

April 1, 2019 FCC EEO Deadlines

March 8, 2019

Annual EEO Public File Report

Radio and television station employment units (SEUs) located in **Indiana, Kentucky, Tennessee, Texas, Delaware, and Pennsylvania** with five or more full-time employees must prepare by **Monday, April 1, 2019** an annual EEO Public File Report (PFR). The report must be posted on the website belonging to each station in the SEU and uploaded to its online public inspection file at the FCC's website.

Note: It is the licensee's responsibility to ensure the PFR is uploaded to the online public inspection file in a timely fashion. As a practical matter, the FCC receives an electronic date stamp when items are posted to the online public file (and so it is clear to FCC staff if they are posted late).

The PFR should summarize the SEU's recruitment activity from April 1, 2018 through March 31, 2019, including full-time positions filled, the recruitment sources used to advertise those job openings, and the total number of interviewees and hires produced by each recruitment source. The PFR must also include a summary of the SEU's recruitment initiatives.

FCC Form 397 Broadcast Mid-Term Report

Licenses that have reached the mid-point of their eight-year license term must file a FCC Form 397 Broadcast Mid-Term Report for a substantive review of their recruitment activity. Television SEUs with five or more full-time employees in **Delaware and Pennsylvania** must file their Forms 397 by **Monday, April 1, 2019**. These SEUs are the final batch of broadcast stations in the 2015-2019 mid-term cycle. They also represent the last to submit the covering Form 397 given the recent FCC Order eliminating that component of the mid-term

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review. The next mid-term cycle falls in years 2023-2026.

The Form 397 requires filers to identify the individual responsible for EEO matters and to submit the SEU's two most recent PFRs as attachments. Those SEUs facing the upcoming April 1 deadline must include PFRs covering April 1, 2017-March 31, 2018 and April 1, 2018-March 31, 2019. Once filed, the FCC will automatically upload a copy of the Form 397 to the station's online public inspection file hosted by the FCC.

EEO Audits

April 1, 2019 also represents the EEO audit response deadline for certain randomly selected broadcast stations. A list of those targeted stations can be found [here](#).

If you have any questions about the annual PFR, the Form 397, audit preparations or FCC EEO compliance in general, please contact the Wiley Rein attorneys listed on this alert.