



October 19, 2016  
Testimony of Laura Kavanagh, Deputy Commissioner, FDNY  
Intro 1221 – Firefighter Age Eligibility  
**Committee Hearing - Fire and Criminal Justice Services**

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Good morning Chairwoman Crowley, Councilmember King, and all of the Council Members present. My name is Laura Kavanagh, and I am Deputy Commissioner for Government Affairs and Special Programs. I am joined today by Dr. Kerry Kelly, Chief Medical Officer, Bureau of Health Services, and Nafeesah Noonan, Assistant Commissioner for Recruitment and Retention. Thank you for the opportunity to speak with you today about Introductions 1294 and 1221.

Intro 1294

Intro 1294 would amend the administrative code in relation to requiring the Fire Department to report on the use and type of smoke detectors and smoke alarms in fire-related deaths.

Under current practice, FDNY's Bureau of Fire Investigation conducts investigations of all fatal and suspicious fires within the City of New York. The Fire Marshals who conduct these investigations use their expertise to determine the cause and origin of each fire. In the course of an investigation of a fatal fire, Fire Marshals work with the New York City Office of the Chief Medical Examiner in order to determine the cause of death. They also track whether or not the location featured a smoke alarm and, if a smoke alarm is present, they try to determine whether it was operational. This information can be provided in the report required by this legislation.

This bill further requires that, "if a smoke detector or alarm was present, such report shall indicate the technology used by such smoke detector or alarm[...]" In current practice, Fire Marshals do not collect information as to the specific type of alarm that is found. This is because, more often than not, the alarms that are located following fatal fires are damaged to the point that it is difficult or impossible to determine the specific type. If this bill were to become law, Fire Marshals could collect this information in circumstances where it was possible to make such a determination, and that information could be included in the report. However, we would like to make it clear to the Council that, in many cases, this information may not be available due to the condition of the alarm. The resulting report would include a category of incidences in which such a determination was unable to be made.

With that understanding, the Fire Department is happy to support this bill.

Intro 1221

The Mayor and the current administration at the Fire Department under the leadership of Commissioner Nigro have placed a substantial priority on creating a more diverse and more equitable department. In fewer than three years, we have made significant progress on this front. Never in the department's history has it had such a diverse leadership team, including women and people of color, and that leadership team hassled positive reforms and changes. Such changes have included reforming the Equal Employment Opportunity office, hiring a Chief Diversity and Inclusion Officer, and significantly expanding the Department's recruitment efforts.

The vision statement of the new 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." When reviewing any proposal that will affect the composition of our membership, a critical consideration for us is whether that change will contribute to our efforts to maintain FDNY's high standard of excellence while increasing the diversity of its composition.

It is through this diversity lens that we have reviewed Intro 1221. We've looked at a number of sources, including looking at other municipalities, academic literature on diversity best practices, and our own recruitment experience. This review highlighted one key factor in seeking to recruit more women and people of color into the department, and that is that these candidates are likely to become interested in firefighting at a later age. We believe this is primarily because those candidates don't come from families or neighborhoods where this career path is common, and so they aren't aware of it or don't pursue it until they've explored other careers. For women in particular, this is amplified by time taken to have children and raise a family which may take them out of the workforce for a number of years. By the time they've returned to it, they may be outside of the age eligibility. We want to make every effort to include women and people of color in upcoming recruitment drives. We think this proposal may advance that goal, and we look forward discussing it further.

However, the City is still analyzing some of the broader implications of this proposal, including its fiscal impact. Particularly with the new amendments, OMB would like to fully explore the fiscal impact. One key point that we do want to raise at this time is concern about implementing such a change in advance of the Open Competitive firefighter exam next year.

The filing period for the next Firefighter exam will take place in Spring 2017, and the exam itself is expected to take place in September 2017. As this Committee is aware, the Department is currently in the midst of a multi-million dollar strategic recruitment effort for the title of Firefighter. To accomplish our demographic goals for the next exam class, we have executed – over a period of several months – a targeted campaign aimed at generating specific numbers of applications from black, Latino, Asian, and female firefighters.

The Department has extended its efforts to reach underrepresented communities by hiring specific coordinators whose role is to build relationships in their respective communities. FDNY Recruiters participated in close to 4,000 events, and we expect that the number of events will reach 6,000 before the end of the campaign. This would be above and beyond our original goal of 5,000 total events. This effort has included tabling at community fairs, train stations, cultural events, youth presentations, and career fairs. We also host a large variety of our own dedicated recruitment events, including the FDNY Summer Block Parties, and women's recruiting events at the FDNY Training Academy. We work with myriad nonprofit groups to reach underrepresented communities of potential recruits. Some examples include the New York Urban League, YWCA, Make the Road New York, the LGBTQ Center, the Dominican Women's Development Center, 100 Black Men, Nontraditional Employment for Women, Center for Family Life in Sunset Park, and many others. One innovation that we're particularly excited about is our Mobile Academy. By bringing our training practices directly to the community, we now give potential candidates the ability to complete activities from the Candidate Physical Ability Test (CPAT). The first of these Mobile Academy events took place in April 2016 at the Urban Assembly Institute of Math and Science for Young Women in Brooklyn as girls from high schools throughout New York City had a chance to spend the day with female firefighters.

This comprehensive recruitment campaign was designed with the existing eligibility parameters in mind. It is tailored to the current requirements and the current universe of potential candidates. If this bill were to become law and take effect before the application period for the Open Competitive exam in 2017, we are concerned that the nature of the applicant class would be altered in a way that could unwind all of the deliberate work that has been completed already. This campaign is not the result of an off-the-cuff design, but rather a dedicated process that involved consulting outside experts. In order to engage in a comprehensive plan to recruit talent from diverse communities in the numbers that are required to move the Department forward, recruiting campaigns must be planned with great specificity.

We are aware from preliminary conversations with the Law Department that such a change would likely require the approval of the State Civil Service Commission. Our fear is that we could be faced with applicant eligibility rules being changed days before or even during the application period begins. Were we required to suddenly shift gears and account for a population of eligible 29-31 year old potential candidates, there is a possibility that our recruiting results would lag behind our diversity goals. We would like to further discuss with the Council an implementation date that takes into account when the State Civil Service Commission may approve this change. That could include implementation not taking effect until the following exam if approval of this change comes too close to next year's exam.

Although we would like further discussion of the concerns mentioned above, we appreciate the Council's efforts working with the Department to increase racial and gender diversity.

Thank you.

Testimony  
by  
Sarinya Srisakul,  
President of United Women Firefighters  
on  
Intro No. 1221  
October 19th, 2016

Members of the Committee:

Thank you for giving me the opportunity to testify on Intro No. 122, a bill that will raise the age for candidates to take the NYC FDNY Firefighter exam from the present age of 28 to age 35. I will address my remarks as it relates to the impact this has on women candidates and prospective women firefighters.

My name is Sarinya Srisakul and I am president of the United Women Firefighters (UWF). I have been a firefighter for over 11 years and have been involved in my organization for just as long. New York City has only has 52 women firefighters and officers out of a force of over 10,500, or less than 0.5%. Although that figure is a historic high, we have the lowest percentage of women firefighters out of all the major cities in the US and it has been this way for many decades. By comparison, the national percentage of women firefighters is 3% and in some cities like San Francisco the percentage is as high as 15% women. It is for this reason that it is of the utmost importance for the UWF to be heavily involved in recruiting and training women candidates to become firefighters so we can change these abysmal statistics. However, the FDNY only gives a firefighter exam once every four years and the age cap for non-veterans is 28 years old. It is also not a coincidence that this is the lowest age cap of all the major fire departments in the country, and many departments with a significant number of women don't have an age cap at all. It is my belief that the age cap of 28 years old is discriminatory against women and raising the cap to 35 years old would help us close the gender gap in the FDNY.

Unlike men, women aren't groomed from birth to apply to non-traditional careers, which often can be financially more lucrative. A lot of women who become interested in firefighting as a career get swayed to do so later in life after they experience gender and pay discrimination in the job market, often to get told that they are too old to apply. Women also tend to enter the job market later on

in their lives, according to Department of Labor statistics. This can be attributed to women being traditional family caretakers or deciding to start their own families themselves.

The FDNY has a big problem with diversity, particularly in hiring women firefighters. Approximately 2,000 women applied to take the 2012 firefighter exam but thus far only 26 women have graduated from fire academy and become firefighters. However, because of various factors from this past hiring cycle, many of the candidates are over the traditional age limit. These candidates include the priority hires from the Vulcan lawsuit, people who took the 2008 exam and received an age waiver and veterans. Fourteen of our new women hires, or 54% of them, are over the traditional age limit. Many of these women are also mothers and the heads of their households. It would be a great disservice to these women and the City of New York if they were not able to serve the FDNY just because they were outside the traditional age range.

In my 11 years of helping to recruit women to the FDNY, I have had to tell many viable women candidates in their late twenties and early thirties that they were not eligible, just because of an archaic and biased decades old age limit. Many other fire departments around the country hire firefighters who are older and have not had any fiscal issues with disability or performance. Without data to show otherwise, the 28-year age limit is simply discriminatory. Out of the top 30 major cities, 67.6% do not have an age cap for their firefighter exams, and the ones that do have an age limit of 35. Major departments like the London Fire Brigade, Montreal, Toronto and Australian departments do not have an age cap. New York City needs to stop being behind the times and follow the trend in the rest of the world's fire departments. Removing this artificial age barrier, combined with other diversity measures such as proper recruiting, training and retention initiatives, will make a big difference in closing the gender gap in the FDNY.

## Women and Working

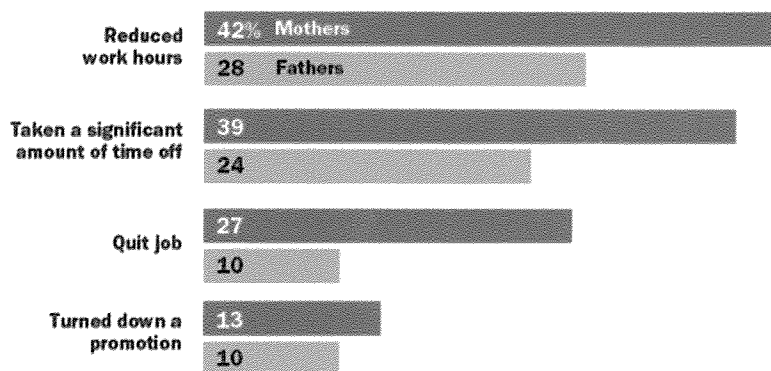
Family care and parenting prove to be a greater burden on women compared to men.

In a 2014 New York Times/CBS News/Kaiser Family Foundation poll of nonworking adults aged 25 to 54 in the United States, 61 percent of the women said family responsibilities were a reason they weren't working, compared with 37 percent of men.

[http://www.nytimes.com/2014/12/14/upshot/us-employment-women-not-working.html?  
\\_r=0](http://www.nytimes.com/2014/12/14/upshot/us-employment-women-not-working.html?_r=0)

According to a study by the Pew Research center in 2013, among parents, women are much more likely than men to experience family-related career interruptions.

Percent saying they have ... in order to care for a child or family member



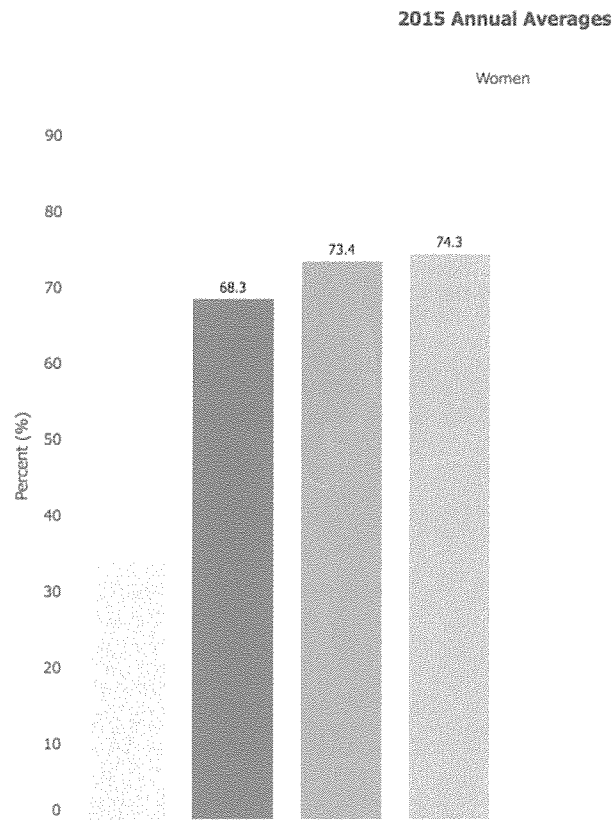
Note: "Fathers" and "mothers" include those with children of any age, including adult children (n=1,254).

Source: Pew Research Center survey, Oct. 7-27, 2013

PEW RESEARCH CENTER

According to Department of Labor statistics, women have greater workforce participation later in life, with the greatest age range of participation being 35-44 years old.

**Labor force participation rate by age and sex**  
2015 annual averages and 2024 projections



Note: Represents the percentage of persons in the civilian noninstitutional population that are employed or actively looking for work.

**Highlight Population Group**

- 16 to 19 years
- 20 to 24 years
- 25 to 34 years
- 35 to 44 years
- 45 to 54 years
- 55 to 64 years

The following is a list of the top major fire departments in the United States by population size and their age limits and percentage of women that are firefighters, when applicable. 67.6% of these major fire departments have no age cap.

**Los Angeles, CA:**

No age cap  
3% women

**Chicago, IL:**

37 years old  
4% women

**Houston, TX:**

36 years old by date of  
appointment  
3% women

**Philadelphia, PA:**

No age cap  
7% women

**Phoenix, AZ:**

No age cap  
4.6% women

**San Antonio, TX:**

34 years old

**San Diego, CA:**

No age cap  
8% women

**Boston, MA:**

31 years old  
1% women

**Dallas, TX:**

35 years old  
2% women

**San Jose, CA:**

No age cap  
5.5%

**Austin, TX:**

35 years old  
5% women

**Washington DC**

No age cap

**Denver, CO:**

No age cap  
5% women

**Jacksonville, FL:**

No age cap

**Indianapolis, IN:**

35 years old

**San Francisco, CA:**

No age cap  
15% women

**Detroit, MI:**

No age cap

**Columbus, OH:**

No age cap  
3% women

**Fort Worth, TX:**

35 years old  
2% women

**Baltimore, MD:**

No age cap  
20% women

**Charlotte, NC:**

No age cap  
3% women

**Memphis, TN:**

35 by date of appointment  
5% women

**Portland, OR:**

No age cap  
7% women

**El Paso, TX:**

No age cap  
2% women

**Nashville, TN:**

No age cap

**Louisville, KY:**

No age cap

**Oklahoma City, OK:**

43 years old  
3% women

**Milwaukee, WI**

No age cap  
3.5 % women

**Las Vegas, NV:**

No age cap  
12% women

**Albuquerque, NM:**

No age cap  
3% women

**Miami, FL:**

No age max  
14% women

**Seattle, WA:**

No age max  
10% women

**Minneapolis, MN:**

No age max  
16% women



Written Testimony

By

Lauriette Whyte

Member of the United Women Firefighter

On

October 19, 2016

Intro No. 1221

Honorable members of the council, my name is Lauriette Whyte and I am a New York City firefighter of 3 years at the age of 42. I am a strong supporter of Intro No. 1221. Under current standards my career would not be possible, if not for the Vulcan lawsuit which opened doors for capable individuals like myself to reapply and pursue the opportunity of becoming a firefighter and serving my community. I therefore support Intro No. 1221 which will raise the age of individuals applying for the FDNY exam to age 35.

In 2013, I was a part of the most diverse class in the history of the FDNY. Many of my classmates were much older than the typical candidate that applies at age 28 or younger. My fire academy class consisted of many individuals who were a part of the Vulcan lawsuit; these men and women took the exam in 2008 and referred to as "priority hires". These age candidates also included military veterans, neither of whom would be currently serving on the job or in the community if it were not for the Vulcans' lawsuit which permitted an age exemption.

While in the academy, our class was pushed very hard in every way. Many officials in the FDNY seemingly disagreed with the lawsuit, and often the priority hires were insulted almost daily. It felt like firefighters were more invested in seeing this class fail rather than succeed. New graduation requirements and standards were created to make the academy course more

challenging. The intent was for priority hires to fail, yet we persevered and some exceeded expectations! In fact, the person who won the fitness challenge in my graduating class was a 30 year old priority hire. Another priority hire successfully saved a person's life at a fire and won a medal for his outstanding job performance soon after he got assigned to his firehouse. On a personal note, I have received several unit citations for performing beyond normal expectations in an emergency situation. There are so many other firefighters both men and women who came into the department at an older age and have had similar successes and accolades. But these men and women rarely are recognized due to the title of priority hire. I strongly believe that in acknowledging such individuals it will invalidate arguments that people like me should not have been given the opportunity to become a firefighter.

After successfully completing the academy and being placed in a firehouse, unfortunately I had to deal with other firefighters expressing their negative feelings about priority hires and women. I was even asked on occasion if I planned on having more children. As a black woman and a priority hire, I believe that my maturity and years of experience working with difficult people has helped me to stay strong and cope with the negativity in the firehouse. I have observed on many occasions young firefighters being treated poorly and lacking wisdom and experience in handling people who are most often old enough to be their parents. It is my opinion that one reason the fire department has been slow to change is that young impressionable firefighters walk into firehouses and are greeted by a culture that is not conducive to people of color. It takes a strong individual to stand up for what's right not conforming or compromising one's values. Thankfully organizations such as the Vulcans Society and the United Women's Organization are readily available and supportive to such

individuals. It is my belief that this negative culture will change as capable women and men of all diversities become firefighters and advance in ranks.

I actively participate in the FDNY's recruitment campaign and have sadly had to tell many seeming qualified men and women they are not eligible for firefighter positions because they have exceeded the age limit. If the age were raised, it would make a big difference in recruiting men and women and further diversifying the FDNY. The ranks of firefighters will be strengthened with people of all races, age, religions, color, and experiences. Right now there are many men and women over the age of 28 years that are very capable of performing firefighter duties. In this regard it is my hope that Intro No. 1221 will be given considerable recognition as it adds value to the FDNY in having a wider scope to recruit new members in an area that is critical to our community and will allow the development of capable individuals in becoming further experienced and better professionals.

Thank you for allowing me the opportunity to testify.

## FOR THE RECORD

Testimony  
by  
Jazmin Burrell,  
Firefighter Candidate  
on  
Intro No.1221  
October 19th, 2016

My name is Jazmin Burrell and I am a New York City Emergency Medical Technician (EMT). I am in support of Intro No. 1221. I currently work for the FDNY and believe the age limit of 28 should be raised to age 35 for the Firefighter exam.

A candidate is eligible to apply for the exam at 17.5 years old but, unfortunately the exam is given only once every four years. As a result we are given only two or three chances in a lifetime to apply, depending on what year and month a person is born on. Speaking from experience, I have applied for the firefighter exam twice and on my second time, I narrowly made the age cutoff due to my birthday being days later than the filing period. My previous exam was deferred due to me being with child, and many women are in a similar situation as I was, especially since the twenties and thirties are typical child bearing years for women. I believe it would be fair if people, especially women, should at least be given one more chance to apply for this career change given these circumstances.

When I first started my career, I was very comfortable and thought my job was to be an EMT for the rest of my life. However, after research and speaking with firefighters the passion for a shift in career has ignited a fire within myself to go after what I want more from life and now that I have children and a family to take care of, the money and benefits of being a firefighter would make a huge difference in the quality of my life. Currently, I am dedicating myself to training to become a New York City Firefighter—to make not only myself proud knowing I can in fact do what's necessary to do the job, but to be a role model for my children and other women to look up to.



## UNIFORMED EMERGENCY MEDICAL SERVICE OFFICERS UNION, FDNY

Local 3621, DC 37, AFSCME, NYSPEC, EMSLA, AFL-CIO

### **President**

Vincent A. Variale

This is the testimony of Vincent Variale before the New York City Council Fire, EMS & Criminal Justice Committee, October 19, 2016.

### **Vice President**

Frank Borello

### **Secretary Treasurer**

Manny Ramos

Good afternoon, Chairwoman Elizabeth Crowley, and distinguished members of the New York City Council Committee.

### **Recording Secretary**

William Rich

My name is Vincent Variale and I am President of Local 3621, The Uniformed EMS Officers Union representing 500 EMS Lieutenants and Captains of the New York City Fire Department. I thank you for this opportunity to testify here today.

### **Executive Board**

Joseph McWilliams

Larry DiFiore

Jose Gonzalez

Eric Fay

Ralph Francisco

In past testimony I have spoken with regard to the severe staffing shortages that exist in the FDNY EMS Command. These shortages force the use of unreliable, for profit, private ambulance companies instead of FDNY ambulances to provide service in the 911 system. The staffing shortages also negatively impact our FDNY EMS first line supervisor positions. They contribute to the dangerous conditions that exist in the FDNY Incident Command System specifically the span of control.

### **Trustees**

Michael Kaiser

Steven Goldstein

Renae Mascol

The span of control is based on the National, State and City standards. These standards require a ratio of one officer for every seven emergency responders. The ratio is exceeded or maintained for fire, police, sanitation and corrections. However, in EMS the City of New York fails to comply with the minimum standard, maintaining a ratio of one EMS officer for every twenty or thirty EMS providers. That ratio makes it virtually impossible for the EMS line officer to adequately manage the severity and scope of an incident or multiple incidents and thus the command structure is broken at the first and most important level.

### **UEMSO Delegates**

George Kroustallis

Michael Kaiser

David Burke

Anthony Almojera

Shari Landsberg

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John Damato

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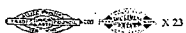
Jason Saffon

Jack Tims

Over twenty years ago EMS was merged into the FDNY. In an effort to enhance the diversity in fire suppression, a promotion exam from EMS to firefighter was created. EMS already suffering from a high attrition rate due to low salaries and lack of any real career ladder, became a stepping stone for those aspiring to become a Firefighter. The promotional exam became a loop hole and or back door into the fire suppression side, increasing the EMS attrition rate and decreasing the amount of experienced EMTs and Paramedics.

### **DC 37 Representative**

Tracey Ziembra





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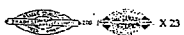
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### **DC 37 Representative**

Tracey Ziemba



The bill proposed today to increase the maximum hiring age for Firefighter will not provide any benefits or enhance diversity to the profession of firefighting. However, it will exacerbate the staffing problems that already exist in EMS by encouraging experienced and mature EMS members to promote to fire.

Due to the negative impact this bill would cause, I request the committee discontinue the process of moving this bill forward. I also request the City Council provide assistance with the staffing levels in EMS by creating a bill to eliminate the EMS promotion exam to fire.

The overall implementation of these changes will insure a safer city through an efficient and adequately staffed FDNY EMS Command.

Thank you.

A handwritten signature in black ink, appearing to read 'V. Variale', with a stylized flourish at the end.

Vincent Variale

October 19, 2016

To Whom It May Concern:

This letter is intended to provide justification for the passing of a bill which would extend the age limitation for firefighters. In order to do that we must first deconstruct the meaning of age limitation in order to understand what we are fighting for.

The first thing we must ask ourselves is: what is age limitation? A simple definition of it would be the age at which a person is *allowed* or not *allowed* to do something. As per FDNY, there is an age limit to when an individual can apply to become a firefighter. This means that if you are too old you cannot apply for this position. I find myself asking the simple question, why? Could it really be that this number determines your capacity to perform the duties that are required?

Two applicants want to apply to become a firefighter. Applicant "A" is a man who enjoys being physically active, and volunteers as a firefighter in the neighborhood in which he grew up. Applicant "B" is a man determined to get in shape for the fire department with the intent of making more money for his family, but surely not willing to commit to this lifestyle once he is in. Without knowing the age which candidate would citizens prefer to protect them from fires?

Applicant "A" would be an excellent candidate; unfortunately he is 33 years old and the FDNY will not allow this man to apply. This is something that we have let happen to the many who dream to do this job but who are not given the opportunity. When I say "we" I am referring to us as a society. We determine through social norms what is "age appropriate". But if we take away the social norm what would age limitation be besides only an abstract thought with no real substance? To be a firefighter takes strength and bravery, a passion to help others, and the ability to perform specific tasks. Those traits simply cannot be determined by age. I urge those who have the power to pass this bill to think about a person's ability to be brave, strong, and self-less in the face of danger and ask yourself, are those traits something you can define with age?

Thank you,

Michael Santiago



To the members of the council;

My name is Shizam Dalbarry, a proud FDNY Emergency Medical Technician for almost five years. I was born in a hospital named after "hope". Within the years of working I've save and impacted the lives of many. Time is irrelevant and not a marker for value, character, will, trust and fear, time equals age. My very deep concern to the council is the restriction and limitations placed on a person with limitless potential for the promotion to become a firefighter.

Age is just a number and a number represents quantity not quality. A " day" represents the amount of light and darkness caused by the rotation of earth, which is then turned into a week after 7, a month after 30 sometimes 31 and 29 on a leap year. After 12 of those months it's considered a year. The amount of rotation after one year doesn't account for experiences, motivation, feelings, knowledge or desire. My simple request is to allow chance and probability to run its course. The limit is currently 29 cycles around the sun, this represents nothing about my likes, dislike, gym routine, culture belief system or health. If averages causes limits on age, then please realize the career I chose to peruse is no "average" one. It takes a brave, selfless, compassionate and special person to take that path. Health wise I am 29, the most optimal mentally and physically. Modern man have evolved into more conscientious beings. Life expectancy one generation ago was 47 years, currently it's at 78 years- twice as much. I understand it a taxing job on health, mental and longevity but that's why the FDNY trains the bravest and the best in the world. In September 11th 2001 New York City and the world witnessed the worst terror attack on Americans soil, claiming 343 firefighters. History remembers heroes, sacrifices and great deals not age, gender or orientation. A dream to become a New York City firefighter will become a reality is change bring a just chance. Thank you for your time and consideration.

Thank you

Shizam Dalbarry.

Good morning Council Members,

My name is James O'Neill, I am here in regards to the bill being introduced today proposing an age extension for the position of FDNY firefighter. I am currently serving as an EMT for the FDNY, assigned to Station 45 Woodside. Myself and many of my colleagues have been denied the ability to apply for the recent promotion to firefighter due to our age. While I understand the need for an age limit for such a physically demanding job, I believe the current age limit in place is unfair and inconsistent with other fire department standards across the nation.

If this bill were to pass, I assure you an overwhelming number of the EMS members who gain eligibility will enthusiastically show you that we are more than capable to pass the physical requirements set for us.

Thank you so much for your time and consideration.  
Sincerely,

James O'Neill

**FOR THE RECORD**

**Erik Bressingham**

**51-03 64<sup>th</sup> Street  
Woodside, NY 11377**

## **The Council of The City of New York**

**October 17<sup>th</sup>, 2016**

To Whom It May Concern:

My name is Erik Bressingham and although many things have changed in my thirty years of life one thing has remained constant, to become a NYC Firefighter. I can proudly say that I am one individual that has had the privilege to sit aside my father when younger, feel the thrill of riding in the truck and seeing the way he reached out to hundreds of people throughout the community in which he worked. It was those string of moments that made me realize this job was something that I was born to do.

As I grew older and became more aware of the ins and outs of this profession, sat around tables listening to stories and watched my father walk out the door in uniform in route to a 24-hour shift, it immediately became evident as to why this profession follows my family three generations back. The NYC Fire Department wasn't just a job; it was a calling and a second family and I feel it is my duty to continue this legacy. September 11<sup>th</sup>, 2001 was a terrorist attack that directly involved my father. That day highlights the dedication that firefighters either on the job or retired have. After seeing the amount of time that my father and his "brothers" spent with other families of firefighters lost that day I began to realize that this is one profession where people continue to go above and beyond.

Joining the NYC Fire Department quickly became a personal goal as I began putting every possible effort into making it a reality. I willingly choose to research/study previous exams and enrolled in classes to get an idea of what the city expected of me. I was first eligible to register for the 2007 exam and ended up scoring a 98%. Unfortunately, this exam was ruled bias and was quickly discarded. Although disappointed, I immediately looked for the next move I needed to make. It was then that I decided to become an EMT and applied for the Fire Department EMS in 2010. I continued to study and prepare for the next exam. At the age of 26 and the next exam being five years away, I began to realize that I only had one possible attempt to reach my life long aspiration. The 2012 exam approached and I was able to score a 96% putting myself in the category of candidates that would receive a potential job offer.

In April of 2013 I received a call from the FDNY EMS. Without hesitation I left a union job knowing that this will put me one step closer. Since that April I have continued to work as an FDNY EMT while patiently waiting for the promotional exam.

I have written this letter in hopes that someone reading it realizes how individuals, like myself adjusted their lives in order to become a beneficial addition to this department. I feel the playing field needs to be leveled, giving a second chance to people like myself, just like the department did for those who received there's in 2007. I am asking that you please place yourself in my shoes and come to the realization that the decision to discard the exam is diminishing my chances of becoming a NYC Firefighter. I thank you for taking the time to hear my view points on this matter and I hope to one day shake your hand at the next probie class graduation. Your dedication to assisting this matter is greatly appreciated and one that does not go unnoticed.

Sincerely,  
Erik Bressingham



# The Uniformed EMT's, Paramedics and Inspectors – F.D.N.Y.



Local 2507, District Council 37, AFSCME, AFL-CIO  
47-09 30th Street Suite-300  
Long Island City, New York 11101  
(718) 371-0310 Fax: (718) 371-0318

October 19, 2016

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Good Morning Committee Chair Crowley and all of the distinguished Committee members of the Fire and Criminal Justice Committee.

I thank you for the opportunity to testify before you today. My name is Israel Miranda. I am the President of the Uniformed EMT's, Paramedics and Inspectors of the F.D.N.Y representing the 4,000 members of Emergency Medical Command. The members of the EMS Command are the first line of defense when responding to natural disasters and terrorist attacks. Besides these responsibilities, they also respond to an average of 4,000 emergency (911) calls a day. The men and women of the EMS Command are the most highly trained professional group in pre-hospital care providers in the nation. It was reported over a year ago that we had responded to about 1.6 million emergency calls, but as New York City expands in population and visitors, so does our call volume. We are expected to respond to at least 1.7 million emergency calls this year.

The purpose of my testimony today is not to level harsh criticism of a bill to expand the age of an open competitive exam to Firefighter, but to discuss the negative impact it will have on the titles of EMT & Paramedics within the F.D.N.Y. Several years ago as the Departments mission to diversify its Fire ranks they created what they labeled a promotional exam to Firefighter. It is no secret that the rank and file of our Union is the most diverse group within the F.D.N.Y. This back door policy has continued to deplete our most experienced providers due to the huge disparity in compensation. This process has also been abused by many who come to EMS just to move over to the fireside by circumventing the very competitive open exam. With one year on the job and at least a 75 on a written exam, a person will get preference over a person with a 100 who is on the open competitive list. This program may have initially been put in place with good intentions, but has become an avenue for non-minorities and minorities to beat the system of an open competitive exam. Three quarters of our members are Emergency Medical Technicians with no true career ladder. An EMT would have to become a Paramedic if he or she wanted to be appointed to a supervisory role. Only one paramedic program is offered per year with 60 seats and many applicants. There is a Lieutenants Civil Service exam, which EMT's once had the ability to apply for and move up the supervisory ranks but that option was taken away from our members many years ago. Emergency Medical Services is and should be respected as a career and not a stepping-stone to other career titles. We are concerned that by raising the age also for this F.D.N.Y promotional exam, it could lead to a mass exodus of our first line responders

due to the disparity in compensation. If this trend continues, it could hurt the quality of services we provide to our city.

What we need are true promotional opportunities for all EMS employees in the F.D.N.Y regardless of age. Our Fire Inspectors who are experts in the fire code and mostly minority should be given points for the open competitive exam for Firefighter, but they are not.

We are your first line of defense and your everyday heroes, How about us!

Respectfully Yours,

Israel Miranda

**From:** Ken Zaita  
**Sent:** Wednesday, October 19, 2016  
**Subject:** Firefighter Exam

To whom it may concern:

Hello my name is Kenneth Zaita I am 31 years old I have been with FDNY EMS for shortly over 5 years I am born and raised in NYC, and would love to get a chance to be promoted to Firefighter rank however I am excluded at this point because of my age. I am in great physical shape and I am looking forward to hopefully have a chance of becoming a NYC Firefighter.

Sincerely Yours

Kenneth Zaita

**From:** Gregory Link  
**Sent:** Wednesday, October 19, 2016  
**Subject:** Fire fighter age restriction

Good Morning,

I am writing this email because I can not attend the hearing today in city hall. The fire fighter age restriction is something that needs to be changed. Some people said that people over age of 29 are no longer physically capable of handling this job. Many people in the ems field alone are over the age of 29 and still able to carry all different types of patients in and out of different scenarios. Let alone the people who are not in ems. Another reason to raise the age restriction is many other if not all city agencies (example NYPD, sanitation) allow people up to the age of 36. Other states outside New York City allow people older then 30 to apply for a fire fighter position, Boston allows you to be the age of 32, Even long island and upstate New York allow people over 30 to apply for fire fighter. Many military branch's allow people apply over the age of 30, The army allows to the age of 35, Navy allows up to 34. These jobs are just as or if not more stressful and demanding as working as a fire fighter in New York City. I understand that the hiring process takes a few years due to background checks and other testing. Promotional exams all that extra checking has been done already. Which allows a more speedier process and more people out on to the field. I hope that this email reaches you and shows you that the age restriction being raised will be more helpful to everyone. If you wish to talk more about this please feel free to contact me.

Gregory Link  
FDNY EMT



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

1221

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JUAN R LLANO

Address: \_\_\_\_\_

I represent: FDNY

Address: 255 HAUMEYER ST #16F

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10-19-16

(PLEASE PRINT)

Name: BRIAN MORRISSEY

Address: 35-51 71<sup>ST</sup> STREET

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Shizam Dalbarry

Address: 146-47 TUSEGEE ARMEN WAY

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/19/16

(PLEASE PRINT)

Name: ~~Vincent Vazquez~~ Izzy Miranda

Address: 4709 30th St. Suite 302, LIC, NY

I represent: Uniformed EMS & Fire Inspectors <sup>1101</sup> UAW

Address: Local 2507

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/19/16

(PLEASE PRINT)

Name: Bryan Deliz

Address: 558 Knickerbocker Ave

I represent: FDNY EMS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. 2016

in favor  in opposition

Date: 10/19/2016

(PLEASE PRINT)

Name: Mohamed Hassan

Address: 200 East 39th Street Apt 6D NY, NY 10016

I represent: Mohamed Hassan

Address: 200 East 39th Street Apt. 6D NY, NY 10016

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/19/16

(PLEASE PRINT)

Name: Herb McIntyre

Address: 144 N. Richmond Ave MASS NY 11758

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 1221/1294

in favor  in opposition

Date: 10/19/2016

(PLEASE PRINT)

Name: JOSEFINA SANFELTU

Address: 229 13<sup>th</sup> ST. Brooklyn NY 11215

I represent: LATINAS AGAINST FDNY CUTS

Address: same

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10-19-2016

(PLEASE PRINT)

Name: Lauren Renzulli

Address: 138 walker court west orange, NJ 07012

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

◆ Please complete this card and return to the Sergeant-at-Arms ◆

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10-19-16

(PLEASE PRINT)

Name: BRENDA BERKMAN

Address: 216 E 105 ST NY, NY 10029

I represent: UNITED WOMEN FIREFIGHTERS OF NYC

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/19/16

(PLEASE PRINT)

Name: Vincent Variale

Address: 4709 30th St. Suite 300, LIC, NY

I represent: Uniformed EMS Officers Union 11101

Address: Local 3621

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: George Farinacci

Address: 125 Maiden Lane

I represent: UFOA Local 854

Address: \_\_\_\_\_

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**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/20/16

(PLEASE PRINT)

Name: ELIZABETH HOLTZMAN

Address: 2 PARK AVE, NY 10016 21ST Floor

I represent: United Women Firefighters

Address: 40 Suringa Srisakul

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Schramm Jr

Address: 1899 ADA PLACE, MERICK, NY, 11566

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/19/2016

(PLEASE PRINT)

Name: JAMES O'NEILL

Address: 8434 250TH STREET BELLEROSSE, NY 11426

I represent: FDNY EMS

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

Name: JAMES STEW (PLEASE PRINT)

Address: 204 E 23rd St

I represent: UFA

Address: 51A

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

Name: Michael Santiago (PLEASE PRINT)

Address: 7D Heritage Drive New City, NY 10956

I represent: Fire Department of New York

Address: 1 Centre Street Brooklyn, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. 1  
 in favor  in opposition

Date: 10/19/16

Name: REGINA Wilson (PLEASE PRINT)

Address: 739 Eastern Parkway Bklyn, NY 11213

I represent: The Vulcan Society

Address: 739 Eastern Parkway Bklyn N.Y. 11213

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 1321

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Grandison Lukra

Address: 1730 Sheridan Ave Apt 1F P.X NY 10458

I represent: Myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1221 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Lauriette Whyte

Address: Engle 93

I represent: Womens Organization

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 12941 (221) Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Laura Kavanaugh, Deputy Commissioner

Address: for Government Affairs + Special Projects

I represent: FDNY

Address: 9 Metrotech Brooklyn

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. 1224 Res. No. 1294

in favor  in opposition

Date: 12/19/2010

**(PLEASE PRINT)**

Name: Dr. Kerry Kelly

Address: 1 Metro Tech, Brooklyn NY 11201

I represent: FDNY

Address: Chief Medical Officer, Bureau of Health Services

*Please complete this card and return to the Sergeant-at-Arms*

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Nafersah Noonan, Assistant

Address: Commissioner for Recruitment & Retention

I represent: FDNY

Address: 1 Metro Tech, Brooklyn

*Please complete this card and return to the Sergeant-at-Arms*