



G A R V E Y S C H U B E R T B A R E R

CABLE/MVPD GUIDE FOR USING GARVEY SCHUBERT BARER ANNUAL EEO REPORT FORMS

Under the FCC's EEO Rules broadcasters, cable operators, and other multichannel video programming distributors (MVPDs) have a basic obligation to widely disseminate information concerning each full-time job vacancy. This includes an affirmative obligation to provide notification to community and recruitment organizations that request information on job vacancies. The recruitment sources of all persons interviewed must be tracked.

The rules also require media employers to participate in longer-term recruitment initiatives by engaging in a minimum number of the initiatives set forth in the rule, such as job fairs, training, mentoring or participation in events sponsored by organizations interested in broadcast and cable employment issues.

The rules apply to employment units. An MVPD employment unit is an individual system or systems that are under common ownership and control and are interrelated in their local management, operation, and utilization of employees.

MVPDs are required by statute to include headquarters and corporate personnel in their EEO programs, and to implement an EEO program for headquarters employment units.

Attachments:

FORMS FOR EEO PUBLIC FILE REPORT

- Recruitment Initiatives Checklist
- List of Positions Filled
- Recruiting Sources Used
- Interviewee Referral Source Summary

INTERNAL CHECKLISTS AND FORMS

- Required Records
- Interview List for Opening
- Internal Analysis

Instructions are provided on each of the attached forms.

**MVPD EMPLOYMENT UNIT
RECRUITMENT INITIATIVES CHECKLIST**

System(s): _____
(list all that are included within Employment Unit)

Community(ies) Served: _____

Date of Annual Report: _____
(not later than September 30 of each year, for the preceding twelve months)

No. of Full-time Employees:¹
6 – 10 _____ / More than 10 _____
(check the number that applies)

*On an **annual** basis an Employment Unit with more than 10 full-time employees must engage in at least two of the initiatives or events listed below. If the Employment Unit has 6 – 10 full-time employees or is located in whole or in part in a smaller market, it must engage in at least one of the listed initiatives or events.² The period runs from October 1 – September 30. An Employment Unit must, annually by September 30, list and briefly describe the initiatives undertaken in the past year, place that list in the local public inspection file of each system within the Employment Unit.*

In the preceding year, the Employment Unit has engaged in (check all that apply):

			Ex. No. ³
_____	Participated in at least 2 job fairs by system personnel who have substantial responsibility in making hiring decisions.	1) _____ (Date/Location/Event)	_____
		2) _____ (Date/Location/Event)	_____
_____	Hosted at least one job fair .	1) _____ (Date/Location/Event)	_____
_____	Co-sponsored at least one job fair with organizations in the business and professional community whose membership includes substantial participation by women and minorities.	1) _____ (Date/Location/Event)	_____

¹ An employee with 50% or more ownership, or employees with 20% or more ownership where there is no owner with 50% or more ownership, are not regarded as employees.

² A “smaller market” is a metropolitan area with a population of fewer than 250,000, and any area outside all metropolitan areas as defined by the Office of Management & Budget.

³ For insertion in an EEO binder, place a description of the activity and/or proof of participation behind a numbered tab. Insert appropriate exhibit number in the line next to the activity.

_____	Participated in at least 2 events sponsored by organizations representing groups present in the community interested in MVPD employment issues, including conventions, career days, workshops, and similar activities.	1) _____ (Date/Location/Event) 2) _____ (Date/Location/Event)
_____	Established an internship program designed to assist members of the community to acquire skills needed for MVPD employment.	Describe: _____
_____	Participated in job banks, internet programs , and other programs designed to promote outreach generally (<i>i.e.</i> , that are not primarily directed to providing notification of specific job vacancies).	Describe: _____
_____	Participated in scholarship programs designed to assist students interested in pursuing a career in cable/MVPD.	Describe: _____
_____	Established training programs designed to enable system personnel to acquire skills that could qualify them for higher level positions.	Describe: _____
_____	Established a mentoring program for system personnel.	Describe: _____
_____	Participated in at least 2 events or programs sponsored by educational institutions relating to career opportunities in cable/MVPD.	1) _____ (Date/Location/Event) 2) _____ (Date/Location/Event)
_____	Sponsored at least one event in the community designed to inform and educate the public as to employment opportunities in cable/MVPD.	_____ (Date/Location/Event)

- | | | | |
|-------|---|--------------------------------|-------|
| _____ | <p>Listed each upper-level category opening in a job bank or newsletter of media trade groups whose membership includes substantial participation of women and minorities.</p> | Identify job banks/newsletters | _____ |
| _____ | <p>Provided assistance to unaffiliated non-profit entities in maintaining web sites that provide counseling on the process of searching for MVPD employment and/or other career development assistance pertinent to cable/MVPD.</p> | Describe: | _____ |
| _____ | <p>Provided training to management level personnel on methods of ensuring equal employment opportunity and prevent discrimination.</p> | Describe: | _____ |
| _____ | <p>Provided training to personnel of unaffiliated non-profit organizations interested in MVPD employment opportunities that would enable them to better refer job candidates for cable/MVPD positions.</p> | Describe: | _____ |
| _____ | <p>Participated in other activities designed by the system employment unit reasonably calculated to further the goal of disseminating information as to employment opportunities in cable/MVPD to job candidates who might otherwise be unaware of such opportunities.</p> | Describe: | _____ |

REQUIRED RECORDS

Check if record maintained:

Date: _____

CHECK	TYPE OF RECORD	PLACED IN PUBLIC FILE ANNUALLY?*
_____	List of positions filled (see chart of “List of Positions Filled” for details).	Yes
_____	Recruiting sources used (see chart for details).	Yes
_____	List of referral sources of persons interviewed for each position filled (see chart of “Interview List for Opening” for details).	No
_____	List of aggregate number of interviews by source of referral during prior year (see chart of “Interviewee Referral Source Summary” for details).	Yes
_____	Dated copies of advertisements, bulletins, letters, faxes and e-mails or other communications announcing vacancies (organize by vacancy).	No**
_____	Narrative documentation sufficient to disclose fully the nature of the initiative (see “Recruitment Initiatives Checklist,” e.g., job fair, sponsorship, internship, scholarship, mentoring program, training program, community events, job banks, etc.). Must include (organize by event or initiative): <ul style="list-style-type: none"> • date of event • description of event or initiative • scope of system’s participation • system personnel involved. 	Yes
_____	Backup documentation of initiatives, such as pamphlets, brochures, or other evidence of participation.	No**

**Retain all records for seven years.*

***Records required to be retained for seven years and made available upon request of FCC. If record does not go in the public file, retain record in station’s non-public recruitment files.*

Do NOT place this document in the local public file.

INTERNAL ANALYSIS
For all Employment Units

It is recommended that an internal review of the employment unit's outreach efforts occur at least every six months.

Has the Employment Unit:

Date: _____

- Posted appropriate EEO notices in the employment unit's office and places of employment? In English and in Spanish? Yes _____ No _____
- Placed an appropriate notice in bold type on the employment application? Yes _____ No _____
- Recruited for every opening? Yes _____ No _____
- Maintained records sufficient to verify accuracy of information provided in Form 396-C and EEO public file reports, and additional records required to be made available to the FCC upon request? Yes _____ No _____
- Undertook to offer promotions of minorities and women in a nondiscriminatory fashion to positions of greater responsibility, such as by 1) instructing decisionmakers on placement and promotion that areas in which there is little or no minority or female representation should be reviewed to determine whether this results from discrimination, 2) giving minority groups and female employees equal opportunity for positions which lead to high positions and inquiring as to interest and skills of all lower paid employees with respect to higher paid positions, followed by assistance, counseling, and effective measures to enable employees with interest and potential to qualify themselves for such positions, and 3) providing opportunity to perform overtime work on a basis that does not discriminate against qualified minority group or female employees. Yes _____ No _____
- Encouraged minority and female entrepreneurs to conduct business with all parts of its operation, such as by recruiting as wide as possible a pool of qualified entrepreneurs from sources such as employee referrals, community groups, contractors, associations, and other sources likely to be representative of minority and female interests. Yes _____ No _____
- Analyzed its recruitment program on an ongoing basis (*i.e.*, for each opening) to ensure that it is effective in achieving broad outreach to potential applicants, and addressed problems found as a result of its analysis? Yes _____ No _____

Has the Employment Unit periodically analyzed measures taken to:

- Cooperate with unions, where they exist, in development of programs to ensure all persons equal opportunity for employment, including an effective nondiscrimination clause in new or renegotiated union agreements? Yes _____ No _____
- Review seniority practices to ensure that such practices are nondiscriminatory? Yes _____ No _____
- Examine rates of pay and fringe benefits for employees having the same duties, and eliminate any inequities based upon race, national origin, color, religion, age, or sex discrimination? Yes _____ No _____
- Utilize media for recruitment purposes in a manner that will contain no indication, either explicit or implicit, of a preference for one race, national origin, color, religion, age or sex over another? Yes _____ No _____
- Avoid the use of selection techniques or tests that have the effect of discriminating against any person based on race, national origin, color, religion, age, or sex? Yes _____ No _____

Do NOT place this document in the local public file. Keep this document in the non-public records for the employment unit.

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