

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES

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October 19, 2016
Start: 10:16 a.m.
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HELD AT: Committee Room - City Hall

B E F O R E: ELIZABETH S. CROWLEY
Chairperson

COUNCIL MEMBERS: Mathieu Eugene
Fernando Cabrera
Rory I. Lancman
Paul A. Vallone

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

Laura Kavanagh, Deputy Commissioner
Government Affairs and Special Programs
New York City Fire Department

Dr. Kerry Kelly, Chief Medical Officer
Bureau of Health Services

Nafeesah Noonan, Assistant Commissioner
Recruitment and Retention
New York City Fire Department

Jim Slevin, President
Uniformed Firefighters Association, UFA

Vincent Variale
EMS Officers Union

George Farinacci
Uniformed Officers Association

Israel Miranda, President
Uniformed EMTs, Paramedics and Inspectors
NYC Fire Department

Brenda Berkman
United Women Firefighters
Appearing for President Sarinya Srisakul

Loriette White
NYC Firefighter
Member of Women's Organization

Regina Wilson, President
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Elizabeth Holtzman
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Mahamad Assan
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Josefina Sanfelio
Founder of Latinos Against FDNY Cuts

Herb McIntyre
Retired Court Clerk & Former Union Officer

Lauren Rensley

Michael Schrim,
Emergency Medical Technician, EMT
NYC Fire Department, Station 47

Shavam Dalberry (sp?
Emergency Medical Technician, EMT
NYC Fire Department

Brian Morrissey
Paramedic
NYC Fire Department

2 [sound check, pause] [gavel]

3 CHAIRPERSON CROWLEY: Good morning. My
4 name is Elizabeth Crowley, and I am the Chair of the
5 Fire and Criminal Justice Services Committee. I would
6 like-like to thank you all for being here today. I
7 would like to also recognize my colleagues who are
8 present, Council Member Paul Vallone, Council Member
9 Mathieu Eugene, and Council Member Andy King. Today,
10 the Committee will hear two bills proposed Intro
11 1221-A and Intro 1294, both of which are related to
12 the New York City Fire Department. Proposed Intro
13 1221-A, sponsored by Council Member King, would raise
14 the maximum age for an individual applying to become
15 a firefighter by two years from its current maximum
16 age of 28 to a maximum age of 30. The bill will
17 also establish a maximum age of 35 for an individual
18 to begin working as a fire fighter. The current age
19 requirements have been on the books for many decades
20 since at least 1968. Since then, life spans have
21 increased. Medical technologies have advanced and
22 firefighters' protection equipment have improved.
23 Given these significant changes, the committee is
24 exploring whether adjustment in the age requirements
25 is appropriate so that anyone pursuing this career

2 would not be unfairly precluded from doing so.

3 Today's committee hearing is an opportunity to gather
4 information from the Fire Department, unions, first
5 responders and all interested parties on the impact
6 that any change in the age requirements would have
7 both from an operation and a fiscal perspective. I
8 am particularly interested in discussing how raising
9 the age would impact EMS operations. Raising the age
10 would mean that more EMTs and EMS officers will be
11 eligible to take the promotional exam, which could
12 lead to a greater turnover rate within EMS. New
13 Yorkers depend on our Emergency Medical Services and
14 it's critical we maintain a strong reliable EMS
15 within the Fire Department. The Committee will also
16 hear Intro 1294, which would require the Fire
17 Department to disclose detailed information about
18 fire fatalities. In such fires, a working—a working
19 smoke alarm is present. This bill would require the
20 department to disclose the type of alarm present,
21 photo electric or ionization. The bill will also
22 require the department to collect data on the cause
23 of death as determined by the Office of the Chief
24 Medical Examiner, and to include the information in a
25 report. Lastly, the department would be required to

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2 disclose any other information that it determines is
3 relevant and determine the role of smoke alarms and
4 smoke detectors in any civilian fire fatalities. It
5 is critical that New York City be a leader in this
6 type of transparency, and use the data collected to
7 save lives going forward. I look forward to a
8 productive discussion today. I am interested in
9 hearing from the Administration and other
10 stakeholders. If you are interested in testifying,
11 please make sure you sign up to do so, and now I'd
12 like to thank the Fire Department for being here
13 today, and those present from the Administration who
14 are ready to testify, I'd like you to raise your
15 right hand, and answer this question honestly. Do
16 you affirm to tell the truth, the whole truth and
17 nothing but the truth in your testimony before the
18 committee, and to respond honestly to council
19 members' questions?

20 PANEL MEMBERS: [off mic]

21 CHAIRPERSON CROWLEY: Thank you. Please
22 begin once you're ready.

23 DEPUTY COMMISSIONER KAVANAGH: Good
24 morning, Councilwoman Crowley, Council Member King
25 and all the other Council Members present. My name

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2 is Laura Kavanagh and I am the Deputy Commissioner

3 for Government Affairs and Special Programs. I'm

4 joined today by Dr. Kerry Kelly, our Chief Medical

5 Officer for the Bureau of Health Services, and

6 Nafeesah Noonan, the Assistant Commissioner for

7 Recruitment and Retention. Thank you for the

8 opportunity to speak with you today about

9 Introductions 1294 and 1221. On Intro 1294, you

10 would amend the Administrative Code in relation to

11 requiring the Fire Department to report on the use

12 and type of smoke detectors and smoke alarms in fire

13 related deaths. Under current practice, the FDNY's

14 Bureau of Fire Investigations conducts investigations

15 of all fatal and suspicious fires within the city of

16 New York. The fire marshals who conduct these

17 investigations use their expertise to determine the

18 cause and origin of each fire. In the course of

19 their investigation of a fatal fire, fire marshals

20 work with the New York City Office of Chief Medical

21 Examiner in order to determine the cause of death.

22 They also track whether or not the location featured

23 a smoke alarm, and if the alarm was present, they try

24 to determine whether it was operational. This

25 information can be provided in the report required by

2 this legislation. This bill further requires that if
3 a smoke detector or alarm was present, such report
4 shall indicate the technology used by such smoke
5 detector or alarm. In current practice, the fire
6 marshals do not collect information as to the
7 specific type of alarm that is found. This is
8 because more often than not the alarms are located
9 following fatal fires or damage to the point that it
10 is difficult or impossible to determine the specific
11 type. If this bill were to become to law, the fire
12 marshals could collect this information in
13 circumstances where it was possible to make such a
14 determination, and that information could be included
15 in the report. Whoever would like to make it clear
16 to the Council that in many cases this information
17 may not be available due to the condition of the
18 alarm. The resulting report would include a category
19 of instances in which such a determinate was—a
20 determination was unable to be made. With that
21 understanding, the Fire Department is happy to
22 support this bill. [pause]

23 On Intro 1221, the Mayor and the current
24 Administration at the Fire Department under the
25 leadership of Commission Nigro have placed a

2 substantial priority on creating a more diverse and
3 more equitable department. In fewer than three
4 years, we've made significant progress on this front.
5 Never in the department's history has it had such a
6 diverse leadership team including women and people of
7 color, and that leadership team has created positive
8 reforms and changes. Such changes have included
9 reforming the Equal Opportunity—Opportunity
10 Employment Office, hiring a Chief Diversity Inclusion
11 officer, and significantly expanding the department's
12 recruitment efforts. The vision statement of the new
13 Office of Diversity Inclusion holds that the
14 excellence of the New York City Fire Department is
15 enhanced by the ability to recruit, hire, retrain and
16 promote highly skilled, talented and motivated
17 members from diverse backgrounds. The FDNY prides
18 itself in attracting candidates of diverse gender,
19 age, culture, race, religious preference and sexual
20 orientation because the expression of unique ideas
21 provides for better productivity, efficiency and
22 service through diverse and multi-faceted community.

23 We're reviewing any proposal that will
24 affect the composition of our membership. A critical
25 consideration for us is whether that change will

2 contribute to our efforts to maintain FDNY's high
3 standard of excellence when increasing the diversity
4 of its composition. It is through this diversity
5 lens that we have reviewed Intro 1221. We've looked
6 at a number of sources including looking at other
7 municipalities, academic literature on diversity best
8 practices, and our own recruitment experience. This
9 review highlighted on key factor in seeking to
10 recruit more women and people color into the
11 department, and that is that these candidates are
12 likely to become interested in firefighting at a
13 later age. We believe this is primarily because
14 those candidates don't come from families or
15 neighborhoods where this career path is common, and
16 so they aren't aware of it or don't pursue it until
17 they've explored other careers. For women in
18 particular this amplified by the time taken to have
19 children and raise a family, which may take them out
20 of the workforce for a number of years. By the time
21 they return to it, they may be outside the age of
22 eligibility. We want to make sure that every effort
23 to include women and people of color in upcoming
24 recruitment drivers. We think this proposal may
25 advance that goal, and we look forward to discussing

2 it further. However, the City is still analyzing
3 some of the broader impacts and implications of this
4 proposal including its fiscal impact. Particularly
5 with the new amendments, OMB would like to fully
6 explore the fiscal impact of this bill. One key
7 point that we've—the Fire Department did want to
8 raise at this time is concern about implementing such
9 a change in advance of the open competitive
10 firefighting exam this next year. The filing people
11 for the next firefighter exam will take place in the
12 spring of 2017, and the exam itself is expected to
13 take—take place in September. As this committee is
14 aware, the department is currently in the midst of a
15 multi-million strategic recruitment effort for the
16 title of firefighter.

17 To accomplish our demographic goals for
18 the next exam class, we have executed over a period
19 of several months, a targeted campaign in that
20 generating specific numbers of applications from
21 Black, Latino, Asian and female firefighters. The
22 department has extended its efforts to reach
23 underrepresented communities by hiring specific
24 coordinators whose role it is to build relationships
25 in their respective communities. FDNY recruiters

2 participated in close to 4,000 events, and we expect
3 that the number of events will reach 6,000 before the
4 end of the campaign. This would be above and beyond
5 our original goal of 5,000 total events. This effort
6 has included tabling at community fairs, train
7 stations, cultural events, youth presentations and
8 career fairs. We also host a large variety of our
9 own dedicated recruitment events including the FDNY
10 summer block parties and women's recruiting events at
11 the FDNY Training Academy. We work with a myriad of
12 non-profit groups to reach under-represented
13 communities of potential recruits. Some examples
14 include the New York Urban League, the YWCA, Make the
15 Road New York, the LGBTQ Center, the Dominican
16 Women's Development Center, 100 Black Men, Non-
17 Traditional Employment for Women, Center for Family
18 Life in Sunset Park and many others. One innovation
19 that we're particularly excited about is our mobile
20 academy. By bringing our training practices directly
21 to the community, we now give potential candidates
22 the ability to complete activities from the Candidate
23 Physical Ability Test. The first of these mobile
24 academy events took place in April of 2016 at the
25 Urban Assembly Institute of Math and Science for

2 Young Women in Brooklyn. As girls from high schools
3 throughout New York City had the chance to spend the
4 day with female firefighters. This comprehensive
5 recruitment campaign is designed with the existing
6 eligibility parameters in mind. It is tailored to
7 the current requirements, and the current universal
8 potential candidates. If this bill were to become
9 law and take effect before the application period for
10 the Open Competitive Exam in 2017, we are concerned
11 that the nature of the applicant class could be
12 altered in such a way that it may—may unwind all of
13 the deliberate work that has been—been completed
14 already. This campaign is not the result of an off-
15 the-cuff design, but rather a dedicated process that
16 involved consulting outside experts. In order to
17 engage in a comprehensive plan to recruit talent from
18 diverse communities, and the numbers that are
19 required to department forward, recruiting campaigns
20 must be planned with great specificity. We are aware
21 from preliminary conversations with the Law
22 Department that such a change would likely require
23 the approval of the State Civil Service Commission.
24 Our fear is that we would be faced with an applicant
25 eligibility rules being changed days before or even

2 during the application period. Where we are required
3 suddenly shift gears and account for a population of
4 eligible 29 to 31-year-old potential candidates,
5 there's a possibility that our recruiting results
6 would lag behind our diversity goals. We would like
7 to further discuss with the Council an implementation
8 date that takes into account with the State Civil
9 Service Commission may approve this change. That
10 could include implementation not taking effect until
11 the following exam if approval of this change comes
12 too close to the next year's exam. Although we'd
13 like to further discuss the concerns mentioned above,
14 we appreciate the Council's efforts working with the
15 department to increase racial and gender diversity.
16 Thank you.

17 CHAIRPERSON CROWLEY: Thank you,
18 Commissioner Kavanagh. I'd like to recognize that
19 we've been joined by CUNY Graduate School of
20 Journalism, the Professor Susan Farkas as well.
21 Council Member Dromm has brought them here for the
22 day. So, before I begin my questions, I'd like to
23 recognize Council Member King, who is a sponsor of
24 1221-A, to speak on behalf of this bill, and then—

2 then I will allow Council Member King to start with
3 questions.

4 COUNCIL MEMBER KING: [off mic] Good
5 morning. [pause] [on mic] Good morning, Ms.
6 Kavanagh. It's an honor and a pleasure to see you
7 always. Madam Chair, thank you for today's
8 conversation, and all the labor and everyone who has
9 chimed in from our advocates to our EMTs to our
10 fighters, but more importantly us. In a city where
11 the average New Yorker may change careers two to
12 three times in their lifetime, and in doing so, more
13 physically fit and wiser as they grow older, we can't
14 cut short employment opportunities that will enhance
15 New Yorkers and the city government. For this
16 reason, Intro 1221, which was co-signed by my
17 colleagues, Council Members Crowley, Johnson, Chin,
18 Mendez, Maisel, Koo, Cumbo and Palma will amend the
19 Administrative Code of the City of New York to raise
20 the minimum-maximum age to apply to become a
21 firefighters from 29 to 31, and make 35 the cut-off
22 age-36 the cut-off age in-for hiring. In doing so,
23 it will benefit applicants who are naturally getting
24 older while waiting for DCAS to offer a new exam,
25 which typically takes about four years or five years.

2 The purpose—the purpose of this law is to place less
3 emphasis on age factor for an applicant's ability to
4 be considered as a firefighter entrance offered by
5 DCAS. In the past years, 1999, from 2007 to 2014,
6 the Council's involvement in raising that—the age
7 limit for exams stem from federal litigation that
8 ultimately discover that there were discriminatory
9 practices being implemented in the administrations—in
10 the administration of the exam, which adversely
11 affected African-Americans and Latino-American
12 candidates. Although my bill is not directly
13 targeted at that type of discrimination that occurred
14 in the past, it is, however, targeted at reducing an
15 inherent discrimination that can come with shutting
16 out a class of people from taking advantage of an
17 opportunity because of their age. Primarily, my push
18 to raise the age limit for the firefighter entrance
19 exam came about as a result of several conversations
20 with emergency responders about age barriers to the
21 exam, and the unfair challenge it presents when
22 trying to make a transition or a career change from
23 EMT to firefighter. Other civil service agencies do
24 not set a stringent age criteria. For example, the
25 NYPD requires applicants to be between 17-1/2 years

2 of age or less than 35 years of age actually on the
3 day of examination. Both firefighters and police
4 have difficult, tough, sometime violent or deadly
5 job-or-or deadly on the job, but the NYPD still
6 accepts applicants up to the age of 35. I just want
7 to remind you that the improvement in modern
8 medicine, nutritional diets and other health related
9 fields have made it so that people are maintaining a
10 certain level of physical fitness regardless of age.
11 Technically, we need to make sure that we are with
12 the times of the people in how we have grown
13 physically. So I'm urging serious consideration be
14 given to 1221 by us being able to raise the maximum
15 age from 29 to 31 as well as making 36 the cut-off
16 age of hiring, and I think that gives all of us who-
17 who wanted to be a firefighter an opportunity
18 regardless of age in this case. Because as we do
19 know there are some 32-year-olds who are in better
20 shape than some 22-year-olds, and because you are 35
21 and if you're just not physically fit to do the job,
22 you're not going to get hired anyway. But, at the
23 end of the day, we don't want to exclude people the
24 opportunity to become a firefighter. So, Madam
25 Chair, I thank you for today's hearing, and I thank-

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2 and I'm grateful to hear all the testimony today that
3 we can get on the same page or offer access and
4 opportunity to anyone who wants to be a firefighter.
5 Thank you. [pause] I do have—I've—I've listened to
6 testimony today about the 4,000 events that you've
7 done publicly and particularly raising that—that
8 you'll get to 6,000. My first question would be can
9 you give a number of how many people possibly have
10 signed up? How many people we've—we've touched
11 because we've had events? But how many people have
12 we actually—actually touched that said they want to
13 become firefighters from your outreach so far?

14 DEPUTY COMMISSIONER KAVANAGH: Sure. I'm
15 going to defer to Commissioner Noon, who oversees
16 equipment.

17 COUNCIL MEMBER KING: Thank you.

18 ASSISTANT COMMISSIONER NOONAN: [off mic]
19 Well, my current efforts—[on mic] current efforts—our
20 current efforts have been targeted.

21 CHAIRPERSON CROWLEY: [off mic] Can you
22 please introduce yourself?

23 ASSISTANT COMMISSIONER NOONAN: I'm
24 sorry. Mafeesah Noon, Assistant Commissioner of
25 Equipment and Retention. Our current efforts have

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2 focused on those age over candidates who are 29, of

3 course, and we've reached—we've—we have 179,447

4 people that are age eligible for this upcoming filing

5 period, and that's based on the 4,000 events we've

6 done so far for this campaign.

7 COUNCIL MEMBER KING: And is that

8 correct, 475?

9 ASSISTANT COMMISSIONER NOONAN: 179,000.

10 COUNCIL MEMBER KING: 179--?

11 ASSISTANT COMMISSIONER NOONAN: Thousand.

12 COUNCIL MEMBER KING: Thousand.

13 ASSISTANT COMMISSIONER NOONAN: 447 age-

14 eligible entrants.

15 COUNCIL MEMBER KING: [pause] Okay. Now,

16 out of that number there, those applicants now I

17 think we have a test that's scheduled for next year.

18 Now, how many applications do that we're actually

19 able to take in for any given test on any given year.

20 So next year we're taking the test. How many

21 applications are you actually going to filter through

22 and be able to say how many people can take the test

23 next year?

24

25

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2 ASSISTANT COMMISSIONER NOONAN: There is
3 no specific number on how many people can take the
4 test.

5 COUNCIL MEMBER KING: Okay. So you're
6 telling me right now on this if you had to just to
7 them, all 179,000 people would be able to take this
8 test?

9 ASSISTANT COMMISSIONER NOONAN: Would be
10 able to file--

11 COUNCIL MEMBER KING: [interposing] And
12 be able to--

13 ASSISTANT COMMISSIONER NOONAN: And we
14 would encourage them to sit for the exam.

15 COUNCIL MEMBER KING: Uh-huh. Okay, so I
16 want to talk a little bit because this--these two
17 diversity, which being we're talking about diversity,
18 getting people the opportunity. Now, does the
19 department have breakdown of diversity candidates by
20 age?

21 DEPUTY COMMISSIONER KAVANAGH: Yes, we
22 do.

23 ASSISTANT COMMISSIONER NOONAN: We do.
24
25

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2 COUNCIL MEMBER KING: Is it possible that
3 it tends to be more older candidates or less
4 candidates? [pause]

5 DEPUTY COMMISSIONER KAVANAGH: In the
6 totality of candidates, the candidates do tend to get
7 more diverse as the age goes up.

8 COUNCIL MEMBER KING: Okay.

9 DEPUTY COMMISSIONER KAVANAGH: With both
10 race and gender.

11 COUNCIL MEMBER KING: So, I don't want
12 to—I want to hear from my colleagues as well, but I—
13 my—my—my concern is being able to make sure that I
14 know we have—we've had a conversation about the
15 promotional and exam, and how that has an impact on
16 how people go straight from EMT and straight into
17 being a firefighter. Have you found with that exam
18 that it was designed to promote diversity not only in
19 the EMTs, but for firefighters? Have you found that
20 it has done what it's—it was designed to do, these
21 promotional exams?

22 DEPUTY COMMISSIONER KAVANAGH: Yes, that
23 applicant pool remains more diverse as does the EMS
24 ranks overall remain more diverse in the open
25 competitive.

2 COUNCIL MEMBER KING: Do you find that
3 more applicants who might transition from EMT to Fire
4 Department, do you find that it's more people of
5 color transitioning in, or more persons of non-color?

6 DEPUTY COMMISSIONER KAVANAGH: I'm not
7 sure I understand the question. In terms of new
8 applicants to EMS?

9 COUNCIL MEMBER KING: No, I'm saying in
10 the history of the promotional exam, as we've had,
11 have had a number of conversations with individuals
12 it was, you know, this exam was designed to promote
13 diversity for the Fire Department, but has tended—
14 that has happened is I've had conversations with
15 that, you still had the—the—for lack of a better
16 term, the good old boys club has still been able to
17 circumvent the big—bigger exam. They're using this to
18 make sure that you continue to have the same
19 ethnicity going into the Fire Department. So I want
20 to know what is the numbers? What does it look? Is—
21 is it—is that accurate or not?

22 DEPUTY COMMISSIONER KAVANAGH: So, we
23 refer to those as traditional candidates, and there
24 has been a slight uptick in traditional candidates
25 going through EMS. With that being said, those rants

2 still remain significantly more diverse as does the
3 promotional exam in general. In addition, we've
4 taken a few measures to ensure that we're actually
5 recruiting diverse candidates into EMS, which was not
6 done under previous administrations, and I can let
7 Commissioner Noonan expand on the effort.

8 COUNCIL MEMBER KING: Okay, thank you.

9 ASSISTANT COMMISSIONER NOONAN: We're
10 trying to capitalize on the diversity that is within
11 the EMS ranks, and giving people and opportunity to
12 understand all that is encompassed in—in filing for a
13 firefighters to meet on the binge of that
14 opportunity. We've done a number of open houses
15 information sessions for women and people of color
16 and all—really all members that were interested, and
17 answered a lot of questions that they had about the
18 process. That outreach has—has proven to show that
19 we've—we've gotten, we've increased our—our gender
20 diversity for sure, and looking at the number of
21 filers of women from the past 2—2011 promo exams in
22 comparison to those that filed recently, we've
23 doubled those numbers. We have 203 women that filed
24 for the current promotion to firefighter exam, which
25 we think is great, and we will continue to encourage

2 those women to sit for the exam, and follow through
3 on the process.

4 COUNCIL MEMBER KING: Thank you. I'm
5 going to stop there and defer to come back, and I
6 want to thank you for answering the questions that
7 are provided—that was asked this morning. Madam
8 Chair.

9 CHAIRPERSON CROWLEY: Thank you, Council
10 Member King. Just to further clarify, one of the
11 questions Council Member King asked was how many
12 applicants you have. Now, the 179,000 are actually—
13 they're not registered to take the test yet. They've
14 shown some level of interest, and now you have a way
15 of contacting them when they—you can—when you're
16 opening? When are you opening the test? What day is
17 that?

18 ASSISTANT COMMISSIONER NOONAN: So the
19 filing period is scheduled for April 5th of 2017.

20 CHAIRPERSON CROWLEY: And it's open for
21 how long?

22 ASSISTANT COMMISSIONER NOONAN: It's open
23 for five weeks, but we may request an extension as we
24 did for the fire exam.

2 CHAIRPERSON CROWLEY: Because you may not
3 meet your level of diversity?

4 ASSISTANT COMMISSIONER NOONAN: Right.

5 CHAIRPERSON CROWLEY: And—and you have a
6 goal for women on that as well.

7 ASSISTANT COMMISSIONER NOONAN: Right,
8 well, for our interest, we've been looking at 10% of
9 our interest, and as I mentioned in the past, we've—
10 there are more than 100% at that goal so far, and
11 we're continuing to push. We have six months left,
12 six months left to continue to increase that.

13 CHAIRPERSON CROWLEY: So April 5th
14 happens. Now people have to fill out the application
15 and submit money to take the test?

16 ASSISTANT COMMISSIONER NOONAN: Correct.

17 CHAIRPERSON CROWLEY: And then that
18 period closes, and then you have a test later on in
19 the year?

20 ASSISTANT COMMISSIONER NOONAN: Then we
21 have a test scheduled for September of 2017.

22 CHAIRPERSON CROWLEY: Okay, and you
23 could—you could accommodate greater than 200,000, if
24 need be? You have quite a number of interested
25 people in becoming firefighters?

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2 ASSISTANT COMMISSIONER NOONAN: Correct.

3 CHAIRPERSON DICKENS: Compared to other
4 civil service public safety type jobs. [pause] Now,
5 do you have an age where you are forced as a
6 firefighters to retire?

7 DEPUTY COMMISSIONER KAVANAGH: Currently,
8 it's 65.

9 CHAIRPERSON CROWLEY: And how many—what's
10 the percentage who retire out at 65?

11 DEPUTY COMMISSIONER KAVANAGH: [off mic]
12 We'd have to look at that.

13 CHAIRPERSON CROWLEY: We don't know that?
14 [pause] And you stated earlier as the age increases
15 in terms of applicants who are 28, 27, a level of
16 diversity increases. Do you have that information
17 you could provide us in terms of numbers?

18 DEPUTY COMMISSIONER KAVANAGH: Yeah, I
19 can give you a snapshot now but we can hand you the
20 numbers after this. So for example on the open
21 competitive exam for women at 21, 4% are for now of
22 the total applicant pool at 28, or 6% and for the
23 partial exam it goes up significantly. As we've
24 talked about, it's 3% age 21 and 14% at age 28 of the
25 total applicant pool.

2 CHAIRPERSON CROWLEY: And the department
3 supports this bill?

4 DEPUTY COMMISSIONER KAVANAGH: We have
5 not had a chance to look at the full fiscal
6 implications with OMB. So we are very supportive of
7 the efforts to increase diversity, but we'd have to
8 know the full fiscal impact before we could support
9 it.

10 CHAIRPERSON CROWLEY: So, let's go into
11 the fiscal impact. Do you believe that this would
12 cost more money if you increase the age?

13 DEPUTY COMMISSIONER KAVANAGH: That is a
14 question--

15 CHAIRPERSON CROWLEY: [interposing] On
16 the face of it?

17 DEPUTY COMMISSIONER KAVANAGH: --for OMB
18 and OMB has not completed their analysis yet.

19 CHAIRPERSON CROWLEY: Well, does the
20 number of people collecting a three-quarter
21 disability increase with age?

22 DEPUTY COMMISSIONER KAVANAGH: Again,
23 that would be a question for OMB who has not
24 completed that analysis yet.

2 CHAIRPERSON CROWLEY: Is there a-a
3 negative impact that it could have a firefighter's
4 benefit package in terms of the whole department
5 having to pay more towards pension costs if a certain
6 number of the department increases its number if-if
7 more people are pretty much going on disability?

8 DEPUTY COMMISSIONER KAVANAGH: Again,
9 that would be something that OMB would have to look
10 at. [pause]

11 CHAIRPERSON CROWLEY: When did the
12 department start its promotional exams for EMS?

13 DEPUTY COMMISSIONER KAVANAGH: I believe
14 it was 15 years. I'd have to confirm that.

15 CHAIRPERSON CROWLEY: And was that a-a
16 bill or did the department just do it?

17 DEPUTY COMMISSIONER KAVANAGH: I couldn't
18 speak to that. I wasn't there at the time.

19 CHAIRPERSON CROWLEY: So-so you don't
20 know if it was a law that changed a lot the--

21 DEPUTY COMMISSIONER KAVANAGH:
22 [interposing] I do not know, no.

23 CHAIRPERSON CROWLEY: [pause] Has the
24 department thought about increasing the frequency it
25 issues its tests?

2 DEPUTY COMMISSIONER KAVANAGH: The
3 promotional exam or the open competitive or both?

4 CHAIRPERSON CROWLEY: Open competitive.

5 DEPUTY COMMISSIONER KAVANAGH: We have
6 considered it. We don't believe at this time that it
7 would yield greater diversity. So we are not
8 considering it right now, but we have worked on it.

9 [coughs]

10 CHAIRPERSON CROWLEY: I'm going to
11 recognize Council Member King-King with more
12 questions.

13 COUNCIL MEMBER KING: First, I want to
14 say thank you again for your soft yes as opposed to a
15 hard no. [laughs] But in your testimony, you
16 mention the concerns that you would have coming up
17 next year with the exam of all the work and
18 organizing that you all have done, and this piece of
19 legislation might create a new challenge if you had
20 to accept more applicants at this time. My question
21 will be to you, though, at this day and age knowing
22 the attempt that you are all making to bring more
23 diversity in, understanding the conversations that
24 have transpired with the people being able—more fit
25 to be able to perform this task of being a

2 firefighter. What suggestions do you have that you
3 can help us with today for that 31-year-old who would
4 be willing and able who are from Mott Haven of Bed-
5 Stuy who is ready to be a firefighter, but because of
6 the logistics that you're thinking about for next
7 year, what are seeing in them. How do we adjust
8 right now to including them, because they're all
9 sitting—they're sitting on the fence right now
10 waiting to hear what's going to come out of today's
11 conversation, and how they're included in being in-in
12 the next class of this.

13 DEPUTY COMMISSIONER KAVANAGH: Sure. So
14 we have two ideas. One would be to sit down with the
15 Council and better understand the timing and
16 logistics involved in getting state civil service
17 approval. You know, obviously if we knew it was
18 coming and you had the sense of when, it would easier
19 for us to begin recruiting those candidates now with
20 some certainty that they would actually have a
21 chance. You know, one of our concerns that we've
22 found from the last exam is that our more diverse
23 candidates tend to file later in the filing period.
24 So if for instance the State Civil Service Commission
25 had the possibility of approving this mid-filing

2 period, we would have a concern that we might not
3 have enough time to get those candidates out even if
4 we did recruit them. So, I think understanding how
5 the State Civil Service Commission would work in
6 relation to this bill would help us plan around. You
7 know, it certainly doesn't mean that we shouldn't be
8 recruiting them, but it would help us plan around
9 what the—the pros and cons might be, and actually
10 prepare for that eventuality if that's possible. The
11 other thing I'll say is that when we recruit we do
12 actually now talk about all of the opportunities
13 available to the FDNY. So it used to be only focused
14 on fire. Now, as I mentioned, we're now have an EMS
15 Recruitment Unit? So even if for some reason the
16 State Civil Service Commission did not approve this,
17 if we recruit, had recruited those candidates and
18 taken—had taken the effort to talk to them, we would
19 try to recruit them to EMS or a fire protection
20 inspector, somewhere else in the department so that
21 we're not losing that—that good effort that we've put
22 in those neighborhoods.

23 COUNCIL MEMBER KING: [off mic] And my—
24 [on mic] and my final question until another one pops
25 up, but right now has there been any thought or

2 conversations of how it may be we—we reduce the
3 amount of time in between tests. I noticed like
4 every four years maybe reduce it every two years or
5 even every year, every three years. How do we do
6 that to be more inclusive to those who might want,
7 who might list it that way?

8 CHAIRPERSON CROWLEY: So we—we have
9 looked at that in a couple different ways.
10 Unfortunately, one of the—the issues that comes in
11 that we can't control is how quickly we hire
12 firefighters. So we've found that even if you were
13 to give the test more often, that wouldn't
14 necessarily reduce the amount of time that people sit
15 on a list because you only get through a certain list
16 so fast.

17 COUNCIL MEMBER KING: Uh-huh.

18 DEPUTY COMMISSIONER KAVANAGH: So one
19 thing we had done is talk to NYPD who gives the test
20 on a sort of daily basis. You can walk into a
21 testing center and take any day, but that—that
22 doesn't change how often they promulgate a list
23 through DCAS, and they actually said they found they
24 thought it would increase diversity. And are now not
25 sure, but they're looking at that further, but we're

2 paying close attention to those conversations to see
3 if it would because if it would, it is a change that
4 we would consider making. But we have found that
5 the—the biggest challenge is simply how long this
6 process can take, and that doesn't change simply
7 because it's about the rate at which we—we hire.

8 COUNCIL MEMBER KING: So I end with this:
9 All of that assessment taking in and typing all them
10 docs to making sure it works. Would the
11 administration be interested in looking and
12 considering—seriously considering shortening the
13 length of time between each test?

14 DEPUTY COMMISSIONER KAVANAGH: We would
15 be interested in looking at it yes.

16 COUNCIL MEMBER KING: Okay. Alright,
17 thank you, Madam Chair.

18 CHAIRPERSON CROWLEY: After we finish
19 with the testimony from the EMS Union that's going to
20 say that this will negatively impact their
21 membership, and so that they already have too high of
22 an attrition rate, and what does the Fire Department
23 think about that, and can you speak to—to the morale
24 if—if you keep on taking more from EMS and not

2 providing any other benefit, how is that fair to our
3 Emergency Medical Services?

4 DEPUTY COMMISSIONER KAVANAGH: So the
5 Fire Department sees all these as our employees. So
6 moving them from one title to another is not
7 detrimental to our overall operations from our
8 perspective. If there are concerns about morale or
9 other issues within EMS, we'd be very willing to sit
10 down and discuss those with EMS on those. We do not
11 see that the promotion from EMS to Fire as an
12 operational issue.

13 CHAIRPERSON CROWLEY:

14 DEPUTY COMMISSIONER KAVANAGH: But you do
15 know that within EMS they don't have the same level
16 of promotional opportunities as compared to the
17 firefighters make substantially more than EMTs. So
18 does the department support promotional-more
19 promotional exams with EMS so that they can take
20 Civil Service exams to become captains, division
21 chiefs and so on?

22 DEPUTY COMMISSIONER KAVANAGH: We'd be
23 happy to sit down and consider that. We don't have a
24 position at this time.

2 CHAIRPERSON CROWLEY: Okay. I have no
3 further questions for the Fire Department.

4 COUNCIL MEMBER VALLONE: Just one quick
5 question.

6 CHAIRPERSON CROWLEY: Council Vallone.

7 COUNCIL MEMBER VALLONE: Thank you.

8 Thank you for your testimony. It-it seems like the
9 department's two main concerns the fiscal impact and
10 the timing is what I'm hearing.

11 DEPUTY COMMISSIONER KAVANAGH: Yes.

12 COUNCIL MEMBER VALLONE: Has there been
13 talk of maybe a possible compromise of exempting the-
14 if this was to go into effect exempting the upcoming
15 tests and the plans so that it would be grandfathered
16 in. No changes would be made and in going forward
17 with these type of changes. Would that be a
18 possible--?

19 DEPUTY COMMISSIONER KAVANAGH: Sure. I
20 think we'd be open, you know, to any compromise. As
21 long as we felt confident we had enough time to
22 communicate with the candidates that would be
23 eligible, I think we'd very willing to come a
24 comprise.

2 COUNCIL MEMBER VALLONE: [interposing]

3 Yeah, in--in listening to this, the--the believer side
4 of me is saying that would sound like a fair way to
5 get around the upcoming because the--the time frame
6 here is very close.

7 DEPUTY COMMISSIONER KAVANAGH: It is very
8 close, but I'd say the unknown here is the State
9 Civil Service Commission. So, you know, at--at this
10 moment we have six more months left in the campaign
11 where I think we could adjust, but if that approval
12 was to come like I said in the middle of the filing
13 exam, that may be when it's problematic. So we'd--
14 we'd be happy to discuss any options. Our only
15 concern is how it impacts the candidates in terms of
16 the finding.

17 COUNCIL MEMBER VALLONE: Well, it sounds
18 like a possible compromise, and I--and I look forward
19 to working, and the Chair said, something with EMS
20 because it's a direct impact, and I see it within
21 our--within our community, too As--as we deplete the
22 resources, what are we doing to replenish the great
23 work that EMS are doing.

24 DEPUTY COMMISSIONER KAVANAGH:

25 [interposing] Yes, we are.

2 COUNCIL MEMBER VALLONE: If we keep
3 taking—I—I know you look at it as one general crew,
4 but the realities are if we get short-changed or sort
5 of staffed on the EMS world, it's going to have an
6 impact at some point until we catch up to fill those
7 spots also.

8 DEPUTY COMMISSIONER KAVANAGH: Yes, and
9 obviously EMS operations within here, but I think I
10 can speak for them and say we'd be happy to sit down
11 and discuss those—those issues.

12 COUNCIL MEMBER VALLONE: Thank you very
13 much. Thank you, Madam Chair.

14 COUNCIL MEMBER KING: Madam Chair, before
15 you—he touched on something referring to the EMTs and
16 how we look at it as one big team, and how you figure
17 out. I've learned through a number of conversations
18 and you can figure if you want to comment on this or
19 not, that the EMT workers the city has grown short
20 from time to time, and they've had to contract out to
21 get assistance to cover parts of New York City. Is
22 it wise practice to contract out when you can just
23 keep that money in house, and just keep a dedicated
24 EMT staff and hire enough EMT workers, and have a
25 promotional system in line that you can just keep the

2 EMT system strong as—as opposed to taking that money
3 and paying private contractors to do the work?

4 DEPUTY COMMISSIONER KAVANAGH: So I won't
5 speak to the contractor part since I am not EMS
6 operations, but I will say that we have taken over a
7 greater share of the total proportion of EMS work in
8 the city over the course of the last couple of years,
9 and that has been in large part due to additional
10 funding we've gotten from the city in order to do
11 that. So, we've been able to staff up and take over
12 more tours as FDNY and EMS as opposed to those
13 outside contractors. [pause]

14 CHAIRPERSON CROWLEY: I'd like to thank
15 the Fire Department for being here today to testify,
16 and now I would like to call up members of the public
17 who are here. [background comments, pause] First,
18 I'm going to call up the UFOA, Jim Slevin, President
19 of the UFA, Acting President. Izzy Miranda (sic), do
20 you want to testify on the same panel? Izzy Miranda,
21 Uniformed EMS and Fire Inspectors and Vincent
22 Variale, EMS Officers Union. [background comments,
23 pause] Whichever of the four unions wants to begin
24 first. [background comments].

2 JIM SLEVIN: Good morning. Jim Slevin,
3 President of the UFA. I want to thank you for the
4 opportunity to say a few words today, and I want to
5 thank both Chairwoman and Council Member King for
6 working with us on this bill. As you know, we had
7 some concerns with the initial proposal in regards to
8 raising the test date up to the age of 36. And I
9 mean it was said that yes, you could have a--someone
10 that's in superior physical condition and all the--all
11 the raves and say somebody younger. But I think when
12 you look at an overall average of candidates and
13 people that, you know, the older you get, the more
14 likely your body is going to break down and get
15 injuries, which could result in a higher injury rate
16 for our members. Which would put an additional
17 strain on the budget as far as overtime to replace
18 those members, and ultimately could result in an
19 additional pension cost if those members become
20 permanently disabled. We also had concerns with the
21 new pension system with Tier 36 that you have to
22 really work 25 years to get the full benefit of that
23 pension system. So if you were getting appointed in
24 your 40s up to 41 or 42, you would never qualify for
25 the full pension at having to work the full 25 years.

2 But we certainly think that the age of 31 is a very
3 reasonable compromise, and we support this intro as
4 it's amended. So thank you. [background comments,
5 pause]

6 GEORGE FARINACCI: Jimmy Hit—George
7 Farinacci, the UFOA. Jimmy hit all the main points
8 especially the concerns about possible pension costs,
9 and the—the impact personally to our drug plans and
10 stuff like that most likely. I think the numbers for
11 disability in the Fire Department if we watch the
12 numbers where guys who are disabled, you would see a
13 sharp increase as those ages went up as the body
14 starts to break down. Just one note on the—the
15 difference between the Police Department and the Fire
16 Department. The Police Department has a much higher
17 entry level top age that—which was the original bill
18 up to 35. However, they are very different jobs in
19 the sense that maybe half of the Police Department
20 have off line positions or—or positions that are more
21 administrative than they would be physical. The Fire
22 Department is pretty much a fire truck or a handful
23 or seats at headquarters, but 80—80% or better are
24 just on the fire truck and doing pretty physical

2 labor. So, it's-it's-it's more of a challenge for an
3 older person in the Fire Department for sure.

4 VINCENT VARIALE: [coughs] Good morning.

5 Thank you, Chair Elizabeth Crowley, and Council

6 Member King and members of the City Council

7 committee. My name is Vincent Variale. I'm

8 President of the Uniformed EMS Officers Union

9 representing EMS captains and lieutenants of the New

10 York City Fire Department. I testified many times in

11 the past about the severe shortage, the staffing

12 shortages that exist in the EMS workforce. It's so

13 bad that we have to private-use private ambulances,

14 for-profit private ambulance company that have proven

15 time and time again to be unreliable, to respond to

16 911 because literally we've seen them in the middle

17 of the night go bankrupt, or when the profits run

18 out, so do they. And time and time again our FDNY

19 EMTs and Paramedics have to pick up the slack to

20 perform those duties, and make sure that the people

21 of this city obtain the services needed when they

22 call 911. We've also seen severe shortages in our

23 supervisor ranks, lieutenants and captains where I

24 have testified many times, and Chairwoman Crowley,

25 you know, about the span of control issues. The span

2 of control listed by the Federal, State and City
3 Standards is one officer to seven individuals for
4 emergency responders. In fire, that is a huge—it's
5 one in four, one in five; police, it's one in seven.
6 Sanitation is one in eight. Corrections it's one in
7 seven. In EMS, the ratio was one in 20 and many
8 times one in 30. We are grossly understaffed. This
9 leads to dangerous conditions, and specifically in
10 the span of control, and almost impossible, virtually
11 impossible to do the job efficiently and effectively
12 the way it should be. Over 20 years ago, EMS was
13 merged into the Fire Department. To enhance the
14 diversity in fire suppression a promotion exam for
15 EMS was created to firefighter. EMS was already
16 suffering from a high attrition rate as we do today.
17 I believe it's somewhere around 15%, 14 or 15% due to
18 low salaries, and a lack of any career ladder.
19 Again, today we earn—our members make \$20 to \$40,000
20 less than other uniformed emergency services. We
21 have no Civil Service exams other than lieutenant.
22 That's the—that's it. Basically, a dead end job.
23 So, what happened was people who were aspiring to
24 become a firefighter used EMS as a stepping stone.
25 They come here, they call it doing their time like

2 jail, and they move onto Fire. So they continue to
3 use this loophole, this back door to go into fire
4 suppression increasing the attrition rate of EMS.

5 And EMS increasingly losing the experienced EMTs and

6 Paramedics. The bill you're proposing today will

7 increase the maximum fire age—fire—hiring age for

8 firefighters, but while it—it may provide some, if

9 any, benefit to enhance diversity, it will exacerbate

10 the staffing problems in EMS that already exist. We

11 will continue to lose and encourage members to go to

12 the fire suppression side, the most experienced and

13 mature EMS members in EMS. So due to the negative

14 impact to EMS, I request that the City Council

15 Committee consider either amending this bill to

16 discontinue the process of promotion from EMS to

17 Fire, or discontinue the bill altogether, and

18 reconsider other ways of enhancing the diversity.

19 Perhaps going to a ground roots committees in the

20 city at—at community boards or military sites. Get

21 some veterans who could probably use a job when they

22 come out after time in—doing time [laughs]—after

23 serving our country honorably. Sorry about that.

24 But there are many other ways and avenues we can go

25 to and use to achieve the goal of enhancing diversity

2 in the fire side, which is what this is all about
3 obviously. I would like to point out some things
4 that were mentioned in the—in the testimony we heard
5 from the fire side that there are more traditional
6 candidates in the EMS promotion to fire, or
7 increasing the age would provide even additional or
8 increase in the traditional candidates, and we know
9 what that means. So how is this going to help
10 diversity by keeping that promotional exam alive? I
11 would also like to point out 20 years ago, I joined
12 EMS when it was still part of the Health and
13 Hospitals Corporation called the green and white
14 days. Back then we had a career ladder. You could
15 not only become a lieutenant or paramedic, a
16 lieutenant, but you could also become a physician
17 assistant. You could become a nurse. You could
18 become a physical therapist or respiratory therapist,
19 and many other medical positions available then.
20 When we merged into Fire, which is, by the way, which
21 is one of the reasons why I joined EMS because I had
22 a love for emergency medicine and the medical field,
23 and that's where I wanted to stay. And many of my
24 co-workers, my brothers and sisters out there, union
25 brothers and sisters out there [bell] wanted to do

2 the same. But because we merged with the Fire
3 Department, all those career advancement
4 opportunities were stripped away from us. We have no
5 career ladder today. Our pay, as I said before, is
6 \$20 to \$40,000 less than other uniformed emergency
7 services. So to me, raising this hiring age is only
8 a set up to continue stripping EMS away from the most
9 experience we have, and this is not only a disservice
10 to the members of the EMS workforce, this is a
11 disservice to the people of this city. They need an
12 experienced EMT and Paramedic and EMS officer to help
13 address whatever medical emergencies exist out there.
14 So I—I ask again either we amend this bill to either
15 discontinue the promotion of Fire or do something to
16 enhance the current environment in—in EMS. Raise the
17 salaries. Give us a competitive chance. Either
18 raise the salaries, increase the career—give us a
19 career ladder--

20 CHAIRPERSON CROWLEY: [interposing] I
21 understand your--

22 VINCENT VARIALE: Do something about it.

23 CHAIRPERSON CROWLEY: I understand your
24 concerns.

2 VINCENT VARIALE: Thank you very much for
3 your time.

4 CHAIRPERSON CROWLEY: I-I don't want to
5 cut you off, but yes. I-I understand the need to
6 increase promotional opportunities with EMS, and for
7 the Fire Department to do more for your members.
8 We're going to hear from Izzy Miranda--

9 ISRAEL MIRANDA: [interposing] Yes.

10 CHAIRPERSON CROWLEY: --and then we're
11 going to open up for some questions.

12 ISRAEL MIRANDA: Good morning. I love
13 that jacket. It just catches my eye. It keeps you
14 focused on it. [background comments] Good morning,
15 Committee Chair Crowley and all the distinguished
16 committee members of the Fire and Criminal Justice
17 Committee. I thank you for the opportunity to
18 testify before you today. My name is Israel Miranda.
19 I am President of the Uniformed EMTs, Paramedics and
20 Inspectors of the FDNY representing over 4,000
21 members of Emergency Medical Command. The members of
22 the MS command are the first line of defense when
23 responding to natural disasters and terrorist attacks
24 among other things. Besides these responsibilities
25 they also respond to an average of over 4,000

2 emergency 911 calls a day. The men and women of the
3 EMS Command are the most highly trained professional
4 group and pre-hospital care providing providers in
5 the nation. It was reported over a year ago that we
6 have responded to about 1.6 million emergency calls,
7 but as New York City expands in population and
8 visitors so does our call volume. We are expected to
9 respond to at least 1.7 million emergency calls this
10 year. Now, the purpose of my testimony today is not
11 to level harsh criticism of a bill to expand the age
12 of the open competitive exams of firefighter, but to
13 discuss the negative impact it will have on the
14 titles of EMT and Paramedic within the FDNY. Several
15 years ago as the department's mission to diversify
16 its fire ranks, they created what they labeled a
17 promotional exam to firefighter. It is no secret
18 that the rank file of our union is the most diverse
19 group within the FDNY. This back door policy has
20 continue to deplete our most experienced providers
21 due to the huge disparity in compensation. This
22 process has also been abused by many who come to EMS
23 just to move over to the fire side by circumventing
24 the very competitive open exam. With with one year
25 on the job, and at least a 75 on a written exam, a

2 person will get preference over a person with 100%
3 who is on the open competitive list. This program
4 may initially been put in place with good intentions,
5 but it has become an avenue for non-minorities and
6 minorities to beat the system of the Open Competitive
7 Exam. Three-quarters of our members are Emergency
8 Medical Technicians with no true career ladder. An
9 EMT would have to become a paramedic if he or she
10 wanted to be appointed to a supervisory role. Only
11 one paramedic program is offered per year with 60
12 seats, and many applicants, sometimes 300, 350.
13 There is a lieutenant Civil Service exam, which EMTs
14 once had the ability to apply for, and move up the
15 supervisory ranks, but that option was taken away
16 from our members many years ago. Emergency-Emergency
17 Medical Service is and should be respected as a
18 career, and not a stepping stone to other career
19 titles. We are concerned that by raising the age
20 also for FDNY promotional exam, which I'm not totally
21 against, it could lead to a mass exodus of our first-
22 time responders due to the disparity in compensation.
23 If this trend continues it could hurt the quality
24 services we provide to our city. What we need are
25 true promotional opportunities for all EMS employees

2 in the FDNY regardless of age. Our fire inspectors,
3 who are experts in the fire code, and mostly
4 minority, should be given points or opportunities for
5 the Open Competitive Exam for firefighter. They're
6 not given points. They're not given any special
7 consideration and they are one of the largest groups
8 of minority who are experts on the fire code. Why
9 are they not given opportunities? Somebody answer me
10 that, but they are not. We are the first line of
11 defense and your everyday heroes, how about us? Now,
12 I'd like to address two things that were mentioned.
13 Besides, Vinny covered most of it. We talk about
14 excluding people. The Honorable Mr. King talked
15 about people being excluded and that was the reason
16 for this bill. Well, 70% of your EMS providers are
17 being excluded from promotional opportunities. We
18 talked a little about contracting out. [bell] When
19 Trans Care left this city in the lurch, my members
20 picked up the slack so the citizens of New York would
21 not suffer in delays in emergency services. What do
22 we get in return? Sure, the City Council helped us.
23 They gave us some money to run a few more tours.
24 They contracted out to two other private ambulance
25 companies in the Bronx. They said it was temporary.

2 It's still happening now. What happens when the next
3 company bails out on the people from your districts?
4 Who do you think is going to pick up the slack? I
5 thank you for listening. I'm honored to be here, and
6 I respectfully pass the mic.

7 CHAIRPERSON CROWLEY: Okay, thank you to
8 all the Union representatives for being here and
9 testifying. I appreciate the work your members do.
10 I'm going to recognize Council Member King first and
11 then I'll—I'll some more questions.

12 COUNCIL MEMBER KING: Thank you—

13 CHAIRPERSON CROWLEY: Before you go
14 ahead, we've been joined by Council Member Cabrera,
15 and we were briefly joined earlier by Council Member
16 Lancman.

17 COUNCIL MEMBER KING: Thank you again,
18 Madam Chair. I really only have maybe one question
19 and I want to say thank you for your yes. Thank you
20 for your yes. We're going to get you to your full
21 yes [laughter] and thank you for getting—getting
22 there, and I know you have some concerns. I would
23 like to know in order for it to get a full yes, would
24 the promotional exam have to be totally removed or

2 amended so that it be removed to get a full yes from
3 you?

4 VINCENT VARIALE: I would—I would say
5 that either the promotional exam would have to be
6 totally removed or you would have to give EMS a
7 competitive chance to give people a real option. At
8 this point when you're telling somebody do you want
9 to stay in EMS or go to Fire, and they look at the
10 salary being \$20 to \$40,000 more a year, and let's
11 face it, Fire has an excellent support staff. I mean
12 they—the resources and—and support on Fire is far
13 better than EMS. When you see the difference between
14 the two, there's really not much of a choice, and—and
15 unless you're going to make EMS competitive by giving
16 it a career ladder, by giving a real salary, you
17 know, then—I would say then get rid of the promotion
18 or exempt the fire unless you're going to make it
19 competitive. You know, I—I just add to that I heard
20 it all yesterday. A person in Walmart, a manager in
21 Walmart now makes more than an EMS captain and Deputy
22 Chief in FDNY/EMS, a person in Walmart. This is a
23 person not risking their life.

24 COUNCIL MEMBER KING: Right.

2 VINCENT VARIALE: They stock—you know,
3 they're doing shelves and stuff like that, selling
4 products, but they're making more than people in EMS.

5 COUNCIL MEMBER KING: Who save their
6 lives.

7 VINCENT VARIALE: It's a disgrace. It's
8 a disgrace.

9 COUNCIL MEMBER KING: Okay. You know,
10 the bill is designed not only just to offer some—more
11 of my—more diversity and give people options. But I
12 hear your—your—your screams, your—the challenges that
13 the—the EMTs you haven't been able to maintain. And
14 I think Madam Chair this is another conversation
15 going back to the Administration and say, you know,
16 we need to put our money in the right place. If
17 these are our first responders on the ground for the
18 City of New York then we need to make sure that they
19 are protected, and the EMTs. You know—you know, I—I
20 am going the way, you know, we asked the question of
21 the Deputy Commissioner. She couldn't answer the
22 question in regards to the contract, but if we know
23 it's—it's happening, we cannot act like it's not
24 happening, and then, you know, come in here and have
25 a conversation that doesn't address it. So we need

2 to go back to them and say listen, this is our
3 reality. How do we fix it? How do we make the EMTs
4 stable? How do we make it a career path, and then if
5 we need to figure out how to close loopholes so
6 people don't, quote, unquote, and a traditional
7 candidate is not using it to springboard himself into
8 or herself into the Fire Department, then we need to
9 do something. I—I fully understand. As I say, I
10 feel your pain, and I understand your passion, and I
11 think that we are on the right track to figure out
12 how to have the right conversation.

13 VINCENT VARIALE: To just a the point
14 that you just said. She didn't say that they—that
15 they weren't using private ambulance companies. She
16 said that the situations improved because they did
17 add additional tours. However, they—the private
18 ambulance companies are still out there. They're
19 very much alive. They're still running those tours.
20 They just contracted out new companies to take over
21 from Trans Care. So they're still out there, and the
22 reason why is because EMS staffing is—is so short in
23 all areas. Thank you.

24 ISRAEL MIRANDA: And if you keep stealing
25 from the EMS side, we're never going to be able to

2 solve that problem. But I know this is more about
3 diversity like you said and—and, you know, and I
4 understand that, and I'm for diversity. I'm Puerto
5 Rican. You know, I understand all that. I'm a
6 Latino, okay. So I understand that diversity thing,
7 you know, but if it's all about diversity, the Fire
8 Department said as you raise the age the diversity
9 went up. So why have an age all? Maybe it will go
10 really up, you know what I mean?

11 COUNCIL MEMBER KING: Uh-huh.

12 ISRAEL MIRANDA: So, you know, it's just
13 something to think about, but going back to the EMS
14 side because I got two guys in the back that are 32
15 years old that are probably not too happy right now.
16 [background comments, pause] You know? Okay, but
17 putting that aside, the reason I'm here because I
18 represent over 4,000 members, and they have no career
19 path.

20 COUNCIL MEMBER KING: Right.

21 ISRAEL MIRANDA: All their careers paths
22 were taken from the, and EMS this city has to respect
23 their first responders from EMS as a career not a
24 stepping stone to go to other titles. And I'm sure
25 that you guys got that message. You understand it.

2 You know, my concerns are that this bill will get by
3 or it will pass. Our issues will be heard. We'll
4 have a hearing, but nothing will really happen, and
5 that's my concern. So I thank you for letting
6 listening.

7 COUNCIL MEMBER KING: Well, I-I will end
8 with this. As the prime sponsor and as well as a
9 team of great minds on the Council, we hear—we hear
10 your conversation, and I am all in to figure how do
11 we tweak, adjust and amend at the end of the day that
12 everyone who is a responder who is out saving lives
13 have a positive career path, have access to it and
14 have a stable career. And if we got to change and
15 then take out from something, I want to sit down with
16 whoever to make sure that, you know, this legislation
17 makes sense for everyone, not a few, but for
18 everyone. And I mentioned it to-to our Deputy
19 Commissioner earlier I mentioned. Like you
20 mentioned, we have some 32-year-olds who are in there
21 who are—who are strong and vibrant. How do we not
22 ignore them in this time because there's a text
23 amendment here? So, we're going to have more
24 conversations, and I'm pretty sure that we'll
25 probably make one or two more adjustments from-before

2 we all come to an 100% agreement, but I—I thank you
3 again for your testimony, and we're looking forward
4 to continue to work with each and every one of you.
5 Thank you, Madam Chair.

6 CHAIRPERSON CROWLEY: Thank you, Council
7 Member King. Thank you to all of our union
8 representatives for being here to testify. Just in
9 closing, you know, I understand the need for more
10 EMTs to have the opportunity to become paramedics to
11 be taking—to be able to take the civil service exam
12 and given promotional opportunities. So I am
13 committed to that, and I know that we're at a time
14 where we must have the Administration do more for
15 your members, and for also you fire inspectors. So
16 I—I look at this as an opportunity to—to get a
17 commitment from the Fire Department to better serve
18 your membership.

19 ISRAEL MIRANDA: I want to thank you,
20 Chair Crowley, and it's not just to paramedics, but
21 the lieutenant exam is something that was very
22 instrumental for my members to progress. Some of our
23 greatest leaders on the MS side were EMTs, and most
24 of my minorities are EMTs. So let's do something
25 about that. Thank you.

2 CHAIRPERSON CROWLEY: Thank you. Thank
3 you. The next panel we have Brenda Berkman, United
4 Women Firefighters, the Honorable Elizabeth Holtzman
5 also with United Women Firefighters and Regina Wilson
6 with the Vulcan Society. [background comments,
7 pause] And the fourth person to be called up is
8 Lorette (sp?) White with the Women's Organization.
9 We'll start with you Brenda Berkman. Good morning.
10 [pause]

11 BRENDA BERKMAN: Yeah. How is that?
12 Better, right? So thank you again. My name is
13 Brenda Berkman and I am a past president of the
14 United Women Firefighters and also the retiree
15 representative. Actually, I'm going to be reading
16 the testimony of our president, Sarinya Srisakul, who
17 unfortunately could not be here today due to long
18 made ago travel plans. Members of the Committee,
19 thank you for giving us the opportunity to testify on
20 Intro No. 122, a bill that will raise the age for
21 candidates to take the New York City Fire Department
22 Firefighter Exam from the present age of 21 to the
23 age of 31. I'm going to address my remarks as it
24 relates to the impact that this has on women
25 candidates, and prospective women firefighters.

2 Sarinya Srisakul is the President of the United Women
3 Firefighters. She's been firefighter for over 11
4 years, and has been involved in the organization for
5 11 years. New York City has only 52 women
6 firefighters and officers out of a force of over
7 10,500 or less than .5%, one-half of one percent.
8 Although that figure is a historic high, we have the
9 lowest percentage of woman firefighters out of all
10 the major cities in the United States and it's been
11 this way for many decades. By comparison, the
12 national average of women firefighters is 3%, and in
13 some cities like San Francisco the percentage is as
14 high as 15% women. It's for this reason that it is
15 of utmost importance to the United Women Firefighters
16 to be heavily involved in the recruiting and training
17 women candidates to become firefighters so we can
18 change these abysmal statistics. However, the FDNY
19 only gives a firefighter exam once every four years,
20 and the age cap for non-veterans is 28 years old.
21 It's also not the coincident that this is the lowest
22 age cap of all the major fire departments in the
23 country, and many departments with a significant
24 number of women don't have any age cap. It's my
25 belief that the age cap of 28 years old is

2 discriminatory against women, and raising the age cap
3 would help us close the gender gap in the FDNY.

4 Unlike men, women aren't groomed from birth to apply
5 to non-traditional careers, which often can be
6 financially more lucrative. A lot of women who
7 become interested in firefighting as a career get
8 swayed to do so later in life after they experience
9 gender and pay discrimination in the job market.

10 Often, to get told that they are too old to apply.

11 Women also tend to enter the job market later on in
12 their lives according to Department of Labor
13 statistics, and we have an attachment to our

14 testimony that shows that. This can be attributed to
15 women being traditional family caretakers or deciding

16 to star their own families themselves. The FDNY has
17 a big problem with diversity particularly in hiring

18 women firefighters. Approximately 2,000 women
19 applied to take the 2012 Firefighter Exam, but thus

20 far, only 26 women have graduated from the Fire

21 Academy and become firefighters. Because of various
22 factors from the past hiring cycle, many of the

23 candidates are over the traditional age limit. These
24 candidates include the priority hires from the Vulcan

25 lawsuit, people who took the 2008 exam and received

2 and age waiver and veterans. Fourteen of our new
3 women hires or 54% of them are over the traditional
4 age limits. Many of these women are also mothers and
5 heads of households. It would be a great disservice
6 to these women and the City of New York if they were
7 not able to serve the FDNY just because they are
8 outside the traditional age range. In Sarinya's 11
9 years of helping to recruit women to the FDNY, she's
10 had to tell many viable women candidates in their
11 late 20s and early 30s that they were not eligible
12 just because of an archaic and biased decades old age
13 limit. Many other fire departments around the
14 country hire firefighters who are older and have not
15 had any fiscal issues with disability or performance.
16 Without data to show otherwise, the 28-year age limit
17 is simply discriminatory. Out of the top 30 major
18 cities, 67.6% do not have any age cap for their
19 firefighter exams, and the ones that do have an age
20 limit of 35. Major departments like the London Fire
21 Brigade, Montreal, Toronto and Australian departments
22 do not have any age cap. New York City needs to stop
23 being behind the times, and follow the trend in the
24 rest of the world's fire departments. Removing the
25 artificial barrier combined with other diversity

2 measures such as proper recruiting, training and
3 retention initiatives will make a big difference in
4 closing the gender gap in the FDNY. And I'd ask you
5 just to take a look at our attachments where the—the
6 Department of Labor Statistics and the Pew Research
7 Center [bell] that show the greater burden on women
8 candidates that delays them in going into many
9 occupations including firefighting, the age and—the
10 age limit or I'm sorry, the age ranges of women going
11 into the workforce, and then the final page which
12 shows the—the major departments around the country
13 and their age limits, non-restrictions. In most
14 cases no age limit at all. Thank you so much.

15 [background comments]

16 CHAIRPERSON CROWLEY: Whoever wants to go
17 next.

18 LORINETTE WHITE: Good morning, Council
19 Members. My name is Loriette (sp?) White and I'm a
20 New York City firefighter. I strongly support Intro
21 No. 1221, which will raise the age to take the FDNY
22 Firefighter Exam to 31 years old. I have been a New
23 York City firefighter for three years, and I'm 42
24 years old. Under current standards, my career would
25 not have been possible but for the Vulcan's Lawsuit,

2 which opened doors for individuals like me to reapply
3 and pursue the opportunity to become a firefighter.

4 In 2013, I was a part of the most diverse class in
5 the history of the FDNY. Many of my classmates—

6 classmates were much older than the typical

7 candidates that applied for 28 years or younger. My

8 Fire Academy class consisted of many individuals who

9 were part of the Vulcan Lawsuit. These men and women

10 were over 28 years old and referred to priority

11 hires. These age candidates also included military

12 veterans. None of us would currently be on the job

13 serving our communities were it not for the Vulcan

14 Lawsuit, which granted the age exemption. While in

15 the Academy our class was pushed very hard in many

16 ways. However, because many officials in the FDNY

17 disagreed with the lawsuit, the priority in hires

18 were insulted almost daily, and it felt like

19 firefighters were more invested in seeing us there

20 than succeed. For example, new graduation

21 requirements and standards were created for my class,

22 which created a more difficult academy. The intent

23 was for priority hires to fail. Yet, we persevered

24 and sometimes exceeded expectations. In fact, the

25 personal who won the fitness challenge in my

2 graduating class was a 30-year-old priority hire, and
3 another priority hire successfully saved a fire
4 victim and won a medal for his outstanding job
5 performance as soon as he was assigned to a
6 firehouse. Personally speaking, I have received
7 several unit citations for performing beyond normal
8 expectations in an emergency situation. There are so
9 many of the men and women firefighters who came into
10 the department older, and have had similar successes
11 and accolades, but these men and women are really
12 recognized. Why? Because in doing so, it is our
13 [banging door] base argument people like me should
14 not have been given the opportunity to become a
15 firefighter. Unfortunately, after completing the
16 Academy and being placed in a firehouse, I had to
17 deal with other firefighters expressing their
18 negative feelings towards priority hires and women.
19 I was even asked about if I planned on having more
20 children. As a black woman and a priority hire, I
21 believe that my maturity and years of experience
22 working with difficult people helped me to cope with
23 the negativity in the firehouse. I have observed on
24 many occasions young firefighters being treated
25 poorly and lacking wisdom and experience in handling

2 people who are most often old enough to be their
3 parent. I think that one reason the Fire Department
4 has been slow to change is that you impressionable
5 firefighters walk into a firehouse and a culture that
6 is not conducive to people of color. It takes a
7 strong individual to stand up for what's right.
8 Thankfully, organizations such as the Vulcan Society
9 and the United Women's Organization are readily
10 available, and supportive for such individuals. It
11 is my belief that this negative culture will change
12 as more women and men of color become firefighters
13 and advance in rank. I participate in the FDNY's
14 Equipment Campaign, and have sadly had to tell many
15 seemingly qualified men and women they are not
16 eligible for firefighter positions because they have
17 exceeded the age limit. If the age were raised, it
18 would make a big difference in recruiting men and
19 women and further diversify the FDNY. The ranks of
20 firefighters would be strengthened with people of all
21 races, religions, color and age. Right now, there are
22 many men and women over 28 that are very capable of
23 becoming firefighters and performing firefighter
24 duties. This is why I hope that Intro No. 1221 will

2 be given considerable recognition. Thank you for the
3 opportunity to testify.

4 REGINA WILSON: Good morning everyone.

5 My name is Regina Wilson, and I am the President of
6 the Vulcan Society. The Vulcan Society is an
7 organization within the FDNY that consists of
8 predominantly African-American firefighters, EMTs,
9 Inspectors and civilian. The Vulcan Society has
10 primarily through its 76 years of existence has been
11 in the forefront of not only serving the community
12 and letting them know about Fire Department
13 opportunities, but helping them through their path
14 and their goals of—of reaching higher expectations
15 within the department. Through the Fire Department's
16 150-year history, we have as African-Americans and
17 women as well have been discriminated by this
18 department in many different levels. The Fire—the
19 Vulcan Society itself came from a—a—was—was—come—come
20 together because of racial discrimination from black
21 beds having to have separate eating quarters, severe
22 hazing and opportunities that were not given to them
23 because of the color of their skin. So, as we move
24 to 2016, we have brought a lawsuit and have settled
25 and actually won the lawsuit for \$100 million because

2 we still within these years and this decade started
3 there is still unfair treatment and practices being
4 done by the Fire Department of New York. With remedy
5 stages of this lawsuit, we are still trying to come
6 up with different ways to fix the 150 years of-of-of
7 horrible impact that has been done to African-
8 Americans and females as well. There are several
9 programs that we're working with-with the Fire
10 Department, but this bill helps us to have another
11 avenue to-either to-to correct the wrongs that have
12 been done for so many years with the Fire Department.
13 As stated, through this lawsuit, we have been able to
14 gather a group of-of-of priority hires, which have
15 been within the age around that we are discussing
16 right now, and through their career in the Fire
17 Department presently, they have exceeded expectations
18 and have also proven to show that people within the
19 age limit, which is stated in this bill, have the
20 opportunity to be able to support their family and
21 still be able to be an asset to this Fire Department.
22 We definitely feel that the department needs to look
23 for better ways to be able to find ways to get more
24 minorities and people of color and women on this job,
25 and this bill helps to do that. Anything that is not

2 being able to be progressively moved forward to—to be
3 bale to help that is doing the—the community a
4 disservice. We have capable [bell] and—and capable
5 people who are able to do that that we reach out to
6 all the time, and we definitely support this bill and
7 hope in the future that we will have other
8 opportunities as well to be able to increase the
9 minority population. As far as EMS is concerned, we
10 know that there is definitely concerns for the EMS
11 Department, but we know that that is definitely a
12 place to look into to be able to give promotional
13 opportunities to minorities due to the fact that they
14 have such poor salaries, and they do not have—there
15 isn't greater opportunity or as firefighters do. We
16 have sought that as a welcoming opportunity for them
17 to come over to the fire side. And we also welcome
18 fire inspectors as well to come over because that is
19 a diverse group of people as well to be able to come
20 over to the fire side. I think that the—the
21 department really has to look into drastic ways to
22 wrong some of the things that they've been doing to
23 African-American women over the years, and we think
24 that that this bill is a step in the right direction.

25 [pause]

2 ELIZABETH HOLTZMAN: Madam Chair and
3 members of the committee. I'm sorry I didn't have a
4 prepared statement. I didn't expect to be asked to
5 speak. My name is Elizabeth Holtzman. I'm very
6 proud to be representing the United Women
7 Firefighters, and—and for having done that the past
8 several years. I'll just be very brief. We heard
9 several facts here that are undisputed. Number one,
10 there has been a long history of discrimination
11 against women in the New York City Fire Department.
12 Number two, the number of women in the New York City
13 Fire Department is about .5%. This is a disgraceful
14 number and it's explained only by the persistence of
15 discrimination, the past existence of discrimination
16 and the failure to rectify it. We are the worst of
17 any major city in this country, and we take pride in
18 being number one. This is not an issue of—and I
19 think it's important also in terms of the objections
20 to this legislation. This is not just an issue of
21 money, and it's not just an issue of time. It's an
22 issue of simple justice, and it's an issue of having
23 a Fire Department that reflects the true population
24 of this city, and reflects justice. With regard to
25 the question of fiscal impact, what is the fiscal

2 impact of the 28-year age limit? That was picked out
3 of the hat. What kind of study was done? It's just
4 an arbitrary number. One could sit here and--and why
5 don't we have a fiscal impact? Why is OMB taking its
6 time? Is this part and parcel of what's happened in
7 the past? I don't want to go there. All I'm saying
8 is that let's look at this as not the glass half
9 empty, but the glass is half full. What's to say if
10 someone who is over 28 years old isn't going to bring
11 a level of additional maturity and experience so that
12 they'll be a better firefighter, and save the city
13 money? Can anyone sit here and say that's not true?
14 So let's be serious about fiscal impact, and I was
15 Controller of New York City, and I think this is a--
16 it's not a weighty argument in my opinion. Secondly,
17 the State Civil Service Commission and the issue of
18 how long it would take, I didn't hear anyone say that
19 they had called the State Civil Service Commission to
20 find out how long it would take. Why haven't they
21 done that, and why couldn't the City, and let's
22 assume it could take some time, but the City could
23 ask for some expedition, and I'm sure-- So, I'm not
24 persuaded by that argument. The failure to come here
25 with some real answer instead of speculation is not

2 satisfactory when we have at stake the issue of
3 justice. The issues that were raised about emergen--
4 Emergency Medical Service that seemed to be serious
5 and real, but we would solve those problems and not
6 put off and not-not solve the problems of the Fire
7 Department's lack of diversity. So I just want to
8 say in-in closing that I really want to compliment
9 the Chair of this committee for her leadership, her
10 courage, her vision, and for-and I want to thank the
11 other members for their presence. Thank you.

12 REGINA WILSON: We have another
13 testimony. Do you want it read or-

14 CHAIRPERSON CROWLEY: Well, yeah, I'll
15 take it, and we'll put it in for the record.

16 REGINAL WILSON: Okay.

17 CHAIRPERSON CROWLEY: Who is the
18 testimony from?

19 REGINAL WILSON: From Jasmine Burrell.
20 You may have a copy of it already.

21 CHAIRPERSON CROWLEY: Okay, and you can
22 give it to the sergeant-at-arms for-it will be on the
23 record. So I--

24 REGINAL WILSON: [interposing] Oh, here.
25

2 CHAIRPERSON CROWLEY: --I have a question
3 mainly about the promotional exam. He was here
4 listing to the EMS Union. The numbers that we
5 received show that overall the Fire Department had
6 only about 4.53% of the women--of the
7 people who sat to take an Open Competitive Test, and
8 passed it were women. This is--so--so in comparison we
9 have a 9.29% for the promotional. Now if the Fire
10 Department is--is saying that they're not going to
11 stop the application period until they get 10% of
12 women taking and registered to take the Open
13 Competitive, do you think it's--can you understand the
14 frustration of the EMS Union. Because when you look
15 at the overall diversity of applications for the
16 promotional exam, 50--still the majority of them are
17 White, over 51%, and in the Open Competitive it--it
18 was 54 or 55%. So, I--I feel for the EMTs and the EMS
19 Union in that there's a major frustration with the
20 Fire Department and lack of respect in terms of it--it
21 really is be promoted. Do you think it's really fair
22 to--to have this promotional exam for the people who
23 were taking the Open Competitive Test?

24 BRENDA BERKMAN: You know, we--we
25 certainly hear EMS' pain and we understand the many

2 problems that they have in terms of recruitment and
3 retention, but eliminating the promotional exam and
4 cutting off those opportunities for women who want to
5 become firefighters, and as we have tried to show,
6 women come to these decisions later on in life than-
7 than a lot of guys. It is not the way to solve the
8 EMS' problems, and it has resulted in a positive
9 impact on the number of women coming into the Fire
10 Department. You know, when I came on the job in
11 1982, as a-as a member of the first group of women to
12 come on the job, because that was a group that was
13 the result of a lawsuit as well, many of us were over
14 the traditional age of 28 when we came into the-into
15 the department, and we carried through and-and did
16 our careers with distinction despite coming in at-in
17 my case that advanced age of 31, and we brought a
18 level of maturity to the job. The EMS women who come
19 over to the fire side, they also bring a level of
20 maturity and experience, and as an officer for 12
21 years, I welcomed that. I wanted to see more mature
22 candidates because they had had previous jobs that
23 weren't nearly as good as the Fire Department. They
24 really appreciated the Fire Department opportunity,
25 and they really dedicated themselves as older

2 candidates. So I think it's to the benefit of the
3 department, to the city to have these older
4 candidates including the candidates from EMS.

5 CHAIRPERSON CROWLEY: And, if I
6 understand everybody's position here that you support
7 the bill, but you don't think that it goes far
8 enough? You think that there should be no age limit?

9 REGINA WILSON: Yeah, I-I think there
10 really shouldn't be any age limit at all, but
11 actually going back to the EMS, even for-for females
12 for instance, there's not a large impact that comes
13 from EMS that comes into the fire side for females.
14 If you look at the numbers that-that come over, we-
15 we-we're still struggling to try and get those women
16 to come over to the fire side as well because there
17 is no, you know, inner promotion or recognition of
18 the Fire Department or any information about the Fire
19 Department as done with EMS. So we try within our
20 organization to promote it more, or to help them to
21 see the opportunities that are on the Fire Department
22 and on the fire side. They, too, their promotionals
23 right now are only given every four years. So we
24 just don't feel like there-we should be given-taken
25 away opportunities for anybody to have a promotion or

2 to be able to make their lives better, or to make
3 their--their household better. I think shouldn't be
4 an age limit at all. I think if you're capable of
5 doing this jobs, and you have the ability to do it,
6 you should be able to--to--to apply and become a New
7 York City firefighter. In a lot of major cities they
8 don't have age limits. You now, this will definitely
9 help us to increase our reach for people of color to
10 be able to come on the job. I--I, too, am a recruiter
11 and have missed the opportunity by a year or they
12 took the last exam and might have messed up, and
13 never--can never have opportunity to apply for the
14 next exam. The window is so small for people to
15 apply, and the--the avenues of recruiting have--has
16 been the best this year than it's been in the history
17 of the Fire Department. But still, we are--are--are
18 still trying to get our campaign moved forward with
19 social media, and radio ads and--and billboards.
20 We're still trying to get that stuff accomplished
21 right now so that the community can know that we're
22 hiring. You have four-year window. Whatever you
23 have that's left--what you're left with for the next
24 four years. So, we--we really would like to try and
25 find any way to make our--our numbers increase.

2 CHAIRPERSON CROWLEY: And you think that
3 the Fire Department having more frequent tests would
4 help as well?

5 BRENDA BERKMAN: Not necessarily. I—you
6 know, you would need to look at the exact numbers of
7 people, and where they fall in the hiring process
8 because, you know, one of the issues is at what point
9 do you start to reach higher percentages of women and
10 people of color on the list? And it—and so if you
11 have a rapidly—because this has been—this has been
12 suggested before, too. You know, it—it really would
13 take a careful analysis to see what the impact would
14 be of giving more frequent exams in terms of the—of
15 the affect on the diversity of the pool. I can't
16 really speak to that exactly now because I haven't
17 looked at the statistics recently, but in the past
18 when we looked at them, we discovered that giving
19 tests like every year of the second year would not
20 improve the diversity.

21 CHAIRPERSON CROWLEY: Council Member
22 King. Council Member Cabrera has a question. Sorry.

23 COUNCIL MEMBER KING: No, I don't have
24 one. (sic)

25 CHAIRPERSON CROWLEY: Okay, thank you.

2 COUNCIL MEMBER CABRERA: Thank you so
3 much, Madam Chair and thank you, ladies, for sharing
4 such an impactful testimony. It's my belief that in
5 any organization, department or institution culture
6 in terms of a structure and systems. And I-I was
7 very interested in your testimony that you shared
8 when you went during your experience in the Academy.
9 That's the first time I ever heard that that occur,
10 and also in a lot of the fact that when I was the co-
11 chair of the Black, Latino and Asian Caucus with
12 Council Member, former Council Member Jackson, the
13 Vulcan Society you came for our support. We gave—we
14 gave it to you. So I have a follow-up question with
15 that, but here—here's my—my big umbrella question.
16 Since culture trumps over everything, and
17 institutional culture, what—what—what's within that
18 culture that is creating walls, that is creating the
19 systems, that is creating the hindrance to a path for
20 progress, or draining (sic) on humility and women
21 into this field?

22 LORINETTE WHITE: That's a loaded
23 question, but I'll try to answer. For me, my
24 observation has been that when you walk into the
25 firehouse, there's a cultural pride in the tradition.

2 I keep hearing the tradition, tradition, tradition
3 and the—the problem with that, and what I've had to
4 say to many firefighters is but does that make it
5 right? Is it insensitivity whereas because you're
6 coming in with a different belief or, you know, a
7 different race or gender or whatever that what your
8 opinion is or how you feel about certain things
9 doesn't matter. It's—it's what we think. So for
10 example you're encourage to participate in St.
11 Patty's Day, but if you try to encourage like I'm
12 going to—to African Day Parade or the Caribbean, you
13 know, parade it's like no. You know, that's what
14 you'll hear. Not—not—not okay, you know, great then
15 you're representing your—your—your people. Or,
16 there's an important the Puerto Rican Day Parade,
17 you—you feel uncomfortable and you're asking for
18 permission to put your flag on a rig whereas the
19 Italians and the Irish have no problem in doing it.
20 And so, it becomes I agree, is it your culture when
21 you put it in mine, or—and I'm not saying that, you
22 know—It just that everybody gets shut out. And even
23 in terms of simple things and it's—it's the little
24 things that become a mountain that become
25 catastrophic and create tension in the firehouse. So

2 it's just insensitivity because what happens is when
3 you come in like for me, I can speak for myself.

4 When I came into the firehouse, I was told that, you
5 know, my experience and what I did in the past really
6 doesn't matter here, and I found that very offensive
7 and I thought it was interesting because they—they,
8 you know, strongly expressed that the—the job was
9 being dumbed down, they're lowering the standards.

10 And I had to set them straight in many ways because
11 at the end of the day when they talked about the
12 education requirements and how that we were not
13 meeting as far as the educational requirements I'm
14 like I have master degree in public administration.

15 I can run this organization. So it's an offense to
16 me. I choose to do this job because it's been my
17 long time dream and passion, and I wanted to serve my
18 community. So, it's just that even though I have
19 qualifications, even though they're priority hires
20 that have a background in plumbing and electrical and
21 can greatly make contributions, you know, in—on the
22 job, you're dismissed because you're not coming in on
23 certain people's expectations and standards. And
24 like I said, it's just a—a-an insensitivity to what,
25 you know, just the little things like if there's a

2 meal, every week we have Chick Parm, and it's great.
3 I love chicken parm, [laughter] but I also work in
4 Washington Heights with primarily Dominican and
5 Jewish, and we go grocery shopping in—in the
6 neighborhood for food, and I thin it's what's—what so
7 wrong in trying something our—our community east?
8 You know, or being open so that just opening the door
9 so that people in the community can come in and see
10 what the firehouse is like. I know for me, I never—I
11 didn't know what a firehouse was like until I got on
12 the job. You know, if you ask the average New York
13 minority, they have never been in a firehouse. They
14 don't even know they're allowed to go in there,
15 that's a public place.

16 COUNCIL MEMBER CABRERA: Hmm.

17 LORINETTE WHITE: And so, you know, these
18 are the things that I'm talking about that needs to
19 change so that we have better relationship, and a
20 little bit more cohesiveness. Now, in terms of
21 retention that happens in the firehouse, like I said,
22 it just—for me I've noticed that because I'm older
23 and I've dealt with difficult people for so many
24 years, and I have a background in psychology and
25 things like that, I can work with, you know, the

2 biases and--and things like that, but I'm a woman.

3 When you have a-- grown man that's 30 years old plus

4 being disrespected, they may not handle it the way I

5 do. And so, that's what, you know, some of the

6 issues that come up that you will never privy to

7 because there's a mentality that what happens in the

8 firehouse stays in the firehouse. But I think that

9 it's--it's--it's urgent that we have more mature people

10 of all backgrounds White, Latino, you know, whatever,

11 Asian in the firehouse because it's going to help

12 balance it out. Like you go to most jobs and things

13 that happen in your--in your--your--your job is just so

14 norm to you, but in the firehouse it's like going

15 back in time. I always feel like when I walk through

16 those doors I'm back like 1950, you know, and so I'm

17 like--I'm always asking myself how can this change?

18 And I've been there only three years, but my

19 observation because I'm detailed to other firehouses

20 periodically, and I think that one of the detriments

21 I the age of that Proby (sic) coming into that

22 firehouse. Most of us are much older. By the time

23 proby gets on the job, he's 20 something years old.

24 There's a lot of men on the job that are 30, 40, 50,

25 you know, and 50 years old, and how does that young

2 many stand up to an entire house and say, you know,
3 I—I don't like this. I, you know, I feel strongly
4 about this. This is my religious belief. I'm
5 Muslim, I'm gay, whatever. Whereas, an older person
6 who has had to probably face those difficulties and
7 challenges has a little bit more—I don't know what's
8 the word but, you know, is able to—to deal with in a—
9 in a more professional manner.

10 COUNCIL MEMBER CABRERA: So have you—so
11 what I hear you is in the three years that you've
12 been there, you have not seen a significant shift in
13 this tradition culture?

14 LORIETTE WHITE: Not so much.

15 COUNCIL MEMBER CABRERA: Okay.

16 LORIETTE WHITE: And it's—it's wrong, and
17 it's—it's encourage and it's, you know, it's--

18 COUNCIL MEMBER CABRERA: Rewarded.

19 LORIETTE WHITE: Yeah.

20 COUNCIL MEMBER CABRERA: Okay.

21 LORIETTE WHITE: And if you go against
22 it, there's, you know, retaliation, and a lot of
23 people are, you know, want to be liked and you want
24 to fit in. After all, you're spending 24 hours plus
25 with these—these men and women. So you don't want to

2 always go to work feeling stressed out so you
3 compromise on the standards because create them as a
4 conflict, you know, so--

5 COUNCIL MEMBER CABRERA: Thank you for
6 your courage in sharing what you shared because I,
7 you know, thank--thank you.

8 LORINETTE WHITE: You're welcome.

9 COUNCIL MEMBER CABRERA: I wanted to ask
10 you regarding--is it a lawsuit that we have now? I
11 thought I read that in the paper. There really is--is
12 this a continuation of the previous lawsuit?

13 REGINA WILSON: No, the--the lawsuit
14 currently now has to deal with FDNY employees. So
15 the--the staff that works in the building. So, that
16 has nothing to do with the Vulcan Society.

17 COUNCIL MEMBER CABRERA: Okay.

18 LORINETTE WHITE: Yeah.

19 COUNCIL MEMBER CABRERA: Alright. Yes.

20 BRENDA BERKMAN: The--the Vulcan Society
21 lawsuit is--is in the process of implementing--

22 LORINETTE WHITE: [interposing] Yeah.

23 BRENDA BERKMAN: --the--the court order.

24 REGINA WILSON: [interposing] Right,
25 we're--

2 BRENDA BERKMAN: So that is—that is
3 ongoing.

4 REGINA WILSON: Yeah, we're in the remedy
5 stages right now, and then then some of the things
6 that Loriette talked about are some of the things that
7 we're trying to fix especially dealing with the
8 atmosphere in the firehouses, changing EEO policy,
9 trying more of them to be more present with dealing
10 with these hazing policies, and some of the—the
11 injustices that are still happening today not only
12 with people of color but women as well. We're still
13 fighting with them to change the culture. We're—
14 we're still fighting with the—just for them to put
15 literature in the firehouses. Can you put poster up
16 and say it's a new day, you know, we're—we're—we-we
17 are for diversity and inclusion. These behaviors
18 will not be tolerated. We're still trying to get
19 that done. So there's still a horrible culture that
20 still exists that we need to get rid of.

21 COUNCIL MEMBER CABRERA: How can we be
22 helpful?

23 BRENDA BERKMAN: [laughter] Well, this
24 is a conversation way beyond the—this—this bill, and
25 we would be—

2 REGINA WILSON: [interposing] Yeah.

3 BRENDA BERKMAN: --and we would be very
4 happy to meet with your office--

5 COUNCIL MEMBER CABRERA: [interposing] I
6 would love to.

7 BRENDA BERKMAN: --and talk to you about
8 these issues--

9 COUNCIL MEMBER CABRERA: Please.

10 BRENDA BERKMAN: --and also in connection
11 with other hearings on the--the diversity initiatives
12 or lack thereof of the city. You know, I will say
13 that increased diversity is to everyone's benefit,
14 not just the people of color and the women that seem
15 to be the apparent beneficiaries of such initiatives.
16 It's a benefit to all the people who work in that
17 organization as well as the citizens of the city of
18 New York, and I can't believe we're still having this
19 conversation in 2016. We are an incredibly diverse
20 community, as a city, and our fire departments should
21 reflect that and be responsive to that.

22 ELIZABETH HOLTZMAN: Yes. I just wanted
23 to add one point, and I very much appreciate your
24 concern and your interest. I mean the fact is just--
25 just to put this in perspective that without

2 diversity it was a policy only one woman in the
3 firehouse. You have to think about what that meant
4 for that woman. Okay, they've said now they've
5 changed, but, you know, there's still not enough
6 women to get enough of a bulk there so the people can
7 be supportive of each other in these circumstances.
8 Let's look at the issue. This is simple. Bathrooms.
9 They did not have and still don't have bathrooms for
10 women in every firehouse. Why was that? They never
11 expected women to be in every firehouse, and they
12 didn't want women. Okay, and that still hasn't
13 changed. They're supposed to fix that by the end of
14 the year, but we haven't received any progress report
15 on this, and the third thing when you talk about
16 culture and climate, sometimes this is a
17 responsibility from the top down. I know in the
18 military people are held responsible for creating a
19 climate without—where has language, bad attitudes.
20 Maybe you have them in your heart, but the minute you
21 express them it's not acceptable, and the people in
22 charge, commanders at every level are held
23 responsible for the climate with respect to
24 diversity. That doesn't exist in the Fire
25 Department. Something like that would make a big

2 change. That has to be—the standards have to be set
3 from the top and have to be enforced at every level.

4 COUNCIL MEMBER CABRERA: Thank you,
5 ladies. You're amazing and courageous. Thank you,
6 Madam Chair.

7 CHAIRPERSON CROWLEY: Council Member
8 King.

9 COUNCIL MEMBER KING: Thank you again,
10 Madam Chair. In the essence of time I'm going to
11 just ask the three questions. Thank you for your
12 testimony, and I learned a lot about passion, stay
13 strong where you have just woken up like many of us
14 who were listening to the testimony today. If they
15 didn't know where in 2016 even though some of the
16 firehouses might still be in—in 1954. They still
17 haven't figured it out, but that's where legislation
18 or lawsuits, which I wanted to ask do you have a
19 number, is there a number? Have there been lawsuits
20 discrimin—I guess discrimination how people have been
21 treated since we've added more diverse firehouses
22 across the city? If you know the answer to that, and
23 you can chime on.

24 REGINA WILSON: Well, we—we still have
25 been having some hardships especially when the

2 priorities hires first came on the jobs there's been
3 a lot of instances with them having difficulties in
4 the firehouses because like pages put up the
5 firehouses displaying salaries and years of jobs.
6 Officers and firefighters making comments about their
7 salaries. Challenging them because of their age and
8 their—their salary, and so they've been having
9 difficulties. Difficulties with when it's time for
10 them to get off probation getting it down during the
11 time they're supposed to get off it. They're
12 recognized for it. They've mad them wait for months
13 in order for them to get their front piece to say
14 that they're a member of the house. They've been
15 holding it back from them. So there's been—still be a
16 lot of problems. We still have existing cultures and
17 traditions that haven't changed. So they're not
18 treating anybody differently because they haven't
19 been taught differently.

20 COUNCIL MEMBER KING: Right.

21 REGINA WILSON: So it's not going to go
22 away until they're taught how to—how to really learn
23 how to work in a professional atmosphere. That's all
24 we want is professionalism. Learn how to be
25

2 professional and have the officers take
3 responsibility, which a lot of them don't.

4 COUNCIL MEMBER KING: Well, I-I think
5 we're going to have to figure out how to hold
6 individuals accountable as well because if you're
7 not-if this is who you are because the rules change,
8 doesn't mean that you all change. You're still that
9 same person. If you're not used to working with
10 blacks, and you're not used to working people of
11 color, then that might be a challenge for you until
12 you have a shift in your thinking I'm still going to-
13 You know, they say a tiger never changes its stripes.
14 So in some cases this is what we're possibly going to
15 be dealing with, and it comes-and it comes from the
16 head. If the head doesn't hold them as accountable
17 for their actions, they'll think it's okay when I
18 walk straight into doors, a 25-year-old talking to a
19 30-30-year-old woman thinking it's okay to not
20 respect her because the culture that I grew up before
21 I-my culture is interacting. But I want to know from
22 you do you support the promotional exams or not?

23 BRENDA BERKMAN: We do because it has
24 resulted in an uptick in women coming into the fire
25 side of the department, but we certainly recognize

2 the many problems that EMS faces. We don't think
3 though that—that eliminating the promotional is going
4 to solve the basic underlying problems of EMS.

5 COUNCIL MEMBER KING: Okay.

6 BRENDA BERKMAN: And many of the things
7 that the union presidents ticked off are the things
8 that are going to help resolve the, you know, the
9 problems in EMS, but we don't believe they're
10 eliminating the promotional as one them.

11 REGINA WILSON: Right

12 COUNCIL MEMBER KING: My question to you:
13 Do you support the promotional and you've—you've
14 heard the conversation earlier today that the
15 diversity hasn't really worked the way the
16 promotional exam was intended to do. So do you see
17 that the—the pro-promotional exam has worked for
18 women or worked for women of color who transition
19 from the EMT into the Fire Department?

20 REGINA WILSON: Well, I support it, but I
21 also feel like there is—this is learning process that
22 need to be put in place so that these women can see
23 that this is a viable opportunity, and to also for us
24 an organization and even the department show them
25 that this is a unique opportunity for promotion that

2 they should even consider. And I think because
3 they're bumping heads so much with the unions, and
4 they don't want to put the flyers in the firehouses
5 to show that the promotionals are coming up because
6 everything is so touchy. I just feel this is a—a way
7 to—to promote that should be given to everybody so—

8 COUNCIL MEMBER KING: So I didn't mean to
9 cut you off, but my question is this, I've had number
10 of conversations that the traditional candidate has
11 been able to circumvent the regular test by doing the
12 promotional exam. I've asked the administration.
13 The—the promotional test was designed to create more
14 diversity. I'm asking you have you found that as
15 work for women who—who take the promotional exam, and
16 have you see that it is beneficial because the
17 numbers are coming back saying that it's not doing
18 what it's supposed to do. So I want it from you have
19 more women been able to use the promotional exam to
20 become firefighters that were not?

21 REGINA WILSON: Well, I think as the
22 numbers may show, they have not been able to. We
23 haven't gotten a larger amount of numbers, but like I
24 said before, I think it's from education just like it
25 is in the education piece with just women, and the

2 open competitive. You know, our struggle is a little
3 harder because we have to teach women that this is a
4 viable job, and it's a respectable job, and it's a
5 job that they can do even though it's physical.

6 That's why we rely so much on the Fire Department to
7 help in those efforts to get more into the
8 communities and to have those opportunities so women
9 can see. That's why you don't have so many problems
10 or challenges with men because they see this as a job
11 that they can do. So when you go to the EMS or you
12 go to outside community, there's still a learning and
13 a grooming process that has to take place. But we
14 don't want to take that off the table because that's
15 still a way for us to be able to reach women that are
16 on the job that see us come out of the fire truck,
17 and that we can be able to relate to and show them
18 that this is something they can do. So if—we still
19 as women have a struggle trying to get into our minds
20 that we could pick up a table. We could—we could
21 break a door. We have to be able to with the help
22 of—help of the department help to still educate and
23 mold those women, and show them that this is a job
24 that they can do. But I still support it because

2 it's an avenue for us to reach out to women where we
3 don't have opportunities given to us.

4 COUNCIL MEMBER KING: And last question.

5 Do you or any of you ladies, do you use when you're
6 recruiting or asking people to be part of the EMT, is
7 the conversation about building your careers in EMT
8 or is it the conversation of you going to the EMT to
9 become a firefighter?

10 REGINA WILSON: Well, as a recruiter, we
11 do both. So, we—we tell them and speak to them about
12 the benefits of becoming an EMT and, you know, we
13 talk about the salaries and the opportunities, but we
14 also tell them that there's a promotional opportunity
15 to become a firefighter, and give them those
16 opportunities as well. So we never negate more for
17 the other or raise up one more than the other. I
18 think right now since this is a recruitment year for
19 fire, we're—we're more letting them know that this
20 opportunity is given to them, but as a recruiter, I
21 recruit according to their needs and what is it that
22 they are looking for.

23 COUNCIL MEMBER KING: Well, I thank you
24 all for your testimony, and answering my questions.
25 So thank you. Madam Chair.

2 CHAIRPERSON CROWLEY: I want to thank you
3 all for your advocacy, good work and for being here
4 to testify. In wrapping up your testimony, you
5 support increasing the age of even—everyone says that
6 they would be willing to even support no age, and
7 that you still support the promotional test even
8 though the numbers may not be yielding the level of
9 diversity that the department intended it to—to do.

10 REGINA WILSON: Right.

11 CHAIRPERSON CROWLEY: And—and hopefully
12 once we meet a—a critical mass then maybe we wouldn't
13 have to do that type of a promotion exam or maybe
14 what we really need to do is what we discussed
15 earlier is give opportunity with an EMS true
16 promotion beyond lieutenant, which is not fair, and
17 which has been hurtful to that side of the Fire
18 Department. So thank you for being here. We're
19 going to move onto the next panel.

20 [background comments, pause]

21 CHAIRPERSON CROWLEY: Our next—we had a
22 number of rank and file EMTs. I believe they're
23 EMTs. First, James O'Neil and Brian Dareese (sp?),
24 Michael Santiago, Grandeson Saloke (sp?) [background
25 comments, pause] Each of you will have three minutes

2 to give your testimony. [pause] You can begin your
3 testimony. It-it could be in the order you were
4 called up or however you feel comfortable. Just make
5 sure-you may state your name for the record and your
6 title.

7 BRIAN DAREESE: Hello. I want to thank
8 you for the opportunity to be here.

9 CHAIRPERSON CROWLEY: [off mic] Make sure
10 the mic is on.

11 BRIAN DAREESE: I'm sorry. Is that
12 better. That's better. Alright. So hello,
13 everyone. Thank you for opportunity for being here.
14 My name is EMT Brian Dareese. I currently work at
15 Station 44 in Brooklyn, Brownsville. I'm here in
16 support or in favor for the bill to pass it. I know
17 my union along with the other unions were here
18 earlier saying how it negatively affects EMS, and I
19 can see their side of it, but I do not totally agree
20 with them. Yes, there is a problem with EMS in the-
21 in the terms of salary, in terms of promotional
22 opportunities, but taking one away is not going to
23 fix the problem. If they want to increase the amount
24 of promotional opportunities with EMS, they can focus
25 on having additional titles within EMS. If my name

2 does sound familiar, I did email every council member
3 around May once I heard about the age extension going
4 to 36 from the current 29, and I think it's a step in
5 the—in the right direction. It's great. A lot of my
6 co-workers are very excited hearing about this bill.
7 They were thrilled about it. Many guys didn't know
8 about it especially being born in Brooklyn, you know,
9 raised in Brooklyn, being a firefighter was like the
10 best kept secret. You know, no one really knew about
11 it. They just knew that, you know, good guys came out
12 of there, but, you know, once we got on the job we
13 heard great things about it. Too much, you know, we
14 aged up. I did hear you mention that the age was
15 being increased to 31 compared to what we originally
16 heard at 36, and I also read and uploaded on the
17 website of that. It concerns me a little bit,
18 because it—it does reduce the amount of people that
19 are eligible, and it's below the standards
20 nationally, and below the standards locally. And you
21 already brought up the NYPD's 35 as the cut-off, and
22 the average Fire Department across the nation is
23 about 35 application cut-off not hiring cut-off, and
24 there's some agencies like—big cities like Los
25 Angeles has no cut-off at all. As long as you could

2 physically do the job, you can get hired, and that
3 should—that should be the priority. As long as the
4 person can do the job, I don't see why they should
5 not get that job. Approximately about 400 applicants
6 what I heard from Metro Tech that apply through DCAS.
7 We're eligible due to the current law that's in
8 place, due to their age, and that's a lot of people
9 from the most diverse agency in the city, which is
10 EMS. We have the most diverse gender, the most
11 diverse sexual orientation, the most diverse ethnic
12 background in the city, and reducing the amount of
13 people that apply I think is going to hurt the target
14 goal of getting more diverse side in Fire Department
15 in the firefighters' sides of the things. Again,
16 the—the military age and enlistment age is 35 for the
17 Army, 35 for the Navy. The Air Force is 39. I don't
18 see why the Fire Department of New York City has to
19 be behind, and restricting that especially from the
20 EMS side is—is—is—is—I think it's detrimental
21 [bell] because EMS represents a lot of the city as
22 the residents and even the tourists that come here.
23 Did—did you see everyone from the LGBT community,
24 from the Latino community, from the Asian community,
25 Middle Eastern everywhere, and--

2 CHAIRPERSON CROWLEY: [interposing]
3 Sorry, sorry to interrupt. In short, just—just
4 because we have to call other people.

5 BRIAN DAREESE: [interposing] No, I
6 understand. I'm totally for it.

7 CHAIRPERSON CROWLEY: You support--

8 BRIAN DAREESE: [interposing] Yes.

9 CHAIRPERSON CROWLEY: --but you—you would
10 like to see it go to 35. Is that what you're saying?

11 BRIAN DAREESE: The absolute—the
12 application called up. Yes, I—I support that.

13 CHAIRPERSON CROWLEY: And you support the
14 promotional exam?

15 BRIAN DAREESE: Yes, I do.

16 CHAIRPERSON CROWLEY: Okay, thank you.

17 [background comments, pause]

18 MICHAEL SANTIAGO: Hello, that didn't?

19 Good afternoon, Madam Chair, and members of the
20 Council. Before I read my letter, I want to touch on
21 what I heard earlier today. I heard that we should
22 amend the bill in order to avoid EMS members leaving.
23 I'm paragra~~d~~paraphrasing, of course. If you had a
24 choice to take a different job that still helps the
25 community but pays \$40,000 more, wouldn't you take

2 it? [coughs] I think that EMS does not get the
3 gratitude or respect it deserves, and it shows what
4 the pay scale between EMS and Fire, but to keep the
5 age limit the way it is, just to keep the EMS members
6 from leaving is wrong and unethical. [coughs] This
7 letter is intended to provide justification for the
8 passing of a bill, which would extend the age
9 limitation for firefighters. In order to do that, we
10 must first deconstruct the meaning of age limitation
11 in order to understand what we are fighting for. The
12 first thing we must—we must ask ourselves is what is
13 age limitation? A simple definition of it would be
14 the age at which a person—a person is allowed or not
15 allowed to do something. As per FDNY, there is an
16 age limit to what an individual—individual can apply
17 to become a firefighter. This means that if you're
18 too old, you cannot apply for this position. I find
19 myself asking the simple question: Why? Could it
20 really be that this number determines your capacity
21 to perform the duties that are required? [coughs]
22 Two applicants want to apply to become a
23 firefighters. Applicant A is a man who enjoyed being
24 physically active and volunteers as a firefighters in
25 the neighborhood in which he grew up. Applicant B is

2 a man determined to get in shape for the firefighters
3 with the intent of making more money for his family,
4 but surely not willing to commit to this lifestyle
5 once he is in. Without knowing the age, which
6 candidate would say which one is preferred to protect
7 them from fires? Application A would be an excellent
8 candidate. Unfortunately, he is 33 years old, and
9 FDNY will not allow this man to apply. This is
10 something that we have let happen to the many who
11 dream to do this job, but who are not given the
12 opportunity. When I say we, I am referring to us as
13 a society. We determine through social norms what is
14 age appropriate, but if we take away the social norm,
15 what would age limitation be besides only an abstract
16 thought with no real substance? To be a firefighter
17 takes strength and bravery, a passion to help others
18 and the ability to perform specific tasks. Those
19 traits simply cannot be determined by age. I urge
20 those who have the power to pass this bill to think
21 about a person's ability to be brave, strong, and
22 selfless in the face of danger, and ask yourself are
23 those traits something you can define with age?
24 Thank you for giving me this opportunity.

2 CHAIRPERSON CROWLEY: And just if you
3 could say your name for the record.

4 MICHAEL SANTIAGO: Michael Santiago. I'm
5 a paramedic for the [bell] Fire Department. I work
6 in the South Bronx.

7 GRANNI SALOKE: Hello, can you hear?
8 Alright, hello. My name Granni Saloke (sp?), you
9 know. Hello, thank you for having this. This is
10 something for me that's very important because, you
11 know, people always say hey, you know, you could be
12 anything you want to be, and I decided I wanted to be
13 a firefighter. I was 24 years old, but they said oh,
14 you got to wait four years for the next test. So I
15 was 28 when the test came out. I had already started
16 the process with EMS. I finally got on EMS about 2-
17 1/2 years after I applied. It takes a while to get
18 on that side as well. So when I took the test at 28,
19 that was my first and last change to ever take it,
20 and I scored 96. That was not too bad. It still was
21 forget about it numbers. It wasn't up on the list.
22 So I talked to a lot of firefighters who have taken
23 the test three times. They started when they were a
24 teenager and didn't—didn't quite cut it. Later, they
25 took it again. Still, they didn't cut it. The third

2 time the finally made it. So, it's not to say
3 somebody that doesn't make it the first time wouldn't
4 be a great firefighters because, you know, these guys
5 that took their three chances, they're out there,
6 great firefighters. But we need to give people more
7 of a chance to get on the job, you know, and as far
8 as being in shape, and I'm 32 years old. You know,
9 I'm not the strongest guy but I mean hey I-I work all
10 the time, and I bench a pretty decent amount, you
11 know. So I think this whole thing about people
12 getting older and not being in shape is simply not
13 true. Los Angeles Fire you got guys in Los Angeles
14 working for the department there going up and down
15 the hills fighting fires for days at a time. I know
16 a fire captain in L.A. he says the average age for
17 someone to go into the Academy is 35 or 36 years of
18 age, you know, and I-I feel my life experience being
19 32 is so that I've been through a lot in my life.
20 I've had to, you know, I feel like I've, you know,
21 clawed just to get to where I am today. You know, I
22 was Yellow cab driver in Manhattan waiting in line to
23 hopefully they'll give a car today so I can work, and
24 I wasn't lazy. I didn't just get this job through
25 my-mom or my dad, and, you know, a lot of people

2 do. If you just get hired at 22, a lot of people
3 live at home and become a firefighter. They're a
4 young guy. I was a grown man paying rent, you know,
5 trying to get by, and to get on the job of an EMT,
6 which is what I'm currently in now, and—and to work
7 hand-in-hand with a lot of these firefighters who are
8 all great guys regardless of race or ethnicity.
9 Everyone I've met has been great, but to see that
10 there's a job where you—you work for the same
11 department, FDNY; you wear pretty much the same
12 uniform; you look the part. You're standing outside
13 your EMS station and little kids walk by with their
14 mom and say, Mom, it's a firefighter [bell], the
15 almighty firefighter, it hurts. So I'm just saying
16 yeah I'm here today to say I support this bill. We
17 need to get it passed, and why not have 36 to be
18 appointed maybe not for the application or the
19 filing, but if you're okay with 36 to be appointed,
20 where does the 31 come into play?

21 CHAIRPERSON CROWLEY: [interposing] Okay.

22 So, I understand your position. You support the
23 bill. You would like to see it go to 36 instead of 28
24 or 29.

2 GRANNI SALOKE: Correct, but if—sorry, I
3 know the time is up, but if you want to have a 36 for
4 appointment, what's the point of even have a 31 for
5 filing because what if you file at 31 and you're—ore
6 file at 32 and you're hired at 34?

7 CHAIRPERSON CROWLEY: Right. Understood.
8 Thank you.

9 GRANNI SALOKE: Thank you.

10 JAMES O'NEIL: Good afternoon, Council
11 Members. My name is James O'Neil. I'm here in
12 regards to the bill being introduced today,
13 obviously. I currently serve as an EMT of the
14 assigned station of 45 Woodside. Myself and many of
15 my colleagues have been denied the ability to apply
16 for a recent promotion due to our age. While I
17 understand the need for an age limit for such a
18 physically demanding job, I believe the current age
19 limit in place is unfair and inconsistent with other
20 Fire Department standards across the nation. If this
21 bill were to pass, I assure you an overwhelming
22 number of EMS members who gain eligibility will be
23 able to show they are more than capable to pass the
24 physical requirements set for us. Thank you for your
25 time and consideration.

2 CHAIRPERSON CROWLEY: Thank you. I think
3 we all understand your position and, you know, we are
4 going to consider your testimony when we move this--
5 when we--when we look at what's entailed and how to
6 the department. I really feel that we need to help
7 the EMS side, too, and I don't think that we give
8 enough promotional exams internally. So--so we'll--
9 we'll stay in touch. Thank you for testifying.

10 JAMES O'NEIL: Thank you for having us.

11 CHAIRPERSON CROWLEY: The next panel.
12 [background comments, pause] Mohamad Hassan, Herb
13 McIntyre, Josephina San Sanfeliu, Lauren Rensley and
14 Michael Schrim. [background comments, pause] And
15 then we just need one--one extra chair. If you don't
16 mind, is there an another chair? [background
17 comments, pause] And that we don't have anybody else
18 registered to testify today. This completes--so--so if
19 there's somebody here that would like to testify,
20 please let the sergeant-at-arms know, and then you
21 can begin your testimony in the order I called you
22 up. [background comments, pause]

23 MAHAMAD ASSAN: Good afternoon. My name
24 is Mahamad Assan. I'm a--currently and EMT for the
25 New York City Fire Department. I submitted to the

2 Committee on Fire and Criminal Justice and the New
3 York City Council my support for raising the age
4 limit to apply to become a firefighter for the City
5 of New York. I have been EMT for New York City Fire
6 Department since July of 2014. As a lifelong
7 resident, I feel honored and fortunate to work for
8 and serve the people of the City of New York. I was
9 born and raised in New York City, a first generation
10 child of parents who emigrated from Egypt in the
11 1980s. In July of 2011, at the age of 24 I applied
12 to become an FDNY firefighter. I was attracted to
13 the important role firefighters have in helping
14 people on a daily basis. While understanding the—the
15 risks associated with being a firefighter, saving
16 lives is a responsibility that I embrace. With a
17 total of 95 on the written exam in this highly
18 competitive field, my ranking was unfortunately too
19 low to make it to the next phase of application.
20 [coughing] Disheartened but not discouraged, I began
21 the process of becoming an Emergency Medical
22 Technician not long after the exam. I volunteered as
23 an EMT for Central Park and worked for a private
24 ambulance company before working for the New York
25 City Fire Department. The experience of working as

2 an EMT where my decision making affects at-risk lives
3 has better prepared me to be a firefighter than when
4 I initially applied in 2011. I aspired not simply
5 just to become a firefighter, but a New York City
6 firefighter. If being a firefighter was the ultimate
7 goal, I could serve in cities such as Atlanta, Dallas
8 and Los Angeles where age limitations don't apply. I
9 am 30 years old now, and under the current law, I am
10 ineligible to reapply. However, if Bill 1221-2016
11 were ratified, it would give me a final opportunity
12 to fulfill my goal of becoming a firefighter, serving
13 the city that I love. I understand that the
14 ratification of this bill is truly just the first
15 step in achieving my goal. In the meantime, I am
16 preparing every day for the next phases of the
17 application process in the hopes I will get the
18 opportunity to-to prove my qualification for the job.
19 The candidate physical agility test, medical and
20 psychological examinations and the FDNY Academy
21 ensure that candidates are qualified and prepared for
22 the extreme mental and physical challenges of the
23 job. However, the current law depletes the talent
24 pool of well qualified candidates based on outdated
25 reasoning. With increased awareness of healthy life

2 styles and advanced medical technologies prolonging
3 life expectancies, as a people we are no longer aged
4 at 30 the way we were this—when this law was
5 originally amended in 1968. The proposed law would
6 rectify this error, acknowledging the likelihood that
7 an individual in their late 20s or early—and early
8 30s is an equally viable candidate and ultimately
9 increase—and ultimately increasing the value of FDNY
10 from promotional members with relevant and life
11 experience. Serving as an EMT for the New York City
12 Fire Department has been an honor. I am grateful for
13 the people I have worked with, and the patients I
14 have served. For me and for others we understand
15 this bill does not guarantee we will become
16 firefighters. Serving the City, we will but it will
17 be a chance to prove whether or not we—we truly
18 qualify, not arbitrarily. Thank you for reading my
19 testimony, and I hope the Committee on Fire and
20 Criminal Justice, the New York City Council, and the
21 Mayor will approve passage of the bill. [pause]

22 JOSEFINA SANFELIU: Good morning, Council
23 Members. My name is Josefina Sanfeliu, and I am
24 founder of Latinos Against FDNY Cuts, and I would
25 like to address both of the proposals of today. We

2 like—relating to smoke alarm usage or reporting, I
3 know that the Bureau of Fire Investigations, BFI,
4 includes details on smoke alarm usage, and the—the
5 status of the smoke alarm whether it has battery and
6 whether it was functioning and so forth the previous
7 calendar year. But it's not current. The current
8 would be for 2015, and it is usually available on—
9 online and it is not for the public available as of
10 last week. And I find that useful. It also compares
11 previous years. My comment on the age limit is that
12 if there is not data for a specific choice of age of
13 28, there should be some analysis comparing to other
14 major fire departments of physical capacity and
15 emotional intelligence of people who—or maturity for
16 related ages up to 31 seems worth investigating
17 further. And may I comment on a gender issue, which
18 was raised earlier. I'm aware of a—a firehouse near—
19 nearby my house in Brooklyn, which is in construction
20 to include a women's bathroom and a handicap
21 bathroom. And the effect of the construction is that
22 the chief has been re—and his aid have been relocated
23 to a different firehouse. The ladder company is in
24 quarters meaning that they are in the same building
25 as the construction ongoing including asbestos

2 removal, and the engine company is housed at another
3 firehouse, which I think creates disruption, and I
4 would be surprised if it does not [bell] create
5 resentment towards the female bathrooms and females
6 that are expected to come into the houses. It's just
7 a physical disruption for them for over a 12-month
8 period. And if I may—if I may comment on the criminal
9 justice aspect of this committee momentarily. It
10 came to my attention that Venida Browder, the mother
11 of Kalief Browder died last Friday, and I thank you
12 for your time.

13 CHAIRPERSON CROWLEY: Sorry to hear about
14 Mrs. Browder.

15 HERB MCINTYRE: Good afternoon. My name
16 is Herb McIntyre. I'm a retired clerk court 38 years
17 in the court system, and a former union officer. I'm
18 here to speak on behalf of Intro 1221-A. I'm going
19 to read a list of the ten largest cities in the
20 United States and the age qualifications to be a
21 firefighter. Los Angeles: 18 plus, no maximum age.
22 Miami: 18 plus, no maximum age. Chicago: 18 to 37.
23 Houston: 18 to 36. Philadelphia: 18 plus, no
24 maximum age. Phoenix: 18 plus, no maximum age. San
25 Antonio: 19 to 34. San Diego: 18 plus, no maximum.

2 Dallas: 18 to 36. San Jose: 18 plus, no maximum.

3 FDNY: 18 to 28.

4 As you have heard, the FDNY has the
5 tightest age requirements of any of the ten largest
6 departments in this nation. According to the
7 Encyclopedia of Sports, Medicine and Science, men
8 reach their physical prime around age 20 and leave
9 the prime age around 35, and numerous other studies
10 indicate approximately the same statistics. The
11 narrow age requirements of the FDNY are restricting
12 the pool applicants. This despite the stated goal,
13 the goal of the FDNY to be more inclusive. What
14 better way of being more inclusive than to include
15 more applicants in the pool of candidates?
16 Candidates are vetted thoroughly both physically and
17 medically. In fact, prior to the last exam the City
18 Council changed the age max for certain candidates,
19 and these permitted the older age candidates became
20 firefighters with no complaints from the Fire
21 Department from the FDNY that the public is aware.
22 We heard from some of them this morning. Some
23 candidates are hired as a result of the Federal Court
24 settlement of over 42 years—if you're over 40 years
25 old. The City of New York paid out over \$98 million

2 of taxpayer money to settle the federal lawsuit.

3 Have they not learned their lesson that the Fire

4 Department cannot preach diversity without being

5 inclusive. Many women and intercity youth do not

6 have uncles and cousins that are firefighters. These

7 candidates find out too late and they're aged out.

8 Having a tightest age requirement in the not

9 indicated a department trying to diversify. Rather,

10 it highlights a department trying to slightly cling

11 to old boy, insider word-of-mouth hiring. That is

12 what got New York City in trouble the last time. If

13 this law is enacted, I would expect it would include

14 the EMTs and Paramedics will apply to take a

15 promotional exam in December. Despite the impact on

16 EMS staffing, it is only fair that the hardworking

17 and grossly underpaid EMT staff be included in this

18 law. If the EMS was paid a working fair salary, many

19 personnel [pause] If EMS was paid [bell] a fair

20 salary, many EMS personnel wouldn't leave to become

21 firefighters. Currently, EMS personnel should be

22 grandfathered—grandfathered. The EMS staffing and

23 fire promotions are two separate distinct issues that

24 should be handled by the Council and the City as

25 different matters. I would urge the City Council to

2 approve this bill as a fair way to improve New York
3 City.

4 LAUREN RENSLEY: Good morning Council
5 Members. My name is Lauren Rensley, and as I support
6 the bill, I believe that it should be raised to 35 on
7 the sheer fact of other places around the country is
8 35, and my city is 35 and the Army is 35. So what's
9 that's saying is I could apply for the Army, and at
10 39 be sent to Afghanistan wearing 60 to 100 pounds of
11 gear for nine months in 100-degree weather, while the
12 FDNY gear maximum is—it's—it's 45 regular and the
13 most would about 75 pounds you're wearing. So I
14 could be me at 39 in Iraq wearing 100 pounds, but I
15 can't be at FDNY? This directly affects me because
16 I have wanted to be a firefighter since I was five so
17 much so that I went to college to my fire science
18 degree. After that I decided to get a back-up
19 degree, which meant that I was still in college at
20 the last exam. I have now aged out. So I cannot do
21 the one thing that's in my blood because of an age
22 limit, you know. Just because something is—wasn't
23 what—was—can't be change. My hero Captain Brenda
24 Berkman before her women weren't allow in the Fire
25 Department. Now they can be. Well, at one point in

2 time women couldn't vote. Now they can. Just
3 because something, a law or a rules is written does
4 not mean that it can't be changed because there is
5 guys who are 39 and 40 and 45 who are in way better
6 shape with six-pack abs than any 20-year-old has. So
7 that's my-[pause]

8 CHAIRPERSON CROWLEY: Thank you.

9 [background comments, pause]

10 MICHAEL SCHRIM: How you doing? My name
11 is EMT Michael Schrim (sp?) out of Station 47, and
12 I'm fore this bill. I'm 31 years old currently, and
13 I just want to state that I feel stronger than I was
14 at 21, and I know that raising this would help out a
15 lot of men and women, and I've seen some very good
16 men and women have to go to other careers due to the
17 age restrictions, which I think is a loss for
18 everyone in New York City. My father and uncles
19 serve the department. My uncle still serves and as
20 my father's only son, you know, there not a better
21 honor to tell your father that you want to go in his
22 footsteps. That being said, in terms of diverse-
23 diversity, and anything of that-on that side, me
24 being on EMT and being an EMT right now, I have been
25 able to tell people from the city that, you know,

2 that didn't have fathers that were firemen and tell
3 them how good a job it is. And also just give them
4 the background perspective of the job that I saw
5 growing up. So in terms of -I know that the numbers
6 were 51% for a traditional candidate verse the 49%
7 may be on minority candidates. [bell] Being an EMT
8 as well, I was able to touch some other people of
9 other cultures and talk to them and they were able to
10 see the test. You know, how to file the exam as
11 well. You know, coming from a person and where I grew
12 up, and everything like that. So I think that was
13 very beneficial. I just wanted you all to know that
14 as well. Thank you.

15 CHAIRPERSON CROWLEY: I appreciate
16 everyone's testimony today, and we will take it into
17 consideration as we review the bill, the package of
18 bills. I thank you for your participation, and I'm
19 got to call up the next and final panel. [pause]
20 Shavam Dalberry (sic) and Brian Morrissey.

21 [background comments, pause]

22 SHAVAM DALBERRY: So good day, City
23 Council. To the members of the Council my name is
24 Shavam Dalberry (sp?) a FDNY Emergency Medical
25 Technician for almost five years. I was born in the

2 hospital named after hope. Within the five years of
3 working I was saving and impacted lives of many I
4 don't remember. With that being said, time is
5 irrelevant. It is not a marker for value, character,
6 will, trust and fear. Time equals age. My very deep
7 concern to the Council is the restriction and
8 limitations placed on a person with EMS potential for
9 the promotion to become a firefighter. Age is just a
10 number, and a number represents quantity not quality.
11 A day represents the amount of light and darkness
12 caused by the rotation of the earth, which is turning
13 to a week after seven days, a month after 30,
14 sometimes 31 and 29 on a leap year. After 12 months
15 it's called a year. The amount of rotation after one
16 year does not account for experiences, motivations,
17 feelings, knowledge or desire. My simple request is
18 to allow the chance on probability to run its course.
19 The limit is currently 29, representing nothing about
20 likes, dislikes, my gym routine, culture beliefs and
21 health. If average cross the limits of age for the
22 Fire Department, then please realize that the career
23 for the Fire Department have pursued and it's no
24 average career. It takes a brave selfless,
25 passionate person to take that path. Health wise I'm

2 29. The most optimal mentally and physically I've
3 ever been. Modern man has evolved into more
4 conscious beings. Life expectancy one generation ago
5 exactly in the 1900s was 47, a white male was
6 expected to die at 47 in the 1900s. Currently, it is
7 at 78, almost doubled in 100 years, one generation.
8 I understand it's a taxing job on health, mental and
9 longevity, but that's why the FDNY trains the best
10 and the bravest. On September 11, 2001, New York
11 City and the world witnessed the worst terror attack
12 on American soil claiming 343 firefighters. History
13 is not going to remember age. It's not going
14 to remember gender. It's not going to remember
15 orientation. History remembers heroes, sacrifices
16 and great deeds, not age. A dream to become a New
17 York City firefighter will become a reality if change
18 in this bill brings a just chance. Thank you and—for
19 your time and consideration. Before I finish, this
20 is just what I wrote. [bell] When I was 21, I was a
21 young kid. I wanted to be a firefighter. This is
22 just from experience. I walked up to a fire truck on
23 Liberty Ave. I'm not going to give you the exact
24 firehouse. I was 21 and asked a firefighter, hey, I
25 want to be a firefighter. What can I do to become a

2 firefighter? And he told me—I'm just being blunt—are
3 you Italian? I said no. Are you Irish? I said no.
4 He said then you cannot be a firefighter. After that
5 I gave up because that—that crushed my—my confidence
6 in become a firefighter. After that, I heard about
7 the EMS and I got into EMS, and that's for the Fire
8 Department. The whole environment educated me more
9 in that becoming a firefighter I don't have to be the
10 traditional person to become a firefighter. And that
11 being said, the application for filing came out on my
12 birthday, August 3rd. I—I turned 29 the day of the
13 filing, which would not make eligible because the
14 eligible age today is 28. I just wanted to share
15 that. Thank you for listening.

16 CHAIRPERSON CROWLEY: Thank you.

17 BRIAN MORRISSEY: Good morning, Madam
18 Chair and Members of the City Council. I would like
19 to thank you for the opportunity of a forum to voice
20 my opinions. There are two things I would like to
21 address this morning is first the validity and the
22 importance of the promotion to firefighter via
23 through EMS. It's not always looked at very fondly.
24 Some people call it a back door policy, and a way of
25 taking an unfair advantage of the city. However,

2 I'll offer you a personal story. Recently, I took an
3 upgrade through the Bureau of EMS to become a
4 Paramedic in the department. I served as an EMT for
5 three years, performed well, and I was rewarded with
6 an opportunity to prove myself via promotion in the
7 EMS Academy to the rank of Paramedic. Out of
8 approximately 600 people that took that test, only 80
9 got a phone call that day. Eighty people out of 60,
10 our of a service of approximately 4,000 people
11 seeking promotion in which you cannot move up in this
12 agency without that white patch saying you're a New
13 York City Paramedic. So, the importance of the fire
14 promotion to me is going to be that some people deem
15 that as a path of least resistance because
16 potentially their failure rate is less than the EMS
17 Academy's Paramedic rate, which you might consider it
18 yeah, my example was about 25%. Sixty people
19 graduated out of 80 individuals that got called.
20 Sixty people out of a group of 4,000 people, and
21 that's the only promotion that you—you need in order
22 to go anywhere in this profession. So some people
23 will look at that and say well, I'll go to
24 Sanitation. I'll go to fire. I'll go to PV. I'll
25 go to all these other places where I actually have an

2 opportunity to fly because until I get that white
3 patch, EMS is better in career for me unfortunately.
4 Some people might be complacent with us. Some people
5 might be happy with us. Some people may not want to
6 admit it, but the bottom, the fact of the matter is
7 people only--are not--are not being promoted in the
8 numbers that they should be in EMS and they're not
9 being given a reason remain in service. Furthermore,
10 within that once, you become a paramedic you have the
11 option to go to lieutenant, captain, possibly chief.
12 However, far you want to go. The issue with that is
13 there's a pay disparity that some paramedics quite
14 frankly make more remaining paramedics and stunting
15 their own career growth, and not seeking
16 opportunities unless their back starts hurting and
17 they want to get off the road. That's so far the
18 most popular motivation to take in your course. (sic)
19 [coughs] I'm also here today to question the--Oh, I'm
20 sorry. I'm here to support rather the bill to
21 extend--extend the age limit. Currently, it's
22 proposed at 31. I would like to see it come a little
23 bit higher being that I'm 31 at the moment. I also
24 feel that similar services whether it's the U.S.--
25 branches of the U.S. military or New York Police

2 Department [bell], are both the ages of 35, which is
3 the national average for firefighters. I feel the
4 city comes a little bit under par, and where—whereas
5 we usually lead things, we're kind of on the back end
6 of this being the youngest age limit cut-off in—in
7 the nation. [coughs]

8 CHAIRPERSON CROWLEY: Okay, thank you for
9 your testimony.

10 BRIAN MORRISSEY: Sure.

11 KILMER: Hello. Good morning, Council.

12 Thank you for the opportunity today. I just want to
13 say I think the—the raising of the age limit is a
14 tremendous opportunity for people like myself. I'm
15 an EMT. I've been here for two years. I decided to
16 become an EMT when I took the Open Competitive Exam
17 at 26 or 27 and I got a 96. Like my friend over
18 there, and I'm number 25,000 on that list. So, I was
19 encouraged to—to join the Fire Department because I
20 could get in through the promotional exam, which is
21 also tremendous. Now being an—being an EMT for
22 almost two years, I am now 29 but, you know, my whole
23 life it's been a dream to—to be firefighter from a
24 little kid going into the firehouse, and growing up,
25 you know, growing up from Williamsburg, Brooklyn,

2 specifically, I was told my whole life, you know,
3 what don't even apply. Your skin doesn't match the
4 kind that they look for. And right now this is a-
5 this is an opportunity that not only I, but a lot of
6 my co-workers and colleagues are, you know, praying
7 happens. Just to have the opportunity to become a
8 firefighter. This is--this is life changing for a lot
9 of us. You know, we're--we're struggling right now.
10 So, for our voices to be heard is--is amazing and, you
11 know, not all of us were 20 years old with our
12 parents saying, you know, what? The fire test is
13 coming up this day. You need to take it. It just
14 doesn't work like that. So, we need to understand
15 that in these changing times it's time--it's time for
16 a lot of things to change, and it starts with this
17 age limit. You know, there's a lot of us qualified
18 and ready, and once it's-- once it's set in stone that
19 the age limit has been raged--raised hopefully, we'll
20 be ready for the Academy, or we'll be ready for the
21 call back so--

22 CHAIRPERSON CROWLEY: Thank you for your
23 testimony.

24 KILMER: Thank you.

2 CHAIRPERSON CROWLEY: I'm going to
3 recognize Council Member King who has a closing
4 statement.

5 COUNCIL MEMBER KING: Kilmer, (sic) first
6 I want to say thank you for your service as an EMT
7 but to everyone who testified today, we want everyone
8 to know we heard the concerns. We're thankful for
9 all support. We're thankful for all suggestions to
10 help us and then adjust and making sure that this
11 legislation makes sense to give all New Yorkers the
12 opportunity who want to be firefighters, who-who want
13 a greater career path in EMT. We're going to look to
14 provide that along with the financial resources and
15 partner with the Administration to make sure we get
16 this done the correct way. So thank you everyone-
17 everyone who came out today to testify. Madam Chair,
18 thank you for holding today's hearing. Thank you
19 very much.

20 CHAIRPERSON CROWLEY: Thank you for your
21 leadership, Council Member King. I am now going to
22 close this hearing. We've also had six different
23 testimonies submitted electronically, and I thank
24 everybody who is here today for their testimony, and
25 we're going to continue this dialogue with the Fire

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2 Department and my colleagues in the Council. Thank

3 you. [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 October 27, 2016