

Client Alert: December 1, 2016 FCC EEO Deadlines

November 7, 2016

Special Note Regarding the FCC's Online Public File Television stations and commercial radio stations in the Top 50 Nielsen markets are required to upload the annual EEO Public File Report (PFR) to the FCC's online public inspection file. Because the upcoming December 1 deadline will be the first time that many radio stations place the PFR on the FCC-hosted site, you can learn more about the FCC's online public inspection file [here](#) or contact our online public inspection file expert, Joan Stewart, [here](#).

Annual EEO Public File Report

Radio and television station employment units (SEUs) located in **Alabama, Georgia, Colorado, Minnesota, Montana, North Dakota, South Dakota, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont** with five or more full-time employees must prepare by **Thursday, December 1, 2016** an annual EEO Public File Report (PFR). The report must be placed in the public inspection file and posted on the website belonging to each station in the SEU. (For full-power and Class A television stations as well as commercial radio stations in the Top 50 Nielsen markets, the PFR must be uploaded to the online public inspection file hosted by the FCC.)

The PFR should summarize the SEU's recruitment activity from December 1, 2015 through November 30, 2016, 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

Licensees 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 **Alabama and Georgia** and radio

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SEUs with 11 or more full-time employees in **Colorado, Minnesota, Montana, North Dakota, and South Dakota** must file their Forms 397 on **Thursday, December 1, 2016**.

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 December 1 deadline must include PFRs covering December 1, 2014 – November 30, 2015 and December 1, 2015 – November 30, 2016. Once filed with the FCC, the Form 397 must be placed in the public inspection file of each station in the SEU. For stations with online public inspection files hosted by the FCC (full-power and Class A television stations and commercial radio stations in the Top 50 Nielsen markets) the FCC will automatically upload a copy of the Form 397 to the station's online public file.

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