

FDNY exam 'unfair'

- **Written tests biased** against blacks, Hispanics
- **Large segments wrongly** disqualified, judge rules

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The overwhelmingly white New York City Fire Department used written recruitment exams that discriminated against black and Hispanic job applicants, a Brooklyn federal judge ruled yesterday.

From 1999 to 2007, tests administered by the Fire Department had little relationship to firefighter duties — unfairly “closing the doors of opportunity for public service to large segments of the City’s population,” Judge Nicholas Garaufis ruled.

Thousands of firefighter hopefuls took the exams. Garaufis found the reading level needed to take the exams was inappropriate and that the city imposed arbitrary pass-fail scores unrelated to quali-

cations for the job of an entry-level firefighter.

About 3 percent of the city’s 11,000 firefighters are black and about 4.5 percent are Hispanic.

The ruling followed a class-action lawsuit filed by the U.S. Justice Department and the Vulcan Society, a fraternal organization of FDNY black firefighters. The Center for Constitutional Rights in Manhattan represented the Vulcan Society.

Darius Charney, an attorney for the rights group, said: “The court found that the city closed the door on over a thousand qualified candidates of color. This is a tremendous victory.”

And Paul Washington, past president of the Vulcan Society, said, “We celebrate today’s decision for recognizing that unfair firefighter exams and other employment schemes that only served to block unqualified candidates have no place in public service.”

Georgia Pestana, chief of the labor and employment division of the city Law Department, expressed disappointment with

MINORITIES IN THE FDNY

3%
Blacks

4.5%
Hispanics



the decision.

“The city has since developed with outside experts a new test that was administered in January 2007,” Pestana said in a prepared statement.

A law department spokeswoman said the city will decide whether to appeal when the judge imposes remedies to deal with the inequities.



PHOTO BY CHARLES ECKERT, 2006

Fire Department officials say they have consulted with outside experts to develop a new test.

