

ALERT

April 1, 2020 FCC EEO Deadlines Impacting Broadcast Stations in IN, KY, TN, TX, DE & PA

March 3, 2020

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 Wednesday, April 1, 2020, 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 Federal Communication Commission's (FCC's or Commission'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, 2019 through March 31, 2020, 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.

Schedule 396 Broadcast EEO Program Report

Radio SEUs in **Indiana, Kentucky, and Tennessee** must apply for license renewal on or before Wednesday, April 1, 2020. A critical component of the Commission's license renewal process is the Schedule 396 Broadcast EEO Program Report, which must be

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submitted online prior to the filing of the Schedule 303-S Application for Renewal of Broadcast Station License.

Schedule 396 requires licensees to report discrimination complaints and, for SEUs with five or more full-time employees, provide a narrative description of their outreach efforts, identify the individual with overall EEO responsibility at the SEU, and submit PFRs covering April 1, 2018 – March 31, 2019 and April 1, 2019 – March 31, 2020. Once filed, the FCC will automatically upload a copy of the Schedule 396 to the FCC-hosted online public inspection file belonging to each station in the employment unit.

If you have any questions about the annual PFR, the Schedule 396 or FCC EEO compliance in general, please contact the Wiley attorneys listed on this alert.