

COMMISSIONERS' CORNER



Entry-Level Physical Fitness Testing Issues

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The The Illinois General Assembly has professed a preference that its full-time firefighters be physically fit. Section 16.07 of the Fire Protection District Act specifically requires that applicants for full-time hire in a fire protection district be required to take examinations which “shall include tests of physical qualifications and health.” 70 ILCS 705/16.07. This article will focus on the first portion of this clause: the tests of physical qualifications, for the subject of entry-level firefighter health is worthy of a separate column. The legislative inquiry begins and ends with the requirement of “tests of physical qualifications.” The General Assembly does not provide any further guidance as to what level of physical fitness testing is required to perform the job duties of a firefighter, EMT or paramedic. This legislative gap has been filled by other sources: the job description, national standards for fitness and testing and federal regulations.

The job description for the position of firefighter—if drawn correctly—should include several elements that would require those who hold the position to be able to perform physically strenuous activities while under a high degree of stress. Typically, the job description (and the position) would require an individual to exert peak physical effort for prolonged periods of time under conditions of extreme heat, cold, smoke, vibration, fumes, chemicals and flying objects. Further, firefighters are regularly required to wear helmets, airpicks and other heavy work equipment while they perform these grueling tasks. These are not tasks for the weak or the faint-of-heart. Similarly, the job description for an EMT-B or EMT-P should reflect the fact that the position includes lifting patients on stretchers, often through a variety of settings and obstacles. The position requires bending, stretching, crouching, kneeling and lifting. The physical fitness testing and a medical examination with a physician

familiar with NFPA 1582 are the two primary tools of determining the fitness level of an applicant.

Entry-level physical fitness testing permits the hiring fire department to establish a base-line level of physical fitness necessary to meet the job description set forth by the fire district board of trustees. In the past, it has been an open question as to what should be included in a physical fitness testing program. Some fire departments were subject to legal challenge on the basis that the testing implemented was deemed unfair to female applicants. Legal validation of physical fitness tests often proved time-consuming and costly. Still others have been critical of elements included in a typical test. For example, folks have criticized the inclusion of a timed mile run in the testing process because very rarely are firefighters required to perform a dead run of a mile or more. Until very recently, fire departments across the nation ran divergent tests, and no consensus existed as to which test format was best.

The International Association of Fire Chiefs in conjunction with the International Association of Firefighters has recently developed and validated a test known as “CPAT” or the “Candidate Physical Ability Test.” The CPAT is the new national standard established for entry-level full-time firefighters. The CPAT has been designed to simulate the essential job tasks of firefighters and includes eight tasks such as a hose drag, a ladder raise and extension, and a forcible entry. The exercises are timed—all eight activities must be completed within 10 minutes and 20 seconds—and are graded on a pass/fail basis. Those who pass the test are provided with a dated CPAT certificate which the candidate can present to multiple commissions during the hiring process. Fire commissions can place limits on the acceptable date range for CPAT certifications. For example, several commissions have required

that the CPAT certificate be dated one year or sooner before the date of hire. The US Equal Employment Opportunity Commission (EEOC) has entered an agreement with the IAFC/IAFF coalition that it will not advance any lawsuits against the CPAT claiming that it has a discriminatory impact against female candidates for a five year term ending in April 2011.

Fire protection districts are not required to participate in the CPAT testing process; indeed, some departments have elected to continue alternative forms of pre-hire physical fitness testing even after the introduction of the CPAT. In this author’s estimation, the primary advantages of the CPAT process include: (1) a high degree of standardization across the nation; (2) validation and the EEOC five-year pledge; (3) the ability of candidates to take practice sessions prior to testing; (4) the ability to shift liability to an outside agency; and (5) the ability to lawfully shift the burden of the cost of the physical fitness testing from the fire district to the applicant. The main disadvantages of CPAT include the rigidity of the test and the relative inflexibility in the CPAT testing dates and locations. Currently, the test is offered four times per year by NIPSTA in Glenview (<http://www.nipsta.org/cpat/main.aspx>) and another four times a year by the Southwest United Fire Districts in Darien (<http://www.sufd.org/cpat.php>). More information about the CPAT is available from both of these institutions. Other opportunities to take the CPAT are offered by vendors in other states as well.

Fire protection districts should not hire persons on a full-time or part-time basis if they are unable to meet the requirements of the job description. Hiring firefighters who are unable to meet these physical fitness requirements brings liability to fire departments in at least three ways. Districts are likely to incur additional workers’ compensation claims from unfit employees. Unfit

employees are more likely to cause injuries to co-workers, and are more likely to exacerbate injury to persons in their care. Former frontline firefighters who perform inspection or administrative tasks are commonly found in fire departments and a Board of Trustees may decide whether or not these employees are required to perform to the fitness level required in the firefighter job description. At times, Boards of Trustees opt to apply a lesser physical fitness standard to their fire chief and fire marshal positions.

One final issue is raised by the full-time entry level physical fitness testing process. What happens if a candidate employed by a fire protection district on a part-time or POC basis fails the CPAT or other testing? A fire protection district would be sure to increase its potential liability if it knowingly continued to employ an individual who failed the entry-level physical fitness test. At the very least, fire district officials should strongly consider requiring this group of employees to retest after a reasonable period of time in order to retain their part-time positions with the district. ■