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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER

33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELME
COMMISSIONER

October 24, 2013

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Executive Council
State House
Concord, NH 03301

Sole Source

Requested Action

Pursuant to MOP 1200, authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, to pay **sole source** annual licensing fees to the International Association of Firefighters (IAFF) (VC#207503 B001), Washington D.C., for an amount not to exceed \$5,000.00 for a one year licensing agreement to continue to provide the Candidate Physical Ability Test. Effective upon Governor and Council approval through June 30, 2014. Funding Source: 100% Agency Income (fees charged to candidates to take the CPAT exam).

Funding is available in the SFY2014 operating budget as follows:

02-23-23-237010-46520000 Dept. of Safety Div of FST&EMS – Fire Standards Instruction	<u>FY2014</u>
104-500742 Certification Expense	\$5,000.00

Explanation

This request is **sole source** because the International Association of Firefighters is the sole organization that licenses the Candidate Physical Ability Test. This test is a requirement for all fire departments throughout the state that are hiring full-time firefighters. In 2009, the International Association of Firefighters established a licensing fee for organizations that hold a limited license to use its validated examination. The International Association of Firefighters is the only organization within the United States that can authorize the use of this examination, to which it holds the exclusive rights. Without the appropriate license, the Division will be unable to conduct the entrance examination.

The Division of Fire Standards & Training and Emergency Medical Services conducts a statewide firefighter entrance exam in accordance with the administrative rule set forth by the Fire Standards & Training Commission, Fire 702.01. Each fire department that wishes to hire a full-time firefighter must only hire candidates that have successfully passed the examination outlined in rule Fire 702.01. The Division of Fire Standards & Training and Emergency Medical Services is the sole entity in the State of New Hampshire that holds the resources to conduct this type of examination. This examination has been proven safe and meets the standards for job specifications for personnel that would be hired as a career firefighter. The International Association of Firefighters and International Association of Fire Chiefs have worked with the US Department of Justice to ensure the examination's process is fair and does not discriminate any candidates. The Division would incur significant cost associated with developing, validating and conducting any other examination.

Respectfully submitted,


John J. Barthelme
Commissioner of Safety



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

HAROLD A. SCHATBERGER
General President

THOMAS H. MILLER
General Secretary-Treasurer

September 26, 2012

New Hampshire Fire Training Standards
Perry Plumber, Director
98 Smokey Bear Blvd.
Concord, NH 03301

Mr. Plummer:

The IAFF/IAFC Joint Labor Management Wellness-Fitness Initiative's Candidate Physical Ability Test Program (CPAT) Limited license is granted only upon the express conditions that the licensee must use the CPAT in whole and only for the purpose of candidate testing. Any attempt by a licensee to use CPAT for testing incumbents is inconsistent with the scope of this license, and is therefore prohibited.

Limited licensees shall not administer the CPAT to any person without first obtaining a written agreement with the fire department to which the person is applying and may only administer the CPAT for a fire department that already possesses a valid license from the IAFF. In addition, the Limited licensee is only authorized to make use of the CPAT in accordance with the terms and conditions of the 2nd Edition manual and the limited License Policy.

CPAT licenses shall only be issued to third party testing organizations that are:

- federal, state or provincial governments or agencies;
- state or provincial fire academies;
- colleges/universities that conduct pre-employment testing; or
- pre-employment testing organizations.

The International Association of Fire Fighters (IAFF) is the only agency that provides the CPAT Limited license and Limited license holders will be charged an annual licensing fee of five thousand dollars (\$5,000). Limited licenses will continue to be non-transferable, non-exclusive and revocable at will for any reason.

Should you have questions, feel free to contact Bart Siciliano @ (202)824-1574 or bsiciliano@iaff.org.

Sincerely,

Jim Brinkley,
Director, IAFF Occupational Health and Safety Department