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Written Statement for the Record

Testimony of Andrew Ansbro, President of the Uniformed Firefighters Association of Greater New York, Local 94, IAFF.

Before the Committee on Homeland Security

Subcommittee on Emergency Management and Technology

United States House of Representatives

“Protecting our Preparedness: Assessing the Impact of the Border Crisis on Emergency Management”

Tuesday, December 5, 2023

Good afternoon. My name is Andrew Ansbro, and I am the President of the labor union, the Uniformed Firefighters Association, Local 94, *IAFF*, (the “UFA”). The UFA represents approximately 8500 Firefighters in the Fire Department of the City of New York. The UFA also includes Fire Marshals and various ranks within the FDNY Marine Division.

In relation to the recent budget cuts imposed by the City due to the escalating migrant crisis, I would like to specially address the issue of staffing of Firefighters within the FDNY.

I would like to bring to your attention the significant safety concerns from the perspective of Firefighting and how these budget cuts will affect the residents of New York City, particularly on the issue of staffing of Firefighters.

As we all are aware, Firefighting is an inherently dangerous job, and the risks continue to grow each year. We must do all we can to ensure that my members return safely after every tour. To achieve this, we must prioritize safety above all else.

Background of the FDNY Engine Company Staffing

The FDNY is made up of Engine Companies and Ladder Companies.

New York City has periodically reduced staffing during economic downturns on Engine Companies in the City. In the 1960s, NYC Engines Companies were staffed with 6 Firefighters. In the 1980s most NYC Fire Engines were staffed with 5 Firefighters. Thereafter, the City has cut down the number of Firefighters staffed on an Engine Company and there has been a long history of litigation and negotiations with the City. As of now, 20 of the 149 Engine Companies are staffed with 5 Firefighters. These 20 Engine Companies are subject to being reduced to 4 Firefighters, when there is a rise in medical leave usage by Firefighters. This staffing reduction is within the discretion of the Department, and it is not mandatory. The last time the Department chose to exercise the discretion to reduce the Firefighters on an Engine from 5 to 4 was in 2022

when Mayor Adams took office. Shortly thereafter, at the Twin Parks fire in the Bronx at a high rise, which caused the deaths of 17 people, including 8 children, the FDNY continually chose not to impose the reduction, feeling that the savings weren't worth the additional risk. However, since the budget cuts caused by the migrant crisis, it appears that the FDNY has changed its position on this critical issue, to the detriment of residents and firefighters.

The bottom line is that public safety will be compromised if staffing is not adequate.

Effects of losing the 5th Firefighter on an Engine Company

Numerous studies and reports have highlighted the importance of having adequate staffing of Firefighters on an Engine Company.

Because New York City has more six-story (or taller) buildings than any other city in the United States, New York City requires a minimum of five (5) firefighters in an Engine company to effectively wage an aggressive interior attack on a fire.

Engine companies require a minimum of five (5) firefighters (the chauffeur to operate the pump, plus four (4) others to stretch the hose up to the highest floor of a six-story building). In high-rise buildings, such as many office buildings in New York City, five-man firefighter crews are required for effective firefighting due to the necessity to stretch multiple lengths of hose line.

Studies have shown that when a hose stretch team was reduced by 20% (five firefighters reduced to four firefighters), the hose stretch time was increased approximately between 50 to 75%.

In tests involving stretching two hose lines, a 1987 study by Vincent Dunn, a former Firefighter and renowned expert in firefighting safety, showed that two (2) five-man Engine companies operating independently can place two lines in operation faster than three (3) four-man Engine companies operating collectively.

In these studies, it was clearly demonstrated that a crew of four (4) firefighters in an Engine company has serious deficiencies. The safety of firefighters in an Engine company with a crew

of four (4) is reduced to an unacceptable degree. Reduced Engine companies take longer to attack a fire, thereby giving the fire time to spread and potentially causing dangerous explosions or flashover, which is defined as the rapid ignition of heated fire gases and smoke that have built up in a burning room.

An Engine company with crew of four (4) cannot provide an aggressive interior attack on a structural fire and cannot maintain an acceptable standard of safety for New York City Firefighters. In such a crew, the chauffeur operates the pumping engine on the apparatus, while the other three (3) firefighters stretch the hose and attack the fire. If there are only three (3) firefighters available to attack the fire, then the “buddy system” for safety is not possible as one firefighter may have to enter a dangerous fire area alone. Firefighters work in pairs for safety.

Decrease in Manpower Pool

Another result of reducing the staffing on Engine Companies is a decreased in the manpower pool, now that the extra 20 Firefighters are not available, it will sometimes trigger 3 Firefighters operating on an Engine and can also affect the Ladder Companies too. During a tour of duty if a member becomes sick or injured, his position, if on a 4 Firefighter engine, would be covered by a member of a 5-firefighter crew mid shift. If the sick or injured Firefighter were from a 5-firefighter crew, then they would become a 4 Firefighter crew. When all 5 firefighter crews are removed, this means that if there is an illness or an injury, then the engine crew will operate as a 3 firefighter crew, or if in a ladder company, they would be forced to operate understaffed and eliminate the Outside Vent Position which is tasked with going around the building to vent the building to allow gasses to escape, and also to enter the building from the rear and search for victims, meaning the very important life-saving position of operating the Outside Vent will be eliminated. Front line firefighters are forced to sacrifice themselves to make up for the lack of another Firefighter needed on the Engine.

Firefighters routinely get injured when working and are placed on a medical leave status while they recover. To keep the workforce healthy, staffing needs to be maintained to minimize the risk of injury. When Firefighters are forced to work more overtime due to staffing, medical leave rates will continue to increase. Reducing the number of firefighters available to respond to emergencies can have serious consequences for the safety of the public. The safety of our Firefighters and the public must be prioritized.

Moreover, Firefighters who have long term injuries but cannot fulfill firefighting duties due to injury are placed in Reasonable Accommodation

Recently, the UFA had a Labor Management meeting with the FDNY to discuss new changes to the Employee Reasonable Accommodation Policy. Given the timing of this proposed change, it is clear that this is another cost-saving maneuver derived from the budget crisis facing the city.

There are several key takeaways from this policy that impact my members. Traditionally, there was no set number of Reasonable Accommodation spots in the FDNY. Accordingly, if a member was qualified for an RA, then the member could apply and receive an off-line position to support the needs of the Department- there was no pre-determined limit on these positions.

The new policy would create Reasonable Accommodation positions designated as a "Permanent Administrative Staff Position for Qualified Firefighting Members". Of great import is that we have been informed that these positions will be a "closed universe". Our understanding of this is that once the RA positions are so designated and they are full, the next person who is entitled to and needs an RA position would be denied due to the unavailability of a designated spot. This member, presumably, would need to leave the fire service at that point.

To make matters worse, the new FDNY policy indicates that the FDNY will not be required to offer a member an RA position if 90 days have elapsed since the member filed the request for a Permanent Administrative Staff position as a reasonable accommodation. Thus, our

understanding is that a member with a line of duty disability can be forced from the FDNY if 90 days have expired from the beginning of that member's application for an RA.

This policy's end goal, it seems, is to achieve cost savings through removal of injured firefighters from the FDNY. This is particularly troublesome when the vast majority of those who will need a Reasonable Accommodation suffered their disabling injury in service to the City of New York in response to an emergency. These are hardly the people who should become expendable due to the budget.

Likewise, we suspect that this will become a compounding problem that will cause greater safety issues for the City of New York and my members. As the City reduces staffing by removing the 5th firefighter, it increases the time it takes to get water on the fire and naturally permits emergency situations to escalate. This will lead to more serious fires and result in more injuries to firefighters and the public at large. If there are more disabling injuries sustained and now limitations on the number of RA positions available, members could be forced out of the job.

Rise in Lithium-ion E-Bike Fires

I also want to stress the recent rise of fires due to lithium-ion batteries and e-bikes in New York City. Recent events have shown the dangers posed by these devices including the risk of fires and explosions which have caused numerous injuries and fatalities. We know that the New York City Council has investigated over 200 fires caused by these batteries resulting in almost 150 injuries and at least 18 deaths this year alone. These are alarming numbers which require more proactive and faster response times when these unfortunate fires occur. Based on the rise in e-bike fires alone, common sense dictates that an increase in staffing levels rather than a decrease in staffing levels is needed to maintain the safety of firefighting operations.

Due to the budget cuts in the FDNY, it is clear that the community will suffer.

Counter-terrorism training

We must also recognize the fact that New York City is a top target for terrorist organizations. We must ensure that the city is well equipped and well-staffed to prevent and respond to these potential attacks. Unfortunately, it appears that the budget cuts have affected the amount of training time that will be provided to our first responders in this critical area. The safety and security of our residents are dependent upon the counterterrorism measures in place and all necessary resources should be applied.

Our Firefighters are continued to be expected to do more with less. Responses to fire incidents increase exponentially year after year. In 2022, the FDNY responded to more than 300,000 fires and non-fire emergencies and over 1.5 million medical emergencies. We must ensure that every firefighter is able to return home to their loved ones. While budgetary concerns are important, the value of a Firefighter's sacrifice lies in their commitment to serving their communities and bravely saving others. The City's overall budget reductions and the FDNY's changes to staffing and to other vital policies present a real direct threat to the safety of the public as well as to firefighters.

Thank you once again for allowing me to speak on these crucial safety matters.