

NEW YORK CITY COUNCIL
Fire and Criminal Justice Services Committee

Intro 450-A

Testimony of First Deputy Fire Commissioner Daniel Shacknai
New York City Fire Department

May 26, 2011

Good morning Chairperson Crowley and Council Members. Thank you for holding this hearing today regarding Intro 450A, a bill to raise the age limit from 28 to 35 for a specified category of persons wishing to become Firefighters with the New York City Fire Department (FDNY). We strongly support this bill.

For some time, the FDNY has been pursuing legislation to raise the age limit for becoming a Firefighter since a good number of candidates who prepared for, took and in many cases successfully passed the last exam were closed out of the opportunity to serve as New York City Firefighters. As you all know, the Judge's decision finding the last New York City Firefighter test invalid meant that some of the candidates who took that examination would be older than 28 by the time we could administer the next test. We see this bill as addressing the obvious unfairness to those candidates who would be older than 28 by the time the upcoming filing period begins.

Without going into the details of the lawsuit that led to the Judge's decision, we do know that the Law Department plans to appeal the final ruling in that litigation. However, we cannot predict with any certainty what the ultimate outcome of that litigation will be or when a final decision will be made. In the meantime, we have been working with experts from all the parties -- under the supervision of the Court -- to create a new Firefighter exam. If the City is able to administer the exam in 2011, we expect our first Firefighter class from that new list to enter the Fire Academy in 2012.

That is why this bill, and the timely scheduling of this hearing, is so important. We thank the City Council for all its efforts to ensure that Intro 450A is enacted as soon as possible, so that necessary steps can then be taken to open the filing period by July 1.

We also want to thank the Law Department and the Department of Citywide Administrative Services for being our partners in pursuing this important piece of legislation.

I would be happy to take your questions at this time.

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Appearance Card

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in favor in opposition

Date: 5.26.11

Name: Mitchell Paluszak (PLEASE PRINT)

Address: DCAS

I represent: Deputy General Counsel,

Address: Personnel

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Appearance Card

I intend to appear and speak on Int. No. 450A Res. No. _____

in favor in opposition

Date: _____

Name: Daniel Shachnai (PLEASE PRINT)

Address: First Deputy Commissioner

I represent: FDNY

Address: 3 Metropolitan Bklyn

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