot of work to do, and we don't have time to wait. I would also like to read to you a statement made by the President of the United Women Firefighters, if I can.

CHAIRPERSON BORELLI: Sure.

REGINA WILSON: Thank you.

CHAIRPERSON BORELLI: Could you also email that to the committee so we can have that.

REGINA WILSON: Yes, I will. She sent it to me this morning. So, I will. Okay. My name is Sarinya Srisakul, and I am the President of the United Women's Firefighters. We represent the Women's Firefighters and Offices of the FDNY in New

2 York City. Currently, there are 67 of us serving in  
3 the department, which is an historic-historic high.  
4 However, the force is nearly 11,000 members large  
5 making our percentage of 0.6% the worst gender  
6 disparity out of all major departments in the United  
7 States. By comparison, the national average is  
8 around 4%. Women in cities such-women in cities such  
9 as Minneapolis, San Francisco, or Seattle are in the  
10 double digits. Although changes in the Fire  
11 Department, in the fire recruitment and hiring  
12 process has helped increase our numbers from 41 back  
13 in 1982 to the number of 67 women that have been  
14 hired since 2013, more major changes need to occur to  
15 achieve gender parity within the Fire Department.  
16 One of our organization's main interests is to fill  
17 the gaps left behind by the Fire Department and  
18 recruiting efforts as it relates to young women. For  
19 last year's campaign, we helped create two  
20 commercials featuring women firefighters and aimed at  
21 young women. The Fire Department did not show the  
22 media we created and even met us with hostility when  
23 creating the portion where women firefighters wore  
24 uniforms. We worked-we also created our own women's  
25 focus events, and have been consistently met with

anonymity—amnesty—sorry—and roadblocks by the FDNY.

Last year's campaign was the first time in recent

recruitment campaigns where there was very little

collaboration between the FDNY and the United Women

Firefighters. The age maximum for non-military vet

applications for the FDNY test is 28 years old. No

other major department has such a low age cap. Most

departments have no age limit and when they do, it is

usually 35 years old. Since this low age limit

consists of child bearing years, and women entering

non-traditional fields at older age, we will believe

this rule is gender discrimination. Additionally,

the hiring templet of once every four years severely

limits chances and individuals to take this exam in

their lifetime. The workplace and firehouses

severely needs to improve to be at a place of

professionalism and equality. There are too many

instances of women firefighters and other

firefighters with diverse backgrounds getting hazed

and bullied just because they're different. New

stories of horrible incidents consistently pop up

and—and deter well-meaning women and forward thinking

New Yorkers from joining the force. These issues

outline many but the tips—but are tips of the

iceberg. Many other cities in the United States are and abroad have been able to successfully increase their numbers of women firefighters, and we hope that a hope that a city as progressive as New York can one day do the same.

CHAIRPERSON BORELLI: Thank you so much, and Mr. Washington, today do you have a prepared statement?

PAUL WASHINGTON: I do.

CHAIRPERSON BORELLI: Thank you.

PAUL WASHINGTON: Yes, I do. Thank you for—for having us at this—at this hearing. I'm glad to be able to give some brief testimony. My name is Paul Washington, and I'm a past president of the Vulcan Society, and a Captain in the Fire Department, and I've got almost 30 years on the job, and I'm very proud to say that the reactions under my administration have brought this—this lawsuit that we're—that the Fire Department is currently under. I feel very strongly that despite the improving numbers of firefighters in FDNY who are black and people color this administration receives a failing grade when it comes to its relationship with black firefighters. And I want to use three—I want to use



three quick examples, personal examples that show—that illustrate what I'm talking about. There was a—  
a recent—a few months ago there was an article in the Post, it was a front page article featuring myself that denigrating me and made me look bad. They took some words I said out of context about firefighter not running into burning buildings. There as a video of me speaking to some college students at the time when I said this, and anyone watched the video, which is readily available on You Tube, they would clearly understand what I mean. What I mean was if the whole building on fire, we don't run in—we don't run through flames, and that was clearly—that was—that was clear from the, um, from the video. At the last memorial service in October, Commissioner Nigro took the opportunity, took that opportunity to bond with white firefighters in New York City by saying yes, we do run into burning buildings. He said it several times, and it was clear what he was going for. It was a dog whistle loud and clear to the white firefighters saying yeah, you know, we're bonding. I'm bonding with you against this uppity black man who had the nerve to bring a lawsuit and fight for diversity into the—into the Fire Department. That

was clear, and that message—that message was pretty—I'm sure he would say that no that's not what he was he doing, but that message was received loud and clear. And that message is just a message of separation because black firefighters heard something different. Black firefighters heard a different message, and the message they heard was yeah, we're going to put this—we're going to put this black guy in his place and it's two separate departments. There's a black—you know, we—we're going to act one towards a black man speaking out, and another way towards others. So, that's—that's one illustration. Another illustration is my particular firehouse. In my firehouse we have a large number of people of color relatively speaking, and-and-and there, but there are other black firefighters that want to come into my firehouse. These firefighters are not allowed to come into my firehouse. They kept off. They kept out of my firehouse by various means. It's a—it's more of a trickle than a—a black firefighter coming into than it should be. There are black firefighters who are looking to be detailed into my firehouse, two in particular that have been—that have suffered egregiously in the Fire Department. There

are two black firefighters who suffered egregiously. I don't want to say their names, but in their firehouse, and they want to leave those firehouses and come to my firehouse., and-and they're not being allowed to. They want to come here on a-on a temporary basis. They're not being allowed to by this administration. Now, you might think that there are some various reasons as to why they're not being allowed to come in. But, when you-when you hear what the Chief to Department, Chief Lenning said in a meeting about two years ago with our president, with President Wilson, he said at that time that he didn't want. At that time there were black firefighters who were trying to come into my fire company. He says no, we don't want them to come in because we don't want to make a black fire company or a black firehouse. He said it had been done in the past, and it didn't work out, and that's not true. There's never been a-there's never been a predominantly black company or firehouse in the city of New York before my company, and-and that-There was a company had more blacks in it than-than other companies, but there were no problems there. It was a-it was a very good experience for more than-if you're talking to all the

1 firefighters who are---who were there. But not only--  
2 not only that, but he also said that he didn't want  
3 to make white firefighters uncomfortable. He didn't  
4 what white firefighters to be uncomfortable because  
5 there's a lot of blacks in a particular firehouse.  
6 Now, when you say that, you know, you're sending a  
7 clear message that we're going to treat black  
8 firefighters who were trying to get this--into this--  
9 into this company a little bit different. Why aren't  
10 they going to be--and they're not going to be allowed  
11 to come in because we don't want white firefighters  
12 feeling uncomfortable? I mean every firehouse in the  
13 city of New York for 150 years has been predominantly  
14 white. Do those black firefighters--so those black  
15 firefighters feel uncomfortable because they're in  
16 the same position at Chief Lenning doesn't want the  
17 white firefighters to be in. There's nothing wrong  
18 with that or that's okay and we can have that, but we  
19 can't have the white firefighters feeling  
20 uncomfortable, and there's no--and I don't believe  
21 that that would be the case that the white  
22 firefighters would feel uncomfortable. But that  
23 shows you where this administration is coming from in  
24 terms of firefighters coming to my house, another  
25

illustration. And the last thing I want to say is I joined this department in 1988. I became a member of the Vulcan Society Executive Order in 1990, and the president at that time was nice enough to take me under his wing and bring me to various meetings with commissioners and so on. So, I met with every commissioner since Commissioner Safir in the early '90s, Commissioner Safir, Commissioner Rivera, Commissioner Von Essent, Commissioner Scoppetta, Commissioner Cassano and Commissioner Nigro. And I can say without any--without a shadow of a doubt they've all acted the same way. They've all acted the same way. They're never proactive in--in like taking action that black firefighter need, and when we come to them with suggestions, this what we--this what we think you should do in this area, this is what we think you should do in that area, it's always like, Well, we'll see what we can do or we'll look into that, but nothing gets done. This administration is no different from the others. The only difference is a federal judge is overseeing them. Everything that they've done has been done because the federal judge is overseeing them. They--the spoke about a CDIO and a diversity advocate. They never mentioned they were

hired because they had to be hired because of the lawsuit. They didn't do that on their own. They had to hire the CIDO. They had to hire the Diversity Advocate. The recruitment effort that they—that they had to do, they were—they were forced into doing that. The judge said he wanted 28% of the people who apply to take the test to be black. The Fire Department didn't reach that number, but the reason that they put in the effort was because they had to. So, those are just some of the things that, that I wanted to mention, and that's it. Thank you for your time.

CHAIRPERSON BORELLI: Thank you. Mr. Ed.

(sic)

MALE SPEAKER: Good afternoon. I don't have a prepared statement. I would to forward that at a later time, but in refence to the topic of recruitment, diversity and change on the job, I don't know exactly where to start. I first got my application with the—for the New York city Fire Department through the Vulcan Society back in 1999 at a I would say an afternoon parade in Harlem. At that time, I worked my tail off vigorously to—to be a part of the department and in getting hired and sworn in

2000—in 2003. I placed at the Fire Academy and then soon after a firehouse within East Harlem. When I got there, I was exposed to a culture that was indifferent in what I was normal to, saying different things such as, you know, racist slurs. They talked and said to me because my name is a—is an Arabic name, I was thought to be a terrorist. You know, one gentleman even said at my first day at the firehouse he said: Why would headquarters send us a Muslim named individual when we lost guys at 9/11? He said, all we could know is that this guy could be a secret cell terrorist, and I was like you got to be kidding me. You know, I worked at the World Trade Center. I was chef there at one time. I lost people at Windows in the World. I also had family members who were military who served in the armed forces for this great, great, great United States, and I just thought that that was just wrong. And this was said in the company of officers and other members of the firehouse. That individual now is—is within the ranks of the management, a lieutenant now serving at a firehouse in Harlem. I wanted to say that because when we come into these meetings and we talk about diversity and the different cultures and which that—

that occur at the firehouse, you often times hear that the firehouses are not racist. We don't have guys there that--that do wrongful things to individuals who are minorities. That doesn't happen, but when we look at the newspaper we see that as different. When we look at the press we see that's different. Any person that's in upper management that has time on this job cannot ever tell me that they haven't witnessed themselves or heard of themselves of any other individual who was performing something that was incorrect at the firehouse that had to do with the--something wrong with minorities. The job I have been involved with three different campaigns of--of recruitment with the Fire Department. I've been on the ground working as a recruiter. I was detailed to the Recruitment Unit, and working on my own time as a recruiter with the Vulcan Society. I've seen a lot of different things that have come across the table as to where we have tried to make better efforts for the departments and put initiatives against--for recruitment within our communities of color to increase minorities, to increase women on the job, and at times--at times it has been pushed that. At other times I have noticed



that the changes in which that the department has put forth has only come forth because of the court case, and that's incorrect. When I look at it and you say, hey, listen. I'm a New Yorker. I want to change what's going on. I want to change the firehouse, and one of the reasons in which that I got involved with the recruitment early on is because I saw that there were things that were going wrong, and the only way in which that you can change that is not only just having a voice, but to try to change the makeup of the firehouse. I saw that early on and I still keep that going to today. I talk to young people whenever I can see them at the supermarket, the schools. I'm passing by, I tell them that--what the benefits are to the department. Some of these individuals they tell me why would I join the department when I just seen something in the newspaper where a gentleman was sexually abused or where a gentleman at the fire house was called names or treated incorrectly? And then I have to try to try to dispel that and say hey listen that's--that's isolated. I still want you to the job. I still want you to be a part of a department where you can do some good helping people, putting out fires, go on a medical run and so forth.

But we have to understand, Council, that this change is not going to happen unless you get involved. It has to be a hands-on approach with this. It can't just be an email. It can't be a phone call. It can't just be one meeting or two. It has to be a hands-on approach. Visit the firehouse, see what's going on, and when they see that there's an interest in your local firehouse, especially in—in communities of color where those firehouses do not directly represent those communities in which that they service, you will get a different reaction from the department. I—I guarantee you that, but we—until that day comes then we're going to have disparaging moments. Our numbers are still going to be as the Commissioner stated is not there yet. As the other City Council person said, where's the beef, and we need that to be a state. It—it was great from him to say that, but we have to say where's the beef? We have to see that. The city of New York is owed something different. They have the department right now, the firefighters have—have a nice salary, and benefits to match, but we don't have the makeup and the representations of those communities in which that we serve.

CHAIRPERSON BORELLI: Thank you very much. I have a few questions. Deputy Commissioner Kavanaugh testified to something and you—you may have alluded to it, President Wilson, we have the numbers to show that—that there were gains made in the number of African-American applicants, and the number of folks passing the exam, and then she had alluded to that the lag between the time someone, you know, signs up to take the exam, takes the exam and finally gets hired, they—they have since found other jobs or— or taken, you know, different career paths. Do you agree with that—that sentiment that perhaps a shorter lag between exams, or a lag between exams and hiring would actually help the number of African-Americans applicants?

REGINA WILSON: Yes, I think that's absolutely true, but I also feel that they should do an attrition study. We asked for one for women because women drop off at a higher rate and does African-Americans. We also suggested that they do things to fill in that time. I mean there should be no reason why during this wait and us getting the emails, getting offers to come out and still have a connection with Fire Department in some way, shape or

2 form to still generate their interest. I know for  
3 myself it took me seven years to get hired, but  
4 during that time I had to self-motivate because  
5 during that absence of time I didn't hear anything  
6 from the Fire Department. I didn't know whether or  
7 not I was still going to get hired. I had to keep  
8 calling my investigator over and over again until  
9 when they picked up the phone they knew my voice, but  
10 not most people would think to do that. So, if the  
11 department doesn't figure out to solve that gap or  
12 how to fix those problems, we're going to continue to  
13 have these fire-tried drop off place, which is to the  
14 detriment of people coming in.

15 CHAIRPERSON BORELLI: Okay, and then you  
16 also mentioned some of the issues with the people  
17 doing the recruiting, and a lot of them are on  
18 overtime. This is something I raised with them. Do  
19 you think that's the best plan? I mean shouldn't  
20 there be people that are--In other words, should we  
21 find the best people to recruit and--and make them  
22 recruiters full time, and have an actual, you know, a  
23 plan for that?

24 REGINA WILSON: I--I definitely think that  
25 they should have a full-time recruitment staff, but

understanding that most of the firefighters that take interest in these recruitment campaigns, they are doing it whether or not they're on light duty or they'll come out and do a detail into the--to the unit for a certain amount of time. Now, most of these firefighters who will do the details are full time firefighters. So, they want to get back out into field. They do not want the--the--their job to be recruitment, but they do maybe need to hire a staff that is doing it in the interim. Like right now for instance, there is not a lot of recruiting in high schools right now. They--they scaled back on those things, but you got to plant the seed. Like we have another recruitment job in another four years. You need to nurture the seed right now. There's no reason why you should come back on any of these recruitment jobs that we've been doing, except for the offer to allow them to have a job, but they definitely have to find a way to--to bridge those gaps. They need to find a way to make sure that the interest is still there so that we could still have viable candidates, and they also need to stop pushing back on people that are doing overtime and telling them that they can't. That was the biggest problem

we had. We have to keep going to the judge and—and letting him know that the Fire Department and—and the members within the Recruitment Unit are stopping people from making overtime because they're telling them that their hours are too high. But the hours are high for the—for the senior recruiter. These are the—these are the people that have done more than one recruitment job that can go out and dominate and bring in those numbers instead of—of the 9,000 people that we got—that we had to—that were waivers that were given to people who were unemployed or received public assistance. They were able to get the application done for free. We had 9,000 people whom they had to go back and figure out whether or not they were eligible to have it because people—some of the recruiters were signing them up and just saying hey, this test is free. Just sign this paper. If you had educated senior recruiters there that were doing the job, we would never have had this problem of 9,000 people that we have to now go back and find out whether or not they eligible.

CHAIRPERSON BORELLI: Does the Vulcan Society—can any—can anyone abuse that and just also point to a department that just does a better job?

Is there an example out there of—of a department that's doing a better job recruiting a more diverse department that's more reflective of the city that they serve?

REGINA WILSON: I believe that—I'm a part of the International Association of Black Professional Firefighters, and unfortunately, we have the same problem with discrimination against women and people of color all around this country, but unfortunately, the FDNY is the worst of any major city meaning L.A. and in Chicago and all those other major cities. Chicago just had a lawsuit within themselves where they had to hire like 40 women onto the job because they discriminated against them. So, everyone around this country is having this, you know, these diversity and inclusion problems, but to me FDNY in the minds of everybody is a brand, and if this department who considers themselves great doesn't take the first step to make a difference and to show how—all the other countries how to get it done, then it's bad for them. I think it ruins their reputation as a department to be the best when they go put their best foot forward. I think collaboratively, they could go to all these other

cities and figure out what they're all doing wrong to get the best part of them. But until they realize within themselves, even upper staff have that hard conversation reference to racism, which they have a hard time dealing with until today. Until they sit down and have those sexism conversations and deal with it in the board, in their-in their office and their meeting rooms, we're never going to get this problem solved. So, they could collaboratively take care of this but it is a-it is a statement. It's all around the statements.

CHAIRPERSON BORELLI: The-the hires based on the 2012 exam you know the-the numbers do show an increase in the number of African-Americans and that are hired. Are they encouraging at all? Is there a way to identify that-that-that your organization is actually identified as to why there weren't? In other words, what works, what for them?

REGINA WILSON: Well, work is the message.

CHAIRPERSON BORELLI: Uh-hm.

REGINA WILSON: That's what--

CHAIRPERSON BORELLI: [interposing] Yeah, but look, yeah the lawsuit put a monitor in place,



but what were the actual steps that whether the department itself who—like the Vulcan Society or anyone trying the recruitment what—what caused the uptick?

REGINA WILSON: Well, we—we managed to get them to spend the money that they should have spent years ago. They got in a media agency to come. They did graphing of the cities. They identified where the people of color were, where they could be able to do that outreach. We gave the suggestions about street teams with the smaller groups who could go out to the community, and to go to those affected areas. We were able to give them opportunity to create more programming or where they could possibly get more people in the future. So, um, this like I said the catalyst was this lawsuit to push them forward that a lot of these things, the electronic, the social media, all of these things could have been done a long time ago, but those are some of the reasons why. Being able to have a street-mobile academies, which would go out into the community and take a fire truck and let them hold the hose, and let them try on the gear, which were some of the reasons you have to get out into the community. Far too long

the red doors are closed. So, if you do not take an active touch and feel and let your community know that you really want them there, you're going to have a really hard time, and I think they did that more aggressively than they did and passed that through.

PAUL WASHINGTON: And if I may say something. It's also—it's not just improvement. It's also the written test has changed. They've got a much better test now, that test that doesn't wholesale eliminate blacks like the previous test that they did. The background investigation's, the medical investigations, for instance we came to the Fire Department years ago to this administration and we showed them that blacks going through the medical exam—you've passed all the tests, now you've got to take a medical. Blacks fail that at a rate of 30% where whites failed at rate of about 14%. This is the medical exam. This is your hearts, your lungs and things like that. The failure is more than twice and we came to them. We told them listen, this—this the problem. Here are the statistics, oh, yeah, yeah, we'll look at it. They never even looked at it until the Advocate and then we went to the Court Monitor, and the Court Monitor had to force them to

make the changes. So, that's what I mean when I--when I talk about how they're not proactive at all, and they push aside our concerns, but the medical exam now because of that has gotten better. The background investigations the same thing. We went to them and we showed them the disparities, and they'd make changes in that process that have made things better. So, there's--it's--it's a lot of small factors. It's not just--it's not just recruitment. There are a lot of small factors, and they've improved on those because of the court model. The danger is when a judge leaves, what's the Fire Department going to do? Are they going to go back to their ways, and that has to be prevented?

CHAIRPERSON BORELLI: Okay, thank you.

REGINA WILSON: Can I just--

CHAIRPERSON BORELLI: Certainly.

REGINA WILSON: --just make a couple of statements to some of the things that I heard here today?

CHAIRPERSON BORELLI: Sure.

REGINA WILSON: Alright. So, as far as the--you know, they talked a lot about the diversity celebration and some of the ways that they're trying

to change the bills the cultures of the department or just display them. In my opinion of it all, you know, that's to me is just a shell, and it's great to be able to celebrate different cultures, but it's-- it's--it's bad when those cultures are not celebrated in the--in the firehouses. It's great to have the celebration to headquarters, but what happens to the black firefighter that comes to work, they want to celebrate Africa--African-American Month, Black History Month in the firehouse, they're not able to do that. They--that is not something that is promoted or something that is accepted in the firehouses. So, the Fire Department has yet to have those conversations in the firehouses to let them know that diversity is great and it is accepted. And although the Commissioner here said that that his--his--his binding word, and that's his progressive, you know, move right now, it does not get down to the level of the firehouses. Some of the--the news articles--I showed you clips are from this year and last year. So, it was due in this administration. So, far too many times we're trying to--to have this big light show about how we're altogether, and wear a T-shirt, but we're really not. So, every day my members go to

work and suffer in silence. I had to do EO reports for--for a matter that's anonymously because they're afraid of retaliation, and they're afraid of retribution, and it's--and it's to be, you know, respected by that because it happens all the time. Right now, the gentleman whose article you have or about He Massan (sp?) he's outside of his firehouse right now. He's not--he didn't go back in. He's not now being able to, you know, take care of his family the way he should because his--some of his money is being taken away. So, all of this light and show about diversity and inclusion it does not trickle down to the firehouses. Also, I just want to reiterate that the UWF did go to the Fire Department and to Commissioner Kavanaugh and asked for an attrition study to be done. So, the UWF was going to do it within its own--

CHAIRPERSON BORELLI: She--she did say that that they were going to do that.

REGINA WILSON: No, going to but it should have been done already. The test has already started.

CHAIRPERSON BORELLI: Oh, I was just happy if she committed to do it publicly.

REGINA WILSON: Right, but we asked her two years ago. Like if you would have did it from the last test, we would have already had the answers to this one, and they could have been moving on it right now. So, now that the test results are out, you're now trying to do a study? Like you said, there's a gap, right? There's a gap in between. Right now, we could have been working on the gap and trying to figure why from the studies because you did it two years ago. So, none of this was--was high on their priority list, and--and to also let you know, the UFW does not in any way, shape or form. They're really understated. Okay, had any contribution in recruitment campaign or anything that had to do with women firefighters coming in on the job. Although meetings might have been had with Commissioner Kavanagh, if produced nothing. She--she promised her locations to go to, and materials so that the UFW can do their own study groups, and it was never provided. UFW within their own resources provided that we help female candidates to study to take the next exam. The UFW also does a free physical fitness program, which is with no assistance from the Fire Department at all. So, if they really wanted to try and figure

out what's going on with women, and also with people of color, they would listen the UWF and they would take us more seriously. We know what we're going. We've been on the ground for 77 years trying to do this job, and--and also just know that in order for it to reach 23% it's going to take at least another decade in order to really reflect what's going on, and I'm tired of sitting in meetings with the Commissioner standing up saying that that diversity and inclusion is important to me, but it's going to take some time. It's going to--it's going to--You know, we just got to be patient and--and we're going to get the work done. It's been four years. Time's up. Time's up. We got to get this done. I'm--I'm--I'm I have guys have suicide watch. I've got guys going to the counseling unit more regularly now more than ever, and you did nothing to provide a safe haven. Well, you know that the last class they came out was 50% people of color. You are even now go into the firehouses and prepare the uptick of woman and people of color. You did nothing to change the culture and traditions of that. So, now you have these people walking in thinking I'm going to start the greatest job in the world, and still they're being beaten down

because the CDIO and the Commissioner did not take responsibility to change this culture in this Fire Department. You can—you can try to bring up all the percentages that you want to, but if you do not tell white men that you're not the only skin and gender that can save and risk their lives for the community, we're never going to make production in this department.

CHAIRPERSON BORELLI: Thank you, dear.

Thank you so much.

CHAIRPERSON BORELLI: The next panel is Kristen Rouse, New York City Veteran's Alliance, Dr. Barron Fortune (sic) and Josefina Sanfenliu, Latinas Against FDNY Cuts. [pause] I will start with you my friend first and last.

KRISTEN ROUSE: Thank you Council Member.

I appreciate the opportunity to testify today. My name is Kristen Rouse. I served for more than 23 years of combined service and the United States Army, Army Reserve and New York National Guard including three tours of duty in Afghanistan, and I am here today to testify on behalf of the New York City Veterans Alliance, a member support grassroots policy advocacy and community building organization that



2 advances veterans and families as civic leaders in  
3 New York City metropolitan area. You have my  
4 prepared—my prepared statements. To be briefer, you  
5 know, in short, you know the military has—has over  
6 many years struggled to be more inclusive, and—and to  
7 acknowledge and—and realize and without the truth  
8 that diversity makes us stronger. Diversity, you  
9 know, teams of men, women, people of different racial  
10 and ethnic and national origins, and different gender  
11 identities and sexual orientation. You know, the  
12 full—the full spectrum of what America like who  
13 America is and we also believe that the FDNY will  
14 find strength in diversity as it continues to make—to  
15 make that risk, you know, based on what we've heard  
16 today, and I appreciate everybody who has testified,  
17 and definitely educated me on the relations that the  
18 FDNY has been facing. We agree with Commissioner  
19 Nigro that, you know, that veterans are a—make great  
20 firefighters and EMS professionals, and we're proud  
21 of the veterans and most of the reservists who are  
22 currently serving on the FDNY, and we also believe  
23 that recruiting veterans is a way to increase—to  
24 increase the number of women, people of color and—and  
25 other minority fine groups. (sic) And, you know, so

to that end, you know, we have a few specific recommendations. You know we have worked with the Veteran Recruitment Team at FDNY and been happy to brainstorm with them, and we would be glad to continue that contact. I have three specific recommendations for this committee for recruiting veterans and increasing diversity. So, first—the first recommendation is to provide direct credits for military education and experience. You know the United States Government has been on the greatest friend to train men and women as team leaders, medics, engineers, the military police and firefighters and a host of leadership skills and job competencies that are direct assets to today's FDNY. Training transcripts, leadership evaluations, and awards are well documented in individual military records, and these official documents can be evaluated for merit in the same way college transcripts currently are. This can provide a valuable incentive for veterans and military veterans—for veterans and military to apply to the FDNY and to know that their military experience truly matters. Our second recommendation is that incentives for disabled veterans must not be used

against veteran applicants. Civil Service points are awarded for veterans and—and more points are awarded for veterans with a disability rating from the VA. Disability is—it's a personal matter, and it's protected by the ADA and by HIPAA. It must never be assumed that if a veteran is receiving treatment for a condition incurred in her military service that she cannot perform every duty required of her as firefighter. We—we've heard anecdotal evidence as well as the current lawsuit regarding a veteran who was—who was essentially penalized for claiming that—that he did the right thing by seeking out help, and seeking treatment for post-traumatic stress. You know, and—you know, that's experience and that's recovering from that experience and he was penalized for that disability rating even though it does not impact his ability to—to accomplish the—the role of the firefighter. And our third and last recommendation is for the city to build troops to firefighters' pipeline. We have thousands of National Guards and Reserve troops who live here in the five boroughs, many of them young and committed to finding ways to serve others while also earning an honorable living. They attend drills and battle

2 assemblies across New York City Metro Area each  
3 month. Yet they—yet they also faced illegal  
4 discrimination from employers who don't respect the  
5 military commitment by either not hiring them or  
6 making it difficult for them to attend the military  
7 training. Myself when I was in the—when I was in the  
8 National Guard, often we dealt with the soldiers who  
9 had problems holding a job because of their military  
10 duties. Even though it's illegal to discriminate  
11 against military reservists, they still encounter  
12 those problems, still have a hard time holding a job.  
13 I know a lot of those folks who would have been  
14 excited to become firefighters having known about  
15 that opportunity at that time. You know, FDNY has an  
16 opportunity to build a recruitment pipeline with  
17 units residing in armories that might be just steps  
18 away from the nearest firehouse. FDNY and other New  
19 York City agencies already have strong relationships  
20 with the New York State Division of Military and  
21 Naval Affairs and the Joint Forces Headquarters that  
22 oversees Joint Task Force and Empire Shield and other  
23 National Guard entities here in the New York Metro  
24 area. This relate—these relationships can surely be  
25 broadened and leveraged to foster recruitment and

2 diversity in with the FDNY. Again, thank you for the  
3 opportunity to testify, and pending your questions,  
4 this concludes my testimony.

5 CHAIRPERSON BORELLI: Thank you. We're  
6 going to do all these statements first and then  
7 we'll—we'll do questions. Dr. Or

8 DR. FORTUNE: [off mic] Good afternoon.  
9 Can you hear me?

10 CHAIRPERSON BORELLI: Just press the  
11 button.

12 DR. FORTUNE: I just hit it. Can you  
13 hear me? Alright, good afternoon. Alright, it's a  
14 pleasure to be here, Honorable Joe Borelli. I really  
15 appreciate you and your constituents in moving  
16 forward. The connection with today's briefing when  
17 we look at the FDNY's diversity. I'm a prior NYPD  
18 Lieutenant. I'm a prior Army officer. I'm also a  
19 criminal justice professor at Pace University which  
20 is right across the street. I also function as a  
21 nationally recognized criminal justice expert. So, I  
22 understand a lot of the dynamics in connection with  
23 the transfer from active duty to the "Civil Service  
24 Associate" working with the NYPD. One of the things  
25 that the city has in play, which is already put in

play by the state is the ability to obtain veterans preference—the veterans preference points upon appointment. That's something that's been long—a longstanding policy by the state. However, there's a lot more proactive that can be done in connection with the FDNY. One of the things that—one of the first things that I look at is back when I was a member of the NYPD until 2011-2012, the NYPD had a proactive mechanism in targeting military recruits. They actually sent a contingent of members of the Recruitment Division to various military detachments throughout the country. This is a nationally based strategy. It was regionally based, and I found that the results were well received and it upped the diversity in connection with the NYPD. The multi-cultural—I want to say the multi-faceted components of Blacks, Hispanics, Asians and women coming in—coming into the NYPD. In addition, the Mayor's Office of Veterans Affairs provides online assistance and lists Tom Walsh as the FDNY liaison to assist veterans. However, this is a reactive amount of proactive strategy. The Mayor's Office of Appointments is a great avenue that looks to greater diversify the hiring of New York City employees. But

2 once again, this is a reactive mechanism. It's not a  
3 proactive mechanism. A systemic culture exists  
4 within the hiring practices of the FDNY. A panacea  
5 to this would be outreach to individuals returning  
6 from military service coupled with commissioning test  
7 taking sites and military bases to allow easier  
8 access of veterans to participate in the CDT. The  
9 FDNY—the FDNY currently has a recruitment unit that  
10 aggressively visits multi-cultural communities in New  
11 York City. However, its outcomes pale in comparison  
12 to the other city agencies such the New York City  
13 Department of Corrections or the Traffic Enforcement  
14 Agents. Military members anticipating an honorable  
15 discharge are physically fit individuals who in many  
16 cases meet the age requirements. Additionally,  
17 diversity within the armed services is wide and deep.  
18 In December of 2016, the Secretary of Defense Ash  
19 Carter allowed women to join combat units. This  
20 resulted in several female officers successful—  
21 successfully completing the Army's prestigious Ranger  
22 School. Women are large contributors to military  
23 service. Therefore, the term of this population  
24 would greatly enhance the NYPD—excuse me—the FDNY  
25 Firefighters diversity among women. Currently the

2 Department of Defense trains all military  
3 firefighters at the—of the Army, Navy, Air Force and  
4 Marines at the DOD Fire Academy located in Good  
5 Fellow Air Force Base in San Angelo, Texas. All  
6 firefighters that graduate from the DOD Academy are  
7 certified as Firefighter 1 and 2 by the International  
8 Fire Service Accreditation Congress, which is the  
9 standard bearer for firefighters. Additionally,  
10 graduates are also certified in hazardous material  
11 awareness and hazardous operations. The FDNY—the  
12 FDNY is a paramilitary organization. Therefore, this  
13 would be a great place to recruit firefighters to  
14 gain access to women capable of becoming firefighters  
15 in the FDNY. Additionally, this could also be a  
16 reservoir talent to assist in the departments racial  
17 diversity as well. Firefighters among the ranks of  
18 the FDNY do not reflect the diversity of 3.5 million  
19 residents that reside in the New York City area.  
20 Women represent a significant demographic with the  
21 fabric—within the fabric of New York City.  
22 Therefore, it's necessary that we proactively created  
23 a population of female firefighters that are  
24 reflective of the population. Several strategies  
25 have since been implemented in an attempt to



2 diversify the population of firefighters in the FDNY.  
3 However, the quantitative statistics reflect a lack  
4 of female diversity. Approximately, 11,050 active  
5 uniformed firefighters are employed by the FDNY. In  
6 2016, only eight female firefighters graduated in  
7 Probationary Firefighters School. In closing, a  
8 multi-faceted approach to incorporating more women  
9 into the FDNY as firefighters is necessary. A panel  
10 consisting of the Mayor's Office of Appointments, the  
11 Mayor's Office of Veterans Affairs, and the FDNY  
12 should collaborate on the recruitment strategy that  
13 targets the Department of Defense Fire Academy at  
14 Goodfellow Air Force Base in San Angelo, Texas.  
15 Additionally, FDNY firefighter recruiters should  
16 target military reserve and National Guard units  
17 because these are military members who also function  
18 in a civilian environment with a robust—with a robust  
19 content of capable women and minorities. Fires are  
20 gender neutral. Therefore, I'm not suggesting to  
21 relax standards, but to proactively target military  
22 women, and minorities because their fit of the  
23 challenge.

24 CHAIRPERSON BORELLI: Thank you.

25 DR. FORTUNE: Thank you.

2 CHAIRPERSON BORELLI: Before we call Ms.  
3 Sanfeneli (sp?), I just want to acknowledge that  
4 we're joined by Council Member Ampry-Samuel who is  
5 welcome to join us on the dais if you would so like  
6 to. And now, we will hear from Josephina Sanfeneli.

7 JOSEFINA SANFELIU: It's Sanfelieu,  
8 Josefina Sanfelieu.

9 CHAIRPERSON BORELLI: I apologize.

10 JOSEFINA SANFELIU: I have trouble with  
11 it myself sometimes. I started Latinas Against Cut  
12 at the time of 2003. Mr. Bloomberg closed six engine  
13 companies, four of them in Brooklyn and by-and I've  
14 been attending Fire Committee hearings since--since  
15 that time, and sometimes I will comment on what are  
16 probably doing with ways of bringing other materials.  
17 I have to point out the lack of gender diversity in  
18 the community and continue from there. My daughter  
19 suffered from my interest and become a firefighter,  
20 and I brought her up previously because of the fact  
21 that she does not jump overboard and she stop the  
22 roots or turn back time. She's a human being. She's  
23 larger than me, but she drinks her--her smoothie and  
24 became a volunteer firefighter for ten years in--in  
25 Florida. She's normal human being. I cannot that

out of eight million people in New York City the number now is less than 1% in the uniformed firefighters service, who I admire highly, and if I'm in a burning building I don't care what somebody's philosophy is, if they're a bigot or not, they're welcome to save me. But there's the matter of income that if an industry of a particular career has a good income source, and promotional abilities, everybody should be able to access that career. In a specific matter of the lawsuit, I have some very minimal knowledge of it. Specifically, it became public event two or three of the questions that the test the previous test that could—that was proven to exclude people. If people became aware of those facts, what are the questions that prevented people from getting into this job? That would clarify to people yes this was a discriminatory situation because there's been a lot of negative publicity about the lawsuit, and people have been blamed from asking for equality. And it—I have heard personally that the test allowed weaklings improperly prepared people, the standards were taken down. The standards were—were reduced. If that is not the case, I think the publicity about the difference of the old test and now the current test

would help to clarify to people this is why it's a fair situation now. I did not know about the medical difference-differential that Paul Washington mentioned. Another question I have specifically is Regina Wilson testified. Is the department counting her as a female or an ethnic minority? I know Sarena from the United Women Firefighters. Does the department double count her? Is she a woman or is she a minority ethnic person? I happen hit at least minority points on some scales. So, I think I'll conclude my remarks, but I appreciate the-the department and the Council's continued effort to have one of the most crucial and high visibility and role model departments of the city reflect the population. Thank you.

CHAIRPERSON BORELLI: Thank you very much. I just had a few questions. Just for you quickly first. How far out from one's date of leaving the military do-do we find people start thinking about their career options after they transition out?

KRISTEN ROUSE: For me well like with my own personal example is I-I have the opportunity to transition out. I-I came to New York City, you know,

ten years ago after I left active duty at Fort Drum and I remember, you the-the NYPD being at Fort Drum to recruit and, you know, I sort of had the idea in my head like oh, well the NYPD is looking for, they're looking for veterans. You know, and I felt left out, but that but that welcoming. I don't recall seeing FDNY there. It could have planted a seed, but that I think you want to-you want to be reaching active service members like, you know, sort of, you know, somewhere like, you know, more than a year before they start to, you know, transition out because, you know, you're putting-you're putting thoughts of where you're going to be moving and all of this like you know, well in advance. So, you're actually getting your release (sic) papers and leaving-leaving the base, but I-I came to New York city because I wanted-I wanted to be New Yorker, and-and I-you know, I ended up working in emergency management because that's-that's where I felt like I could make a difference and so, that was what I initially did when I came to New York City, but, you know, but keeping in mind like I never actually transitioned out of the military completely. I-I'm still a reservist. And your-your biggest ripe, ready

2 pool of folks are—are New Yorkers right here who, you  
3 know, they're 18 and going into basic training and  
4 coming back, and—and, you know, they're trained.

5 Maybe they're trained in skills that directly  
6 correlate with—with, you know, with City Uniform  
7 services whether that be police or fire, and—but then  
8 they go and work at like clothing stores or, you  
9 know, cashiers here or there and they can be put in a  
10 pipeline to—to put that training, to put that  
11 commitment to service, to put that, you know, the  
12 youth and fitness, you know, to work for the city.

13 Because, you know, they are spending a good—a good  
14 amount of time on military training and that's—that's  
15 just as, you know, expensive and hard to get through  
16 as college. And it should be—it should be part of it  
17 in a very similar way or if they do, you know, a tour  
18 overseas, they come back and they're just looking for  
19 something, you know, that's meaningful in their lives  
20 like the Reservists and National Guard Members right  
21 here in—in the city. They're just waiting to be  
22 recruited into something, you know, really meaningful  
23 and—and, you know, FDNY is—is definitely, you know, a  
24 place where they can make an impact, and—and, you  
25 know, maybe they have the youth and energy to, you

know, if they're a woman, or if they're a minority maybe—maybe they're ready for challenge. It's not only, you know, running into burning buildings, but also fighting their way to acceptance on the force that—that still has a racist resistant culture. You know, the military has changed a lot just in the years that I've been in and, you know, I look forward to, you know, getting the energetic men and women who are going to change the FDNY in some way.

CHAIRPERSON BORELLI: You mentioned something to me in private, but I'd just like to ask you in public about both why believe women would be likely to join the FDNY and why you believe they may not likely be—like to join, the Veterans community.

KRISTEN ROUSE: So, I—I, you know, I think this is definitely true of women because I can speak from my own experience and may be—may be true for, you know, for other minorities but, you know, it's a double-edged sword. You have, you know, you have young men and women who are, you know, committed to service and ready for the challenge of fighting for acceptance and—and dealing with a, you know, with a culture that, you know, proving themselves as, you know, like, you know, so many of us join the military

1 like I—I—I served 17 years under Domascan Tao (sp?)  
2 you know, in part to prove like I am—I am just as  
3 much a citizen and I, you know, this—the military is  
4 just as much mine as anybody—as anybody's this  
5 country is just as much mine as anybody's and I—I am  
6 the call (sic). And, you know, and it's—it's  
7 exhausting. It's exhausting. As—as, you know, the,  
8 you know, the last time especially pointed out how  
9 exhausting and trying it is, you know, on your mental  
10 health, and otherwise. But, so, you have folks who  
11 are ready for that challenge and who are ready to do  
12 it and make the change, but you also have folks who  
13 are adjusting. And they're like, you know what, I,  
14 you know, I fought for my years in the military, part  
15 of my service, but, you know what, I need something  
16 where I'm not fighting any more. You know, so it  
17 really depends on—on the individual. I think  
18 catching them—catching them at age 18, age, 20, age  
19 22, you know, if they're—they're approached, they're  
20 much more ready. You know, the wide-eyed idea was you  
21 are ready to be part of that team.

23 CHAIRPERSON BORELLI: I was once one of  
24 those people, too.

25 KRISTEN ROUSE: Me, too.



CHAIRPERSON BORELLI: Dr. fortune can you tell you tell us about how you were recruited by the NYPD as a member of the military and why it was appealing and—

DR. FORTUNE: Well, when I was recruited by the, um, the NYPD, the—I want to say the recruitment strategy wasn't as forward as it is now. It's come leaps and bounds. I mean I became a member of the NYPD back in 1991. So, the Diversity Project was just starting out, so to speak, so I'm going to say it was in at a deciduous place. It was—they mailed out an application to me and I came and I took it, but as the gentleman mentioned, the prior president of the Vulcan Society mentioned that the FDNY is being held to—being held accountable based on a court ruling. That was something somewhat similar that occurred with the NYPD. I think that they have since gotten in front of it more, and I just in terms of the recruitment strategy I think that a lesson that could be learned would be from organizations, I should say places like the Department of Corrections where you have a far greater diversity of women and African-Americans and Latinos, and the same was true with the traffic agents. Now, also—I also understand

2 that the physical component or the rigor is not as  
3 extensive as it is with the FDNY. However, it's a  
4 start and one of the things that I see that the FDNY  
5 does is they do have a training program that they  
6 choose assist potential applicants in passing this  
7 for the--things to that effect. But the key is the  
8 targeted demographic, and as Commissioner Nigro  
9 mentioned, his recruitment was primarily regional.  
10 It went from Fort Dix here to Europe, and I just  
11 thing that it needs to be on the more national level,  
12 and not regional level.

13 CHAIRPERSON BORELLI: Okay. Thank you.  
14 Council Member Samuel? No questions?

15 COUNCIL MEMBER AMPRY-SAMUEL: No  
16 questions, but I do thank you for your services being  
17 here. This is--this is amazing. I'm a wife of a  
18 retired Army Officer, and I took a lot of time in  
19 Watertown in working in the Mountain Division and so  
20 I do thank you for your service in being here.

21 CHAIRPERSON BORELLI: She likes the cold  
22 weather. Thank you, folks. Appreciate it.

23 DR. FOTUNE: Thank you.

24 CHAIRPERSON BORELLI: Thank you. This  
25 concludes the hearing of February 8<sup>th</sup>. I didn't know

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 131  
2 the date until you reminded. So, thank you very  
3 much. [gavel]  
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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 14, 2018