

ALERT

Client Alert: June 1, 2016 FCC EEO Deadlines + TV Form 397 Mid-Term Filings Begin

May 5, 2016

Certain radio and television stations face an upcoming Federal Communications Commission (FCC) Equal Employment Opportunity (EEO) annual reporting deadline on Wednesday, June 1, 2016:

Annual EEO Public File Report

Radio and television station employment units (SEUs) located in **Arizona, Idaho, Maryland, Michigan, Nevada, New Mexico, Ohio, Utah, Virginia, West Virginia, Wyoming, and the District of Columbia** with five or more full-time employees must prepare by Wednesday, June 1, 2016 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 June 1, 2015 through May 31, 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 + TV Form 397 Mid-Term Filings Begin

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 in the

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Practice Areas

Media
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District of Columbia, Maryland, Virginia, and West Virginia are first to file the Form 397 on Wednesday, June 1, 2016 for the mid-term cycle while radio SEUs with 11 or more full-time employees in **Michigan and Ohio** must also file their Forms 397 on June 1, 2016. (Note: Radio SEUs with 10 or fewer full-time employees and television SEUs with four or fewer full-time employees are not required to submit a Form 397.)

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 with a June 1, 2016 deadline must include PFRs covering June 1, 2014 – May 31, 2015 and June 1, 2015 – May 31, 2016. Once filed with the FCC, the Form 397 must be placed in the public inspection file of each station in the SEU. (For full-power and Class A *television* stations, the FCC automatically uploads the Form 397 to the station's FCC-hosted online public inspection file.)

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