

An Open Letter to the Mayor, Francis R. Slay

The members of the Firefighters Institute for Racial Equality (F.I.R.E.) have been waiting for this city to correct the testing process so it is fair and equitable to all candidates, whether Black or White since 1997. However from 1997 to 2007, the city has only addressed and supported the needs and issues of Caucasian firefighters or members of Local 73.

The Department of Personnel conducted a study titled “Fire Service testing in a litigious environment: a case history” on fire department testing from 1983 through 1994 (the study was conducted by William Duffe, Gary Gebhardt and Roger McCurley Department of Personnel’s Director and Managers over testing) . The study revealed information which was communicated to Local 73. In response, the union fought to eliminate and change the fire scene as a paper and pencil essay simulation type test to a multiple-choice format. Why is it so significant that the Local wanted to change the test after the results of the personnel department study? The results revealed facts that were unknown to F.I.R.E. until recently: certain testing methods adversely affect the rate of success for African American candidates. Because of our lawsuit, we discovered the results of the study which follows.

Comparison of Passing Rates by Race Using the “Four-Fifths (80% Rule)”

WRITTEN TEST

Blacks Passing	Whites Passing	Impact
83 Captain - 67% (41/61)	76% (196/259)	89%
90 Captain - 78% (63/81)	94% (193/206)	83%
94 Captain NO WRITTEN TEST WAS USED		
86 Battalion Chief – 71% (17/24)	89% (64/72)	80%

In all cases, the impact was against Black candidates

FIRE SCENE

83 Captain – 43% (15/35)	20% (33/162)	48%
90 Captain – 45% (27/60)	35% (60/173)	78%
94 Captain – 32% (30/95)	28% (44/156)	89%
86 Battalion Chief - 65% (11/17)	30% (19/64)	46%

In all cases, the impact was against White candidates

Because of African American firefighter’s success and knowledge when tested about actions at the fire scene, Local 73 worked to change the testing process. In 1997 and 2000, the Department of Personnel and its Director William Duffe, Fire Chief Neil Svetanics and Local 73 changed the process to only measure a multiple-choice format.

They used their knowledge of this study to intentionally discriminate against African American firefighters and positively impact Caucasian firefighters based on this study. In 2004 instead of administering an objective assessment center type test (where African Americans demonstrate competency) the city used a subjective assessment center that did not measure the skills and abilities of a fire captain or battalion chief. The security of this test was also an issue and allegations of cheating have never been investigated.

From 1997 to present date the testing process has adversely impacted and discriminated against Black firefighters except when the test were court ordered.

The city is unfortunately moving forward with promotions without considering important facts:

- F.I.R.E. has twice requested an independent bi-partisan investigation into the allegations cheating. As the Mayor you have not responded to our request to investigate! Nor has the mainstream media asked why no one has investigated an allegation of cheating during this exam or why there has been no response to the request?
- We have filed an appeal to the decision rendered by Federal Judge Rodney Sipple. Several cases that F.I.R.E. has filed against the city they were overturned at the appellate level.
- In reference to the city being safe, the most senior members in the department and several of the members that are on the 2004 list that is still being contested are riding in charge of companies.
- In reference to members being paid for riding out of title the union has failed to produce a proposal to remedy the issue of pay for riding out of title.

F.I.R.E. feels that the city has been biased towards their treatment of African American firefighters in failing to address our concerns and issues in reference to testing. Finally, I don't feel that moving forward with the promotions resolves the issue of discrimination or address whether anyone cheated.

Addington Stewart
Chairman of F.I.R.E.