

New Haven Register

New Haven fire board approves long-sought promotions

Tuesday, December 1, 2009

By William Kaempffer, Register Staff

NEW HAVEN — The Board of Fire Commissioners today approved the promotions of one Hispanic and 13 white firefighters, giving them the advancement they fought for all the way to the U.S. Supreme Court.

A formal promotional ceremony is scheduled for Dec. 10.

“This is really an important day. It’s historic,” said newly minted Capt. Matt Marcarelli, who scored No. 1 on the captain exam.

The plaintiffs are holding off on celebrating until Dec. 10, he said.

The action comes a day after the Civil Service Commission, in a unanimous vote, certified two 2003 promotional lists for fire captain and lieutenant, clearing the way for the city to present the lists to the fire commission.

The firefighters have fought for the promotions since 2004.

Today’s vote comes a week after a federal judge’s order, in line with the June Supreme Court decision, found the city violated the firefighters’ civil rights and mandated their promotion.

The planned promotions belong to members of the so-called New Haven 20, a group of firefighters who sued the city in 2004 when it scrapped the exam results that would have advanced just one minority and no blacks in the initial round.

The city pushed the civil service board to scuttle the results, which on the surface had a disparate impact against blacks (in possible violation of the federal Civil Rights Act of 1963), arguing that proceeding could leave the city liable in a lawsuit by African Americans. In the spring of 2004, 15 people would have been eligible to advance, 14 whites and one Hispanic.

Instead, the group of mainly white firefighters sued, claiming the action violated their rights under the disparate treatment ban in the same Civil Rights Act. In June, the Supreme Court agreed.