



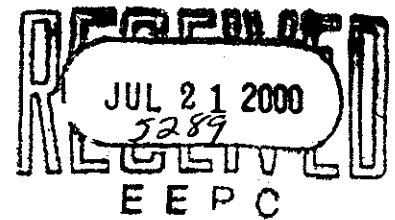
# FIRE DEPARTMENT

9 METROTECH CENTER

BROOKLYN, N.Y. 11201-3857

THOMAS VON ESSEN  
*Fire Commissioner*

Suite 8W-6



July 14, 2000

Abraham May, Jr.  
Executive Director  
Equal Employment Practices Commission  
253 Broadway, Suite 301  
New York, NY 10007

Dear Mr. May:

We read your audit report with great interest and have reviewed it thoroughly with all of the appropriate parties in the Department. In some cases, we agree with the recommendations, however, we also believe there are factual inaccuracies in the report that we would like to correct. In other areas we find that we differ in our interpretation of the data and have attempted to differentiate our interpretation in our reply.

There are some events that have occurred since you submitted this report to us which have a direct bearing on some of the recommendations you have made.

As I promised, I have worked with the Department of Citywide Administrative Services to push for a two-year test for firefighter. They have agreed to this testing schedule. The first two-year test will be administered in the winter of 2001 and every two years thereafter. In addition, there will be an annual promotional test that will cover cadets and EMS personnel who wish to transition to Firefighter. This will be a very workable model for increasing diversity in the Fire Department given the fact that the current cadet class is about 75% minority.

As you know, we have recruited and hired a new class. They have participated in classroom activities and a physical fitness program and on July 10<sup>th</sup> were sworn in and began at the EMS Academy at Fort Totten where they will be trained as EMT's. They will then begin work full time as EMT's in EMS in September. A new class will be hired to fill the 127 vacancies and they will follow the same course outline.

These cadets have participated in fire safety education class work and have also been an integral part of our fire safety efforts in the field, going door to door providing fire safety literature and smoke detectors in high fatal fire neighborhoods. These are primarily minority neighborhoods and the cadets are also doing recruitment as they perform their fire safety distribution. Along with the recruitment unit, cadets are recruiting right now on their college campuses for the Cadet Program, Emergency Medical Service and the Fire Department itself

Since you did your audit we have also received \$500,000 from the City Council specifically for minority recruitment and since we are about to mount a recruitment effort aimed directly at the for the filing for the new two year test, we intend to work closely with the Council and our advisory committee to make sure their interests are represented in decisions about how to spend the money.

These are our specific responses to your draft report by recommendation.

### Recommendations

#### Recruitment Teams

- 1a. Recruitment teams were deployed geographically and all boroughs were covered. However, as we stated many times to interviewers, the goal of the program was also to identify particular segments of minority populations (in addition to general outreach) who had a chance to score well on both the written and physical.

We targeted these applicants by school, league, gyms, athletic association, social clubs etc. This approach was carried out throughout the five boroughs.

- 1b. We clearly stated that the complement of full time recruiters was increased by the detailing of firefighters throughout the recruitment campaign. On many days and at many events we had 16-20 people working at a time. This point is not reflected.

It is a leap to say that the number of recruiters and their geographic deployment was the causal factor for not attracting a higher percentage of minority candidates. In fact, there was a substantial increase in the percentage of minority candidates who filed to take the test -- from 16% to 25% compared to the last filing period for a firefighter test. This increase in percentage occurred while the total number of applicants was almost cut in half from the previous test.

- 1c. Cadets are going to be used in the field in all five boroughs to do fire safety education, recruitment and mentoring. We have a current cadet class of 127 and they are in the field now recruiting their replacements as they move through the system into EMS on their way to transitioning to the rank of firefighter.

## Points

2. There seems to be confusion about point awards. Recruiters are awarded points for doing recruitment. Officers receive five transfer points a year for a minimum commitment of two years for an off the line assignment like recruitment. Firefighters receive two points for a one-year commitment and five points for a two-year commitment. Documentation is attached: FDNY AUC 293 and 297.

## Advisory Committee

3. Factual correction must be made. The decision to require college credit was discussed with the Advisory Committee before it was implemented. The committee was informed that the Department was leaning towards requiring 60 credits. The Advisory Committee argued vehemently that 60 credits were too much and that it was an economic disincentive. As a direct result of that discussion, the plan was scaled back to require 30 credits.

We agree we should meet at least quarterly with the advisory committee. We met on June 13 to discuss the newest recruitment efforts. We will continue to meeting quarterly.

## Budget

4. We agree we should have a separate line item budget that captures all of our recruitment efforts and personnel, but not necessarily that it should contain 25 people.

## Bonus Points

5. The advantages of the bonus point award varies on the selection of the passing grade on the written test. In some cases it could be disadvantageous for the candidate. The advantage or disadvantage of the five-point residency credit depends on what the passing grade is.

- 5b. Use fire marshals to conduct follow up interviews:

We do not have sufficient fire marshal resources to utilize them for background investigators. We would rather use civilian investigators but need an increase in headcount to do it.

6. CFR-D Training

We believe the CFR-D training should be achieved by the time of appointment.

7. Mentoring

Factually incorrect -- we do mentor through the process -- we are calling, encouraging and doing mailings.

8. College Credits

The college credit requirement is half of what the Police and Corrections require. The nature of the job has changed significantly:

- institution of CFR-D medical requirements
- institution of chemical and biological terrorism training
- significant changes in code and inspection protocols that require study
- Most significantly educational requirements for promotion have been instituted and from now on will be required for promotion so the 30 credits will help. Long lead times for achievements have been built into the process.
- We have hired a Director of Training and one of his key initiatives is to acquire life experience and CLEP credit of FDNY training programs

9. Tutorial

Department did conduct tutorial with material derived from a professional consultant (Landry Associates). Fraternalists were consulted and materials were standard as derived from DCAS who outlined 9 areas of expertise on a test. The subject matter is dictated by DCAS. If there is an adverse impact study to be done, it should be by DCAS. Documentation of Landry Associates involvement in test preparation and tutorial is attached.

10. Cadets

There was never any deal with the former Fire Commissioner that allowed for Cadets to pass on to the force without a test. The former Director of Employment Initiatives recruited cadets without having any concept of a curriculum, job performance expectations or job description. EMS service provides minority applicants with permanent employment with benefits in case they fail the written or physical firefighter exam. Councilman Warden asked to make sure there was a pass thru to EMS for just these reasons. As promised, because of the advocacy of the Fire Commissioner with DCAS, the annual promotional exam to firefighter has been instituted.

11. Written Test

DCAS issue/FDNY does not prepare or administer the test. It is a DCAS issue.

12. BI-annual Test

The advocacy of the Fire Commissioner has resulted in DCAS agreeing to administer the Fire Test biannually.

13. EEO Tag Line

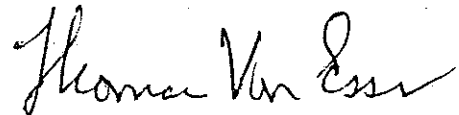
Agree

14. Physical Training

Factually incorrect - FDNY did build a year round training site for the physical and conducts a training prep program.

I appreciate the opportunity to respond to your audit and look forward to working with you in the future as we continue our efforts to provide increased opportunity to diversify the New York City Fire Department.

Sincerely,



Thomas Von Essen  
Fire Commissioner