

Nancy Hammond
Executive Vice President & COO
P: 716.845.7013
Email: nhammond@wned.org



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To the Public Files of the stations in the Employment Unit

Re: WBFO(FM), Buffalo, NY
Facility ID No. 63113
EEO Audit Response

Western New York Public Broadcasting Association (“WNYPBA”), licensee of FM broadcast station WBFO, Buffalo, New York, hereby responds to the letter dated March 21, 2022, from Elizabeth E. Goldin, Assistant Chief, Investigations & Hearings Division, Enforcement Bureau. This response provides information relating to the licensee’s employment unit (the “Unit”), which includes the following stations:

WNED-DT, Buffalo, NY
WNED-FM, Buffalo, NY
WNJA, Jamestown, NY

WBFO, Buffalo, NJ
WOLN, Olean, NY
WUBJ, Jamestown, NY

The following are our responses to the questions in part 2(b) of the audit letter.

(i) Copies of the Unit’s two most recent EEO Public File Reports, described in section 73.2080(c)(6).

The report for 2021, attached as Exhibit 1, covers the period from February 1, 2020 to January 31, 2021. The report for 2022, attached as Exhibit 2, covers the period from February 1, 2022 to January 27, 2022.

(ii) For each station in the Unit that maintains a website, the website address. If the Unit’s most recent EEO Public File Report is not posted on each website as required by section 73.2080(c)(6), identify that website and explain why the report is not so posted. If the Unit does not maintain a website, but its corporate site contains a link to a site pertaining to the Unit, identify the corporate website address where the Unit’s most recent EEO Public File Report is linked pursuant to section 73.2080(c)(6).

The most recent annual EEO Public File Report is linked on the following websites:

CALLSIGN	DOMAIN
WNED	wned.org
WBFO	wbfo.org

(iii) For each of the Unit’s full-time positions filled during the period covered by the EEO Public File Reports noted above, or since acquisition of the Unit (if during that period), provide the date of hire as required by section 73.2080(c)(5)(vi) as well as dated copies of all advertisements, bulletins, letters, faxes, e-mails or other communications announcing the position, as described in section 73.2080(c)(5)(iii). However, to reduce the burden of responding to this audit, if you have sent a job notice to multiple sources, you may include in your response: (1) documentation showing one such notice was sent, (2) a list of the additional sources to which the notice was distributed, and (3) a statement confirming notices to all additional sources used to announce the vacancy were retained, as required by section 73.2080(c)(5)(iii). Include, however, copies of all job announcements sent to any organization (identified separately from other sources) that has notified the Unit that it wants to be notified of the Unit’s job openings, as described in section 73.2080(c)(1)(ii).

The Unit hired three (3) full-time employees during the period under review in Exhibit 1. Refer to Exhibit 1 for corresponding dates of hire.

The Unit hired 11 full-time employees during the period under review in Exhibit 2. Refer to Exhibit 2 for corresponding dates of hire.

For documentation announcing each position, see Exhibit 3 corresponding to 2021’s report.

For documentation announcing each position, see Exhibit 4 corresponding to 2022’s report.

(iv) As required by section 73.2080(c)(5)(v), the total number of interviewees for each vacancy and the referral source for each interviewee for all of the Unit’s full-time vacancies filled during the period covered by the above-noted EEO Public File Reports.

During the period under review in Exhibit 1, a total of 32 candidates were interviewed for vacancies indicated.

Date of Hire	Position (Total Interviewed)	Referring Source	No. Interviewed
07/20/2020	Membership Payment Coordinator (4)	indeed.com	3
		internal referral	1
09/21/2020	Major Gifts Coordinator (9)	indeed.com	9
10/26/2020	Broadcast and Education Associate (19)	indeed.com	19

During the period under review in Exhibit 2, a total of 71 candidates were interviewed for vacancies indicated.

Date of Hire	Position (Total Interviewed)	Referring Source	No. Interviewed
02/08/2021	Education & Outreach Specialist (5)	indeed.com	5
02/17/2021	Development Coordinator (4)	indeed.com	4
03/31/2021	Reporter (5)	intern	2
		internal referral	1
		internal applicant	1
		indeed.com	1
05/21/2021	Fundraising & Special Projects Producer (12)	intern	1
		internal applicant	1
		indeed.com	9
		internal referral	1
06/14/2021	Accountant (4)	indeed.com	4
06/21/2021	Social Media Coordinator (4)	indeed.com	4
08/02/2021	President & CEO (9)	search firm	9
10/04/2021	Managing Editor (5)	internal referral	1
		linkedin.com	2
		indeed.com	1
		internal applicant	1
10/04/2021	Human Resources Coordinator (13)	linkedin.com	8
		indeed.com	5
11/15/2021	Membership Associate (5)	previous applicant	1
		indeed.com	4
01/03/2022	Post Production Editor/Producer (5)	internal referral	1
		indeed.com	3
		linkedin.com	1

(v) Dated documentation of the Unit's recruitment initiatives described in section 73.2080(c)(2) during the period covered by the above-noted EEO Public File Reports, such as participation in job fairs, events with educational institutions, and mentoring or training programs for staff. Specify the Unit personnel involved in each recruitment initiative. In addition, provide the Unit's total number of full-time employees and state whether the population of the market in which any of the Unit's stations operates is 250,000 or more. Based upon these two factors and as required by sections 73.2080(c)(2) and (e)(3) of the Commission's rules, state whether the Unit is required to perform two or four points worth of initiative activities within a two-year period (measured from the date the stations in the Unit file their renewal applications and the second, fourth, sixth and eighth anniversaries of that date). If the Unit performed more than the required number of initiative activities, it may provide documentation for only the required amount in its response, i.e., two or four points worth. If any documentation that you provide appears inadequate, e.g., it is not dated or does not clearly prove the Unit's participation, the Commission may ask you for additional verification.

The stations in the Unit employ 70 full-time individuals and operates within a market population in excess of 250,000. The Unit is required to participate in four initiatives over a two-year period. Although more outreach was undertaken by the Unit, to reduce the burden of responding to this audit, documentation relating to the equivalent of four initiatives is provided.

For documentation related to each of the Unit's recruitment initiatives, please see Exhibit 5. Documentation is provided evidencing participation in the following:

- Internship program
- 3 Job Fairs
- 1 event in which the News Director served as a panelist for the Buffalo Association of Black Journalists
- Training with NETA and CPB Virtual Thought Leader Forum
- Management Training in Methods to ensure Equal Employment Opportunity and Prevent Discrimination – NAVEX compliance and Ethical Communications Training

Should additional documentation of the Unit's outreach initiatives be required, please contact the licensee.

(vi) Any pending or resolved complaints involving the Unit filed during the Unit's current license term(s) before any body having competent jurisdiction under federal, state, territorial or local law, alleging unlawful discrimination in the employment practices of the Unit on the basis of race, color, religion, national origin, or sex. For each such complaint, provide: (1) a brief description of the allegations and issues involved; (2) the names of the complainant and other persons involved; (3) the date the complaint was filed; (4) the court or agency before which it is pending or by which it was resolved; (5) the file or case number; and (6) the disposition and date thereof or current status. Note that you must report all complaints, regardless of their status or disposition.

None.

(vii) In accordance with section 73.2080(b), during the Unit's current license term(s) (or since acquisition of the Unit (if during that period)), describe the responsibilities of each level of Unit management responsible for implementing Unit EEO policies and describe how the Unit has informed employees and job applicants of its EEO policies and program

The Director of Human Resources is responsible for implementation and administration of the stations' EEO policies at the Unit. EEO policy implementation is reviewed annually by the licensee's President & CEO and Chief Operating Officer during the budget process and periodically throughout the year during meetings with members of the Senior Strategy Team.

All print, digital and audio advertisements for employment include the language "Buffalo Toronto Public Media is an Equal Opportunity Employer committed to excellence through diversity and inclusion." The licensee's employment application and website careers page states "Buffalo Toronto Public Media is an Equal Opportunity Employer committed to excellence through diversity and inclusion. We encourage you to Come As You Are and will consider all applicants for employment without regard to race, color, religion, age, sex, national origin, disability status, genetics, military and protected veteran status, sexual orientation, marital status, gender identity or expression, domestic violence victim status, or any other characteristic protected by federal, state, or local laws. In addition, Unit complies with applicable federal, state, and local laws prohibiting discrimination in employment and placement."

The Unit's Equal Employment Opportunity policy is posted internally on the Staff Bulletin Board for all employees to view.

The Unit's EEO policy is included in the Employee Handbook. All employees are required to acknowledge that they have read the Handbook and to sign a form that they have read and understood it.

(viii) In accordance with section 73.2080(c)(3), during the Unit's current license term(s) (or since acquisition of the Unit (if during that period)), describe the Unit's efforts to analyze its EEO recruitment program to ensure that it is effective and to address any problems found as a result of such analysis.

During the current license term, as part of its effort to ensure the effectiveness of its EEO program, the Unit conducts an ongoing assessment of the success of its recruitment efforts. The Unit employs a Director of Human Resources who is tasked with enhancing the Unit's processes and strategic initiatives. The HR Director is responsible for recruitment, retention, employee relations, and benefits administration. The position reports to the COO of the Unit. The Unit recently engaged FCC legal counsel to review its Annual EEO Public File Reports. Counsel provided suggestions for improvement to the recruitment program to the extent needed along with the audit of the Unit's recruitment efforts.

(ix) As required by section 73.2080(c)(4), during the Unit's current license term(s) (or since acquisition of the Unit (if during that period)), describe the Unit's efforts to analyze periodically its measures taken to examine pay, benefits, seniority practices, promotions, and selection techniques and tests to ensure that they provide equal opportunity and do not have a discriminatory effect. If the Unit has one or more union agreements, describe how the Unit cooperates with each union to ensure EEO policies are followed for the Unit's union-member employees and job applicants

A Compensation Review and Analysis was conducted from 7/2021 through 9/2021 by an external consulting firm, The Burke Group. All positions within the Unit were analyzed in comparison to market value. A two-year plan was finalized to administer raises to various positions that were under-market rate in 9/2021 and 9/2022 based on results of the analysis.

On an annual basis, the Director of Human Resources assesses all benefits offered by the Unit.


There are no union contracts or union employees within the Unit.

(ix) If your entity is a religious broadcaster and any of the Unit's full-time employees are subject to a religious qualification as described in section 73.2080(a) of the rules, the Unit should indicate that status in its response and provide data as applicable to its EEO program. For example, for those full-time hires subject to a religious qualification, you must provide only a record of the hire listed by job title and date filled, the recruitment sources used for the opening, and the source that referred the person hired. No other records are required for those hires. If five or more full-time positions are not subject to a religious qualification, the licensee must maintain and provide all records for such hires and complete the initiatives required under

section 73.2080(c)(2). Otherwise, a religious broadcaster is not required to perform these initiatives

The licensee is not a religious broadcaster.

The undersigned declares under penalty of perjury under the laws of the United States of America that the foregoing is true and correct based on information provided by the Director of Human Resources of the Unit.

By 
Nancy Hammond
Executive Vice President and COO

Attachments – Exhibits 1 - 5