

ALERT

October 1, 2013 FCC EEO Deadlines

September 4, 2013

Certain radio and television stations face an upcoming Federal Communications Commission (FCC or Commission) Equal Employment Opportunity (EEO) annual reporting deadline on Tuesday, October 1, 2013:

Annual EEO Public File Report

Radio and television station employment units (SEUs) located in the **Virgin Islands, Florida, Puerto Rico, Iowa, Missouri, Alaska, Guam, Hawaii, Oregon, Samoa, and Washington** with five or more full-time employees must prepare by **Tuesday, October 1, 2013** an annual EEO Public File Report (PFR). The report must be placed in the public inspection file of each station in the SEU. For full-power and Class A *television* stations, this means the PFR must be uploaded to the station's online public inspection file hosted by the FCC. The PFR must also be posted on the website belonging to each station in the SEU.

The PFR should summarize the SEU's recruitment activity from October 1, 2012 through September 30, 2013, 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.

Note: Television stations in **Alaska, Guam, Hawaii, Oregon, Samoa, and Washington** will be filing license renewal applications on October 1, 2014. These stations should consider sending a draft of the October 1, 2012-September 30, 2013 PFR for our review now—the PFR must be filed with the Commission as part of the Form 396 Broadcast EEO Program Report next October (in addition to the subsequent October 1, 2013-September 30, 2014 PFR).

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Practice Areas

Media
Telecom, Media & Technology

Certain broadcast license renewal applications are due on October 1, 2013. The license renewal process includes the filing of an FCC Form 396 Broadcast EEO Program Report, as described below:

FCC Form 396 Broadcast EEO Program Report

Radio stations in **Alaska, Guam, Hawaii, Oregon, Samoa, and Washington** as well as television stations in **Iowa and Missouri** must apply for license renewal on or before **Tuesday, October 1, 2013**. A critical component of the Commission's license renewal process is the Form 396 Broadcast EEO Program Report, which must be submitted to the FCC, electronically, prior to the filing of the Form 303-S Application for Renewal of Broadcast Station License. The Form 396 requires applicants to report discrimination complaints and, for SEUs with five or more full-time employees, to submit PFRs for 2012 (covering October 1, 2011-September 30, 2012) and 2013 (covering October 1, 2012-September 30, 2013).

Once filed with the FCC, the Form 396 must be placed in the public inspection file of each station in the SEU. For full-power and Class A *television* stations, the FCC will automatically place the electronically filed Form 396 in the station's online public inspection file. Stations should check their online public files to make sure the Form 396 is there.

If you would like a copy of our renewal primer, including information on the EEO component of the application, or should you have any questions about FCC EEO compliance, please contact the Wiley Rein attorneys listed below.