

# FIRE DEPARTMENT OF NEW YORK CITY CONFRONTS GENDER INTEGRATION:

## A TALE OF MINOR SUCCESS AND MAJOR WOES AS ORGANIZATIONAL CHANGE MEETS A CULTURE OF RESISTANCE

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*After a federal court declared the test for the Fire Department of New York City (FDNY) to be discriminatory, women were able to pass the test to be appointed to the department. In this narrative, the author reflects on her experiences leading a team of social workers and other social scientists hired to help the department overcome the unwelcoming and treacherous behavior of the male labor force to the employment of women. Using an organizational change model based on Kurt Lewin's work, the team tested a variety of participative interventions to which the culture reacted in hostile and unreceptive ways. The disappointing solution hinged is described below. The experience confirmed the value of social work advocacy and the importance of federal law and court enforcement.*



### Introduction

It is rumored to have been a chance occurrence that caused gender to be written into the Civil Rights Act of 1964 as a protected class. The Act was sent to Congress by JFK, who sought to provide and protect the voting and other rights of individuals of color in the United States. It was debated fiercely in the Congress and, at the time of his assassination, appeared to have little chance of passage. Southerners were thoroughly opposed to providing such protections to those of color. But after JFK's death, President Johnson pledged to carry the battle forth. With his unique competence in legislative maneuvering, Johnson was able to move the law toward likely passage. At that point, reportedly, Representative Howard W. Smith, a Virginian Democrat, moved to include gender in the protected classes, hoping that enough fellow legislators would be opposed to giving women such protection so that the law would go down to defeat. Instead, almost no debate occurred

around gender prior to its acceptance, and years later the Supreme Court would complain that there was no legislative history to refer to in trying to understand Congressional intent on the issue of gender.

### Presenting Problem

The law opened many previously barred opportunities for women, in everything from expanded choices for participation in college athletic teams to reduced occupational ghettoization. Traditional male activities became gender neutral in principle. The question became, "How could such neutrality be accomplished in practice?" In many cases institutions abided by the new mandate, or even welcomed it, as an occasion to achieve fairness for all by establishing responsive structures and policies. But in other situations, the seats of power were determined to avoid adherence if at all possible. It turned out that the FDNY (Fire Department of New York City), convinced that women could never perform the firefighter job competently, fell into this second category. The department implemented a physical test that was beyond the capacity of any woman (and most men) to perform, and thereby effectively eliminated female candidates from passing. Those women who had taken and failed the test—

led by Barbara Berkman, a newly minted lawyer among their ranks—filed a class action law suit in federal court in 1978. Years later, Judge Charles Sifton ruled in their favor, declaring that the physical test “relied too much on upper body strength tasks that weren’t job related.” The FDNY was required to provide a new test to those (women) who were parties to the class action suit. (Although the women had reached out to the men who had also failed the test, the men unanimously rejected joining in the women’s action.) Forty-two women passed the revised test, and became the first women appointed to the FDNY. Instead of being praised for their accomplishment, they forever carried the stigma, in the male firefighters’ definition, of having been appointed by passing a test specifically designed to “assure their appointment.”

Nor were their troubles over following their ordered appointment in 1982. During training they were confronted by equipment that did not fit, e.g., boots and turncoats that were too large, and techniques that did not take into account the differences in female physiology (e.g., requiring carrying that utilized male upper body strength rather than pulling, which would stress women’s strength in the lower body). Even after overcoming these difficulties (which sent them back to the courts several times for reaffirmation of their rights), the women were then assigned to firehouses, one to a house, with no support structure in place. The men ostracized them and had their wives picket the houses where women were assigned, with the wives claiming they did not want females sleeping in the house dormitories with their husbands. The men harassed the women with verbal threats (e.g., women reported being visited by undertakers who solicited burial contracts mentioning that they had been referred by a coworker), and by such physical acts as violating the women’s privacy by entering the restrooms and pulling the curtains open when women were using toilets (fire stations each had one restroom that used only a curtain on bathroom stalls, so that if a fire call arrived no time would be lost leaving the restroom). Some women found that someone had defecated in their boots, or let the air out of/slashed their car tires. Actual

fights were reported in some houses; one of these altercations culminated in a male and female firefighter slashing each other.

These incidents were featured in the daily press, embarrassingly informing the whole world of the FDNY’s difficulties. The then mayor of New York told the commissioner of the FDNY that he did not want to see another newspaper report about trouble in a firehouse. Confronted with a challenge to bring peace to the firehouses, the commissioner asked a deputy to arrange for “sensitivity training” in the belief that hostility could be reduced by such an intervention. The deputy commissioner, a Columbia law graduate, turned to his alma mater for help in finding a trainer and was referred to my office as Director of the Workplace Center of the Columbia University School of Social Work. He arrived conveying a sense of urgency and asked whether we were immediately available to offer sensitivity training to the 12,000 firefighters in New York City’s 425 firehouses. I responded with doubt that “sensitivity training,” which identified a particular type of training, was an appropriate choice for a group that had to continue working together after the training. I shared my belief (and concern) that the openness required by the training protocols to help individuals “get in touch with themselves and communicate their feeling,” as prescribed by the “sensitivity training” model then extant, would expose individuals in personal ways that would interfere with future comfort in their interactions. Furthermore, I indicated that any training had to be tailored to the culture of the work environment and the trainees, and that since we (the team I envisioned) knew little about the FDNY or firefighting, we would require a six month period to study the culture and prepare an appropriate training response. This was a hard position for me to take because I saw this request as a great opportunity to fulfill some of my own imaginings. As a feminist myself, I felt that I would never have a better chance to influence the playing field! But I also thought that I understood the complexity of the situation and knew I needed the time to get it right, or not be involved at all.

The Deputy Commissioner reiterated his need for an immediate training effort and left my office stating that he would find trainers elsewhere who would be able to meet his time mandate. How surprised and delighted I was when he returned some months later and asked that we undertake the assignment with a commitment that we would have six months to fashion what we would deem an appropriate intervention. As an explanation he reported that he had interviewed many potential trainers in the interim and was unimpressed with their capacity to do something meaningful in light of the situation.

The remainder of this narrative will look at the ensuing, exciting two years as we trained 90% of the City's firefighters and served as consultants on gender integration to the FDNY in its struggles to assure safety and fair treatment for its personnel. The focus will be on the difficulties we faced and the important learning that took place as we utilized the knowledge and skill of social work to try to generate solutions to the presenting problems. A caveat is in order. The City's firefighters are an exceptionally brave and committed group. One need only recall the image of firefighters walking up the 100 flights of the World Trade Center on 9/11 as everyone was rushing in the other direction. The hundreds of firefighters who lost their lives in that horror confirm, if any confirmation is needed, their courage and dedication. Nothing in the description of their behavior and responses recounted here should be interpreted as denying their record of valor and achievement in the face of disaster. But neither can we understand the experience without accepting that not all their motivation is equally selfless.

### **An Action Plan**

Within days of the Commissioner's commitment, I assembled an expert team of three faculty colleagues augmented by a lawyer, two social workers with knowledge of gender integration and a project coordinator. Each was chosen not only for the expertise they brought to the team, but also for his or her commitment to the goals of the effort. Our planning was based on the use of Kurt Lewin's force field analysis, in which we regarded the

present standoff as an equilibrium situation that needed to be rebalanced at another position, and that could be achieved by increasing the forces promoting gender integration and reducing the forces restraining gender integration. We understood the assignment as an opportunity to put practice principles to the test of organizational application. Our goal was to be agents of social change. We viewed the charge as a great opportunity to use social work's knowledge and mediating skills to help change the organizational culture of the FDNY, to support women at the frontier of job development and to promote the social work profession's agenda of human rights and social justice.

We drew on our knowledge of power and of the potential for power sharing, of the significance of transparency and the value of open communication, of the importance of leadership commitment to a vision of change and the contribution that participation could make in achieving buy-in for organizational change. We were determined to use all these social work insights to affect the culture of the FDNY. Our approach was based on an expectation of rational thinking and behavior on the part of the firefighters. Throughout we had constant and strong support from the commissioners at the FDNY and their immediate aides. Since we viewed the FDNY as closely resembling a military organization, we believed that this support would be sufficient to assure that orders, passed down through the hierarchy, would be universally accepted and obeyed. After careful analysis, we agreed that we would count ourselves successful if the women would report significantly reduced harassment, if more women followed the present cohort into the department successfully, and if the men's sense of bitterness was reduced so that they could accept and welcome the women as their co-workers. We believed strongly that we had the knowledge, skill and talent to realize these outcomes. However, as we dug more deeply into the culture, we came to realize that our assumptions were incorrect and suggested smug arrogance. Little from our collective knowledge or experience prepared us for the fury, determination and polarized behavior we

were to experience from the firefighters. We did all the “right” things, but success eluded us.

Our first steps as a study team involved self-education. We conducted an extensive literature review, interviewed individuals regarded as key informants, contacted other cutting edge gender integration programs in comparable settings, gathered information from multiple sources including study of departmental programs, policies and procedures with regard to gender integration, and regularly met as a team to review findings and develop consensus on how to proceed. Each team member did a 24 hour shift at a working firehouse during which we talked, ate, and slept with the firefighters and accompanied them on inspection rounds and fire calls. I, as the leader of the team, had perhaps the most unusual experiences. Wherever I went I was introduced as the team leader and treated with great respect but with great caution that precluded my hearing what I hoped would be honest discussion of the issues from the men’s point of view. When I did my 24 hour “duty,” a chief (highest ranking officer) was assigned to accompany me (but really to shield me from any misconduct), and I rode everywhere—not on the engines as other team members did—but in the chief’s car. His constant presence censored the situation. This circumstance made it hard for me to get a handle on the reality of the situation until it came time to go to bed. That experience confirmed for me the difficulty faced by women. Fully dressed, we lay down on cots in one big room. The Chief took the cot next to me and I found my sense of comfort severely challenged. It was the first time I had gone to bed in the presence of any man other than my husband; having the Chief continue talking to me after we were on our cots, with lights out, gave me a small but emotionally charged inkling of the lack of privacy and potential for harassment that living in a firehouse presented to women.

The team’s strategy evolved out of these activities and observations. The more interaction we had with the men, the more obvious their bitterness became. We returned to our theory that we had to “unfreeze” the

situation before change could occur. In response, we developed a questionnaire to distribute to all firefighters to measure their general attitudes, experiences and behaviors. The concepts we covered included not just gender integration, but also firefighting traditions, competencies and skills. We viewed the questionnaire as our message to all members of the force that we respected their opinion and wanted to provide them with an opportunity to offer feedback, so that the men would feel they were participating and see themselves as influencing the outcome. As a planning team we viewed the questionnaires as a friendly, first step in the change process by providing each departmental employee with the chance to think about the gender integration issue and offer his feelings, ideas, and evaluation of the situation..

We felt proud of our impeccable research methodology. All questionnaires were distributed to individual officers in each firehouse, with specific instructions from the Commissioner to distribute to all uniformed individuals assigned to four consecutive tours of duty starting 9 A.M. on November 24, 1987. For any firefighter assigned, but not on duty during the four consecutive tours, the officers were directed to mail them to the firefighters’ homes. Each questionnaire, whether distributed or mailed to a home, was accompanied by a postage prepaid envelope addressed to the Workplace Center of Columbia University to provide a neutral depository, thereby hoping to avoid the possibility that respondents might doubt the commitment to anonymity of response. Participation was completely voluntary, but the distribution method was expected, based on reports in the literature of other such efforts, to yield a response rate of at least 50%. Additionally, we invited all departmental personnel to participate in any of ten widely publicized focus groups where a more in-depth exchange of information and ideas would be encouraged.

### Findings

We were deeply disappointed and humbled by the results of these carefully laid plans. Our conscientious planning was met with an almost universal boycott. The culture sent out a clear message that anyone cooperating would be shunned. Attendance at the focus groups was negligible. The only focus group that actually took place was one for female firefighters, with most of the 42 women attending. The return rate on the questionnaire was less than 18%; unless one were to count the blank returns, the returns with obscene pictures or poisonous messages written on the otherwise blank paper, or incomplete responses. We even received threatening telephone calls at the office.

We also received friendlier, more informative calls with useful information. Such calls identified that persecution of women was part of a larger closed system which advocated stripping the bed of any African American firefighter who might sleep in a house, made gay firefighters afraid to "come out," and allowed an officer to be applauded for continually and laughingly reporting his plans as, "I'm going coon-hunting this weekend." We came to understand the men's hostility as psychological and economic. Women doing firefighting was a threat to their core values concerning the role of women, and was an affront to their manhood. Firefighting was by far the best middle class job these high school graduates could access in relation to pay, working conditions, and benefits, and they wanted to protect the positions, as they had always done, for their sons, brothers, cousins, and best friends. The brotherhood of New York City firefighters had closed ranks, and let us all know that they did not want to hear or learn anything that might change their minds

The process we had gone through to come to this understanding was arduous, often painful, sometimes frightening, and deeply discouraging. We were also angry that our heroes—these bold, dedicated, often cordial and always courageous firefighters—were also narrow minded and capable of bullying in the interest of what they viewed as their hereditary rights and privileges. We had certainly confirmed that "sensitivity training"

would not have been a suitable intervention for the target audience. And we still had a charge, a goal, and set of objectives to accomplish and a workplace system to move in the direction of greater safety and improved working conditions for all its members. We had incorrectly hoped and planned to achieve these outcomes by participatory cooperation and coordination.

We regrouped as a team and realized that our process to date had accomplished a good deal of what we had hoped to achieve in this preliminary period. We had everyone's attention. We had the support of the department's top administrators. We had a clearer picture of the culture of the FDNY. We felt righteous, knowing that our actions were backed by the order of the federal court. We recognized that our preferred approach was, as one of our trainers would remark, an "inappropriately premature intervention." We had learned a great deal and realized that we needed a new strategy. How could we help the workforce change their mindset and catch up with the times? What incentives or threats might be available to us? How could we fulfill our commitments to ourselves and accomplish the goal and objectives of the contract?

### Recommendations

The research literature on change suggests that to change, the candidates have to be aware of the need to change. Clearly, there was no felt need on the part of the labor force to change. Change also requires that leadership at all levels be dedicated to change. Although the top administrators were supportive, the officers were as opposed as the rank and file to any women in the service. It was apparent that in a system as complex as the FDNY, intervention was needed at multiple levels. The firefighters needed to understand that their harassment was a violation of law. Since the FDNY by its very nature is an authoritarian bureaucracy, we felt that the employees could be required to hear that message and be warned that they stood to lose their jobs—or worse, to be charged with criminal action—if they did not behave in a respectful manner to their co-workers regardless of gender, race or other personal

status. We designed a training that carried that "educational" message. All houses were taken off duty four times so that every shift heard the same message. The commissioners informed the officers that they would be held responsible for assuring attention to the trainers and enforcement of the policy and that no deviation was acceptable. Placing their jobs at risk certainly gained the attention of the force, as well as their reluctant adherence. We realized that the strong culture within the department was a positive in that it shields and nurtures most of its members, but it does so at the price of making entry difficult for groups that are different from the race, ethnicity, religion or gender of the majority. Drawing attention to the cost of this closed culture was important to the protection of women. We felt that through "educational" training we had scored a victory, small though it might be.

Furthermore, there were structural and organizational changes that could be made to help assure the safety and reduce the stress being experienced by the women. Gender integration required strong, assertive, affirmative action both in recruitment and the enforcement of policies and procedures; intense support through varied trainings targeted at different groups concerning their responsibilities; and, returning to the bureaucracy, control that had been usurped and misused by the informal system. Throughout this process we were led by insights from social work concerning organizational change strategies. We developed a series of thirty one recommendations that reflected our experience, ideas culled from other locations struggling with similar issues and information in the social science literature, particularly in relation to tokenism in work groups. These fell into several broad classifications.

*Communication:* The commitment of the top administrators was insufficient unless it was constantly and consistently communicated to all levels within the department. This required both increased communication and clarity of message. Recommendations suggested a top flight administrative committee to oversee the entire effort. That committee would be charged with assuring that all

information reaching firefighters was factually correct, indicated support for women, helped the media receive a constructive image of their qualifications and competence in service, supported a convincing recruitment campaign and showed women's potential contribution through exhibits in the department's museum and other milieus.

*Physical Plant:* Firehouses are of varying age, and the department had a policy of benign neglect concerning maintenance which allowed firefighters, many talented at construction tasks, to fashion repairs and undertake remodeling. While this had many advantages for the department including cost savings and supported individual comfort, it acted to turn public space into a private reserve which was accompanied by feelings of ownership by the men with regard to the house. Thus, the women became "intruders" in private space rather than employees in a public facility. It was important to reverse this trend; to make the houses public space, to create personal privacy for both men and women in the physical plant, and to define the house itself, as a public domain where the department had a right and responsibility to establish the rules of behavior and the uniform nature of departmental facilities. Recommendations suggested an inventory be made of all firehouses, starting with those that had women assigned to the force, and that plans be drawn for the department to make needed repairs and to construct space that would allow for locked toilets and separate sleeping and dressing quarters for each gender.

*Human Resource Management:* The court had questioned the relation of the physical dimensions of the firefighters' test to the tasks required by the job, but we believed there were many reasons to reexamine all aspects of the job description in relation to testing procedures. Firefighters need to be able to work in teams for their own safety and success in putting out fires. Yet no effort was made to examine the psychological capacity of candidates to excel at teamwork. Nor were firefighters tested on what has come to be known as cultural competence. Yet they needed such a skill to relate positively to the varied ethnic, racial and religious groups in the neighborhoods of the

City to which they might be assigned. Recommendations suggested that the skills and job description of firefighting be defined more broadly, and that they be reflected in testing procedures. All officers within the department, furthermore, came up through the ranks and reached their positions by passing promotional exams. This appointment process gave them a kinship with the firefighters that had definite advantages in their understanding and support of the men, but caused many to lack conviction about rule enforcement and made them unable to supervise and especially to discipline their "brothers." With no performance appraisal system in place, the department lacked a means of making these shortcomings visible and requiring corrective action and behavior. This became starkly obvious when women were assigned to houses lacking the presence of an effective officer. Recommendations suggested the implementation of a systematic performance appraisal system throughout departmental ranks, clear timetables for remedial accomplishments, and penalties for lack of follow through.

*Training:* Most departmental training focused on performance of firefighting duties. This left vast gaps in the knowledge and skills necessary for exemplary performance in any alternative roles that fell to firefighters. It also left a breach in the department's ability to convey new information to those in service, as became obvious when new information was needed at all levels in relation to gender integration. For example, probies (new firefighters appointed on probation for their first year) as well as rank and file members needed information on the requirements of the law, the definition of sexual harassment, and exposure to information concerning how other departments throughout the nation had succeeded in introducing gender integration. Officers required knowledge about conflict resolution and skill in conducting performance appraisals as well as a duplication of the training for the ranks. Ability to mentor women became another opening for training throughout the department. Administrators lacked knowledge of successful outreach procedures as well as understanding of possible revisions in policies and procedures that could be used to achieve

more effective affirmative action outcomes. Recommendations suggested that significant effort be devoted to develop training curricula, that all departmental personnel, at all ranks, be scheduled regularly for training that introduced and reinforced new content selective to their roles and responsibilities including expectations around professional behavior and that trainees be required to demonstrate ability to utilize the new knowledge conveyed by behavioral tests applied as part of the semi-annual performance appraisal.

*Catch-all Issues:* As the reader is aware by now, we had indeed become expert on issues faced by the FDNY. We felt our mandate included license to evaluate and make recommendations concerning all aspects of the FDNY operation. In this belief we were encouraged by top administration that regarded us as consultants on a wide range of department policies and practices. Although good physical condition was certainly a requirement for passing the test for entry into the department's firefighting force, the department made no specific effort to encourage physical fitness and never re-examined the force members in relation to their strength and physical well-being. Observers pointed out the absurdity of the women's strength being questioned when there were some firefighters who were so obese and out of physical shape that they represented a danger to themselves and their crewmates. It also became apparent to us that the predominant culture was organized, not just against women, but against all individuals who were from groups other than those viewed as part of the predominant culture, e.g., African Americans, Hispanics, Asians, Jews, other immigrants, gays, and even Protestants. It was also clear that passing the firefighters exam, as it stood, was measurably aided by being privy, through the informal network, concerning appropriate pre-testing conditioning. Recommendations suggested attention to each of these matters: to establish a pre-testing training facility, to check regularly on the physical condition of firefighters and make continuing physical well-being a condition for

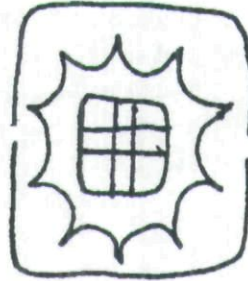
continuing employment, and to take all action possible to encourage the recruitment and integration of a diverse force for the FDNY.

### Conclusion

At the close of our two year contract, we had observed many positive actions being undertaken by the FDNY and hoped that they would continue to move toward the diverse force we envisioned. However, if we fast forward for almost a quarter of a century, it is apparent how intractable the FDNY is in reality. Of all the governmental agencies in New York City, the FDNY has the least diverse labor force. There are fewer women on the force than when our contract ended in 1990. Representation by women, African Americans and Hispanics in FDNY is lower than the proportion among the top ten fire departments in large urban areas of the United States. The FDNY has recently been cited, once again, in violation of the Civil Rights Act of 1964. In July 2009, federal Judge Nicholas Garaufis, responding to a suit claiming discrimination brought by the Vulcan Society (a fellowship of black firefighters in FDNY) and joined by the United States Justice Department, found that the written tests offered by the FDNY in 1999 and 2002 had a discriminatory effect on black applicants. Part of what was remarkable about this decision is that it is one of the few court decisions that found racially discriminatory intent, rather than the usual simpler disparate-impact in the department's testing procedures; i.e., purposeful action rather than unintended difficulty. When the FDNY did nothing, the same judge found, in January 2010, that the department has intentionally discriminated and ordered that FDNY hire "2 blacks and 1 hispanic for every 5 applicants who pass the test until there are 293 minorities added to the FDNY." Sadly, the City of New York has moved to appeal this decision.

I feel sad that my devotion to this effort brought such modest results. I feel affirmed, however, in my commitment to social work, a profession in which social justice and human rights are a mandate. I learned the value of advocacy, the significance of social legislation and government regulation, and the importance

of enforcement by the federal courts in accomplishing the social goals of a democratic society. I believe that the continued struggle for these outcomes is a worthy fight and that we are fortunate to be part of a profession that seeks social justice and human rights as its goal.



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