



May 16, 2011

VIA HAND DELIVERY

Mr. Lewis Pulley
Assistant Chief, Policy Division
Media Bureau
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Mr. Pulley:

This letter, together with Exhibits 1 through 32 which are submitted herewith on the enclosed CD-ROM, serve as the response by Fisher Broadcasting—California TV, L.L.C. (the "Licensee"), licensee of KBAK-TV ("KBAK" or the "Station"), to the Media Bureau's request for audit data relating to the Station's EEO program dated March 29, 2011.

KBAK is part of the employment unit comprised of the following commonly owned television stations (the "Employment Unit"):

- KBAK-TV, Bakersfield, California (Facility ID No. 4148)
- KBFX-CA, Bakersfield, California (Facility ID No. 51501)

These stations operate in and serve primarily the Bakersfield Designated Market Area.

The responses to the relevant audit data requests are set forth below, and the required documentation is provided in the Exhibits downloadable from the enclosed CD-ROM.

Audit Data Request 3(a). *[Provide] [c]opies of the Unit's two most recent EEO public file reports, described in Section 73.2080(c)(6). For any stations in the Unit that have websites, provide each web address. If the Unit's most recent EEO public file report is not included on or linked to on each of these websites, indicate each station involved and provide an explanation of why the report is not so posted or linked, as required by Section 73.2080(c)(6). In accordance with Section 73.2080(c)(5)(vi), provide the date of each full-time hire listed in each report provided.*

Response: The EEO Public File Reports for the Station employment unit ("Employment Unit" or "Unit") covering August 1, 2008, through July 31, 2009, and August 1, 2009, through July 31, 2010, are provided as Exhibits 1 and 2, respectively. As noted on each report, the 2008-2009 and 2009-2010 reports were amended in May 2011 when, in the course of reviewing the Employment Unit's materials and documents in preparing the instant response, a few minor errors and omissions were discovered and corrected. With respect to inconsistencies between the information provided in the Employment Unit's EEO Public File Reports and the instant response, the information contained herein shall control and, to the best of the Employment Unit's knowledge, is true and correct.

The two stations in the Unit share a website, <<http://www.bakersfieldnow.com>>. The Employment Unit's 2010 EEO Public File Report is posted on this main page and available from the following address: <<http://media.fisherinteractive.com/kbak/eeoreport.pdf>>.

During the period from August 1, 2008, through July 31, 2010, the Employment Unit filled the following full-time vacancies on the dates indicated:

POSITION (2008-2009 REPORT)	DATE FILLED
News Promotions Writer	8/12/2008
Graphic Artist	9/18/2008
Reporter	10/16/2008
Editor/Photographer	10/17/2008
Producer/Assignment Editor	11/24/2008
Editor/Photographer	10/13/2008
Editor/Photographer	10/27/2008
Reporter	12/26/2008
Producer	12/22/2008
Executive Producer	12/4/2008
News Director	12/15/2008
Local Sales Manager	2/2/2009
Marketing Executive (2 positions)	4/20/2009 5/4/2009
Anchor/Reporter	3/10/2009
News Operations Manager	3/9/2009
Ignite Director	5/8/2009
Photographer	6/1/2009
Photographer/Editor	6/5/2009

POSITION (2009-2010 REPORT)	DATE FILLED
Morning Anchor	11/2/2009
Promotions Writer	12/2/2009
Reporter	7/2/2010
Producer	5/10/2010
Local Marketing Executive	11/11/2009
Photojournalist	1/15/2010
Ignite Director	8/17/2009
Administrative Assistant	7/6/2010

***Audit Data Request 3(b).** For each Unit full-time position filled during the period covered by the above EEO public file reports, or since your acquisition of the Station, if after that period, [provide] 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). Include 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 Unit job openings, as described in Section 73.2080(c)(1)(ii).*

Response: The Employment Unit filled 27 full-time vacancies during the applicable period. For each job opening, the Employment Unit has enclosed (as Exhibits 3 through 28 on the enclosed CD-ROM) all available copies of advertisements, bulletins, letters, faxes, emails, or other communications announcing job openings and all available documentation that such communications were sent to recruitment sources used by the Employment Unit.

The recruitment source list and Exhibits 3 through 28 illustrate that for the period covered by the audit, the Employment Unit had a regular practice of widely disseminating notification of job vacancies through educational institutions, websites, and unaffiliated broadcasting- and non-broadcasting-related organizations. However, the Employment Unit acknowledges that complete sets of dated copies of all advertisements, bulletins, letters, faxes, emails, and other communications announcing vacancies were not maintained for all vacancies.

The Employment Unit's failure to retain in all instances copies of all vacancy notifications prior to June 1, 2010, stemmed in part from an internal misunderstanding about notification recordkeeping. The Hiring Managers charged with notifying recruitment sources of vacancies understood that they were responsible for maintaining interviewee tracking information, but did not understand they were required to maintain copies of all communications notifying recruitment sources of Unit vacancies. The Vice President and General Manager and Human Resources Manager, who held responsibility for preparing the annual Public File Report, prepared the report using tracking information provided by the Hiring Managers and believed the Hiring Managers were retaining vacancy notification records.

After June 1, 2010, as described in the response to 3(f) below, human resources functions for the Unit were transferred to the Unit's corporate parent. The corporate human resources department ("Fisher HR") as of June 1, 2010, has responsibility for vacancy notification dissemination and recordkeeping. However, only one of the positions filled during the applicable two-year period was recruited for by Fisher HR (Reporter filed 7/2/2010).

The Unit has taken steps to address its recordkeeping inconsistencies. First, as stated above, responsibilities for recordkeeping has been, as of June 1, 2010, clearly delineated. Second, Fisher HR sought and received guidance from its communications counsel in August 2010 concerning the Commission's EEO rules and policies, including the recordkeeping requirements. Finally, Fisher HR and the Unit have also undergone retraining on these recordkeeping rules.

Despite the Unit's inconsistent recordkeeping, the documentation provided in Exhibits 3 through 28 demonstrates that the Unit engaged in meaningful widespread recruitment for each full-time job vacancy during the applicable period in compliance with the FCC's rules.

The following is the list of recruitment sources used by the Employment Unit for job openings during the periods covered by the Public File Reports. During the applicable two-year period, there were no organizations that requested to receive from the Unit notification of job openings. Sources noted with an asterisk (*) were new sources added for the 2009-2010 reporting period.

RECRUITMENT SOURCE	ADDRESS
American Women in Radio and Television*	info@awrt.org
Bakersfield College Job Placement	Bakersfield College 1801 Panorama Drive Bakersfield, CA 93305
Bakersfield Job Fair	Meghan Holland Bakersfield College Campus 1801 Panorama Drive Bakersfield, CA 93305 mholland@bakersfieldcollege.edu
California Broadcasters Association	www.cabroadcasters.org
California State University*	gbleske@suchico.edu
California State University Monterey Bay*	career-development@csumb.edu

RECRUITMENT SOURCE	ADDRESS
California State University Bakersfield Career Development Center	9001 Stockdale Highway Bakersfield, CA 93311
California State University Bakersfield Career Services Center	5121 Stockdale Highway, Suite 100 Bakersfield, CA 93309
Colorado Broadcasters Association*	cobroadcasters@earthlink.com
Dolan Media Management	3 Court Street Frederick Maryland 21701
Employee Referral	n/a
Fisher Website	www.fsci.com
Former Employee	n/a
IBEW Local 45	6255 Sunset Boulevard, Suite 721 Hollywood, CA 90028
Kern County Hispanic Chamber of Commerce	1401 19 th Street, Suite 110 Bakersfield, CA 93301
Latino Journalists of California*	cimperial@kchhc.org
Medialine*	ccnmainfo@ccnma.org
Monster.com*	www.monster.com
National Association of Hispanic Journalists*	www.nahj.com
National Hispanic Media Coalition*	info@nhmc.org
National Lesbian and Gay Journalists*	info@nlgja.org
Oregon Association of Broadcasters*	theoab@theoab.org
Other	n/a
Portland State University*	careerconnect@pdx.edu

RECRUITMENT SOURCE	ADDRESS
Seattle University*	careerservices@seattleu.edu
Station Bulletin Board	1901 Westwind Drive Bakersfield, CA 93301
Station Website	www.bakersfieldnow.com
The Bakersfield Californian	1707 Eye Street Bakersfield, CA 93301
TV Jobs	www.tvjobs.com
TV Spy	www.tvspy.com
Walk In	n/a

Audit Data Request 3(c). In accordance with Section 73.2080(c)(5)(v), [provide] the total number of interviewees for each vacancy and the referral source for each interviewee for all full-time Unit vacancies filled during the period covered by the above-noted EEO public file reports.

Response: The total number of interviewees for each vacancy and the referral source for each interviewee for all full-time vacancies filled during the applicable period are as follows:

POSITION FILLED	NO. OF INTERVIEWEES	REFERRAL SOURCES FOR INTERVIEWEES
News Promotions Writer (filled 8/12/2008)	5	Station Bulletin Board (1) The Bakersfield Californian (4)
Graphic Artist (filled 9/18/2008)	4	Station Bulletin Board (3) Station Website (1)
Reporter (filled 10/16/2008)	4	Station Bulletin Board (2) Station Website (1) TV Jobs (1)
Editor/Photographer (filled 10/17/2008)	4	Station Bulletin Board (1) Station Website (1) California Association of Broadcasters (1) TV Jobs (1)

POSITION FILLED	NO. OF INTERVIEWEES	REFERRAL SOURCES FOR INTERVIEWEES
Producer/Assignment Editor (filled 11/24/2008)	3	Station Bulletin Board (2) TV Jobs (1)
Editor/Photographer (filled 10/13/2008)	4	Station Bulletin Board (2) Station Website (1) California Association of Broadcasters (1)
Editor/Photographer (filled 10/27/2008)	4	Station Bulletin Board (1) Station Website (1) California Association of Broadcasters (1) TV Jobs (1)
Reporter (filled 12/26/2008)	6	Station Bulletin Board (1) TV Jobs (5)
Producer (filled 12/22/2008)	4	TV Jobs (4)
Executive Producer (filled 12/4/2008)	3	Station Bulletin Board (3)
News Director (filled 12/15/2008)	3	Dolan Media (3)
Local Sales Manager (filled 2/2/2009)	4	Station Bulletin Board (1) Station Website (2) Other (1)
Marketing Executive (filled 4/20/2009) (filled 5/4/2009)	12	Kern County Hispanic Chamber of Commerce (1) Station Bulletin Board (5) Station Website (5) Walk In (1)
Anchor/Reporter (filled 3/10/2009)	5	TV Jobs (4) Other (1)
News Operations Manager (filled 3/9/2009)	4	TV Jobs (3) Fisher Website (1)

POSITION FILLED	NO. OF INTERVIEWEES	REFERRAL SOURCES FOR INTERVIEWEES
Ignite Director (filled 5/8/2009)	9	Station Bulletin Board (2) TV Jobs (7)
Photographer (filled 6/1/2009)	5	Station Bulletin Board (2) TV Jobs (3)
Photographer/Editor (filled 6/5/2009)	5	Station Bulletin Board (2) TV Jobs (3)
Morning Anchor (filled 11/2/2009)	9	TV Jobs (7) Employee Referral (1) Walk In (1)
Promotions Writer (filled 12/2/2009)	12	Station Website (10) Other (2)
Reporter (filled 7/2/2010)	7	TV Jobs (6) Other (1)
Producer (filled 5/10/2010)	5	Station Bulletin Board (1) TV Jobs (4)
Local Marketing Executive (filled 11/11/2009)	8	Station Website (3) Fisher Website (1) CSUB (1) TV Jobs (1) Employee Referral (1) Other (1)
Photojournalist (filled 1/15/2010)	7	Station Bulletin Board* (1) TV Jobs (5) Other (1)
Ignite Director (filled 8/17/2009)	5	Station Bulletin Board* (1) TV Jobs (3) California Broadcaster Association (1)
Administrative Assistant (filled 7/6/2010)	6	Bakersfield College (1) Station Website (2) Fisher Website (1) Station Bulletin Board (1) Former Employee (1)

Interviewee referral sources marked with an asterisk (*) represent a special but repeated circumstance. In each of these cases an employee of the Unit referred the interviewee, a partner or spouse of the referring employee, to the Unit. The interviewees had in each case had prior broadcast experience and relocated to the area. The tracking information sheets for these interviewees indicate that the candidates were referred by word-of-mouth, but the actual source of the vacancy information was the Unit's internal bulletin board, as seen by the current employees making the referral.

Ten (10) positions filled and reported between August 1, 2008, and July 31, 2010, were filled by promoting full-time Unit or company employees to these full-time positions. Although the Employment Unit was not required to engage in widespread recruitment in these instances, it did so in all ten (10) cases and reported those hires. These positions are Graphic Artist (filled 9/18/2008), Reporter (filled 10/16/2008), Producer Assignment Editor (filled 11/24/2008), Editor Photographer (filled 10/13/2008), Editor Photographer (filled 10/27/2008), Executive Producer (filled 12/4/2008), Local Sales Manager (filled 2/2/2009), Marketing Executive (filled 4/20/2009), Marketing Executive (filled 5/4/2009), and Ignite Director (filled 5/8/2009).

***Audit Data Request 3(d).** [Provide] [d]ocumentation of Unit recruitment initiatives described in Section 73.2080(c)(2) during the periods covered by the above-noted EEO public file reports, such as participation at job fairs, mentoring programs, and training for staff. Specify the Unit personnel involved in each such recruitment initiative. Also, provide the total number of full-time employees of the Unit and state whether the population of the market in which any station included in the Unit operates is 250,000 or more. Based upon these two factors, determine and state whether the Unit is required to perform two or four initiatives within a two-year period, pursuant to Sections 73.2080(c)(2) and (e)(3).*

Response: The total number of full-time employees of the Employment Unit varies over time. The total number of full-time employees in the Employment Unit as of April 30, 2011, was 71. The Employment Unit's Nielsen Designated Market Area is Bakersfield, California, which, according to 2000 census data, has more than 250,000 people.¹ By the Employment Unit's calculation, the Unit is required to perform four (4) initiatives in each applicable two-year period.

During the period of time covered by the two most recent EEO Public File Reports, the Employment Unit engaged in the following recruitment initiatives described under § 73.2080(c)(2) and has provided, as Exhibits 29 through 32, respectively, documentation demonstrating performance of the following recruitment initiatives:

¹ Census data for 2010 is not yet available.

Internship Program
(47 C.F.R. § 73.2080(c)(2)(iv))
Exhibit 29

<i>Activity</i>	<i>Personnel Involved</i>
The Weather Road Show (Twice monthly during the 2008-2009 school year)	Aaron Perlman, Weather Forecaster
The Weather Road Show (Twice monthly during the 2009-2010 school year)	Aaron Perlman, Weather Forecaster

Participation in Programs Sponsored by
Educational Institutions
(47 C.F.R. § 73.2080(c)(2)(v))
Exhibit 30

<i>Activity</i>	<i>Personnel Involved</i>
Internship Program (3 interns during 2008-2009)	Maria Lara, HR Manager
Internship Program (4 interns during 2009-2010)	Maria Lara, HR Manager

Conventions, Career Days, Workshops, and Similar Activities
(47 C.F.R. § 73.2080(c)(2)(vii))
Exhibit 31

<i>Activity</i>	<i>Personnel Involved</i>
Fisher Broadcasting Company Scholarship for Minorities (2008-2009 school year)	Anita Bozanich, HR Generalist Maria Lara, HR Manager
Fisher Broadcasting Company Scholarship for Minorities (2009-2010 school year)	Anita Bozanich, HR Generalist

Activities to Promote Outreach Generally
(47 C.F.R. § 73.2080(c)(2)(i))
Exhibit 32

<i>Activity</i>	<i>Personnel Involved</i>
Bakersfield College Job Fair (April 1, 2009)	Teresa Burgess, General Manager Maria Lara, HR Manager
Career Services Center of Bakersfield Harvest Job Fair (October 29, 2009)	Maria Lara, HR Manager Griselda Torres, Accounting Assistant
Bakersfield College Career Day (April 28, 2010)	Maria Lara, HR Manager Renee Vigil, Business Manager
Assemblyman Kevin McCarthy's Job Resource Expo (March 8, 2010)	Maria Lara, HR Manager Griselda Torres, Accounting Assistant

Audit Data Request 3(e). Disclose any pending or resolved complaints involving the Station filed during the Station's current license term 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 all complaints must be reported, regardless of their status or disposition.

Response: The Licensee acquired the stations in the Employment Unit on January 1, 2008.² There have been no such complaints filed against KBAK-TV or KBFX since January 1, 2008.

Audit Data Request 3(f). *In accordance with Section 73.2080(b), from the first day of the Station's current license term (or the date the licensee became the owner, if after that date) until the date of this letter, 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.*

Response. *Enforcement of EEO Policies Through June 1, 2010.* As stated above, the Licensee became the owner of the stations in the Unit as of January 1, 2008. From that time through June 1, 2010, the Unit had four levels of management that reviewed and ensured enforcement of EEO policies and procedures: the Vice President and General Manager, Human Resources Manager, Department Heads, and Hiring Managers. The Unit's Vice President and General Manager and Human Resources Manager had primary responsibility for ensuring enforcement of EEO policies and procedures. Each level of management at the Unit had specific responsibilities and input within their departments to make sure that these policies were followed throughout the team member life cycle including, recruitment, hiring, daily supervision, training, and separation of employment.

The Human Resources Manager had oversight of recruitment efforts for all open positions. The Human Resources Manager maintained EEO records and compiled the 2008-2009 EEO Public File Report.

Vacancy notifications were distributed to appropriate recruitment sources by the relevant Hiring Managers. In consultation with the Human Resources Manager, each Hiring Manager (or his or her designee) created a job posting for every open position, and each posting was reviewed carefully to ensure equal opportunity to all interested applicants. Postings generally contain standard EEO language. The Human Resources Manager discussed with the Hiring Manager the recruitment sources to be used to fill each position. When conducting interviews, the Hiring Managers had the responsibility to record appropriate applicant data on the standardized EEO forms for each vacancy within their department. Completed forms were turned into the Human

² See FCC File No. BALCT-20070816ABO. A consummation notice filed electronically on January 2, 2008, is on file with the Commission.

Resources Manager to ensure required data had been recorded and files were maintained. As discussed in response to 3(b) above, the Hiring Managers were charged with maintaining vacancy notification records.

Hiring Managers and Department Heads had significant input into the hiring, daily supervision and separation of team members within their department and were expected to recognize and abide by EEO regulations when making personnel decisions.

The Vice President and General Manager and Department Heads used weekly Department Head meetings to discuss and reinforce EEO policies and procedures when necessary. New managers are trained carefully to ensure these policies are understood and followed.

The Human Resources Manager, Department Heads, Hiring Managers, and some additional station staff participated in various outreach initiatives. All team members were encouraged to participate in activities that promote broadcasting as a career, including speaking at school or community events.

Enforcement of EEO Policies After June 1, 2010. The enforcement activities described above have continued in effect after June 1, 2010, except as stated below.

On June 1, 2010, human resources functions across Fisher Communications, Inc. ("Fisher"), the Unit's parent company, were centralized in Fisher's corporate office. At that time the Unit's Human Resources Manager position was eliminated. Vacancy notifications are now distributed by a Human Resources Manager at Fisher ("Fisher HR"). When a full-time vacancy opens, the relevant Hiring Manager contacts Fisher HR staff to determine the recruitment sources to be used to fill the vacancy. Fisher HR staff then distribute vacancy notifications to the Unit's list of recruitment sources and maintain documentation related to these communications. Postings generally contain standard EEO language. Hiring Managers complete standardized EEO paperwork concerning the interviews conducted and hires made and return them to Fisher HR for maintenance.

The EEO Public File Report is completed by Fisher HR, in consultation with the Unit's Vice President and General Manager.

Unit's Efforts to Inform Employees and Applicants of EEO Policies and Program. Managers are reminded in writing whenever they have a job opening that they are required to follow established EEO policies and procedures when recruiting and interviewing for positions.

All team members, upon starting work, receive a copy of the Team Member Handbook, which contains the company's EEO anti-discrimination policy. Every person hired by the station must sign off on the acknowledgement that they have reviewed and understand the policy described in the Manual. Subsequently, team members recertify their handbook acknowledgements annually. The policy is as follows:

Equal Employment Opportunity: Fisher complies with federal and state equal employment opportunity laws and strives to keep the workplace free from all forms of harassment, including sexual harassment. Company policy prohibits unlawful discrimination based on race, color, creed, sex, religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition, sexual orientation, or any other consideration made unlawful by applicable federal, state or local laws. Fisher is committed to providing equal employment opportunity for all persons.

Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, terminations of employment, working conditions, compensation, benefits, and other terms and conditions of employment.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, Fisher will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or a team member. Any applicant or team member who requires an accommodation in order to perform the essential functions of the job needs to make the accommodation known during the hiring process or, if employed, he or she should contact the appropriate manager to request such an accommodation. If the accommodation is reasonable and does not impose an undue hardship, Fisher will make the accommodation.

The Employment/Internship Opportunities page of the Fisher Communications Internet site with all station job postings contains the EEO anti-discrimination policy, as follows:

As an equal opportunity employer, we hire without consideration to race, religion, creed, color, national origin, age, gender, sexual orientation, marital status, veteran status or disability.³

The collective bargaining agreement between the Unit and the IBEW union contains language stating that both parties shall comply with all regulations governing employment discrimination.

Audit Data Request 3(g). *In accordance with Section 73.2080(c)(3), from the first day of the Station's current license term (or the date the licensee became the owner, if after that date) until the date of this letter, 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.*

Response. The Unit monitors and analyzes its EEO recruitment program on a regular and ongoing basis. The Vice President and General Manager and Human Resources Manager (through June 1, 2010) and Fisher HR (after June 1, 2010) continually maintain and review the

³ See <http://tbe.taleo.net/NA5/ats/careers/jobSearch.jsp?org=FISHERCOMM&cws=1> (last visited May 12, 2011).

EEO Public File Reports. Through June 1, 2010, the Human Resources Manager and, after June 1, 2010, Fisher HR maintain the recruitment source list and add new sources when they become available. Indeed, as noted in response to 3(b) above, several new organizations were added to the Unit's list of recruitment sources in June 2010, when Fisher HR assumed the Unit's human resources functions. Department Heads and Hiring Managers actively participate in the recruitment and interviewing process to ensure compliance with the company's EEO program.

The Human Resources Manager, through June 1, 2010, and Fisher HR, after June 1, 2010, meet with all new managers who have any hiring responsibility to discuss EEO policies and procedures and to give them a packet of information containing written responsibilities and sample documents in the area of recruitment and adherence to the EEO program. The Human Resources Manager (through June 1, 2010) and Fisher HR (after June 1, 2010) then ensure that, for every regular position that is posted, EEO policies and procedures are followed.

The Human Resources Manager (through June 1, 2010) and Fisher HR (after June 1, 2010) regularly remind all team members of the importance of broad outreach to potential job candidates, encourage them to speak to classes at schools and to community groups, and request that they send to Human Resources documentation memorializing speaking engagements, panel appearances, or any other examples of community outreach relating to careers in broadcasting.

Additionally, on August 10, 2010, Fisher HR staff participated in an EEO training session with its communications counsel to discuss the Commission's EEO rules and policies.

***Audit Data Request 3(h).** In accordance with Section 73.2080(c)(4), from the first day of the Station's current license term (or the date the licensee became the owner, if after that date) until the date of this letter, 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.*

Response. *Compensation and Benefit Levels.* The Unit's compensation levels are reviewed on an annual basis during budget preparation by the Vice President and General Manager, Human Resources Manager (through June 1, 2010), Fisher HR (after June 1, 2010), Business Manager, and Department Heads to ensure the levels provide equal opportunities for all team members and do not have a discriminatory effect. The compensation levels are also reviewed with corporate managers of the parent company and are compared to industry compensation reports. The Unit and unions, through corporate and union attorneys, during collective bargaining sessions, discuss compensation to ensure equal and non-discriminatory effects among contracted team members.

Seniority Practices and Promotions. Department Heads and department managers conduct annual written and periodic, ongoing verbal performance appraisals for each team member. Internal promotions are based upon the results of the performance appraisals and

discussions between the Vice President and General Manager, Human Resources Manager (through June 1, 2010), Fisher HR (after June 1, 2010), and Department Heads, all of whom have responsibility for ensuring appropriate enforcement of the company's EEO program and policy.

Selection Techniques. After providing notices of job vacancies to a wide and diverse array of educational institutions, professional and non-profit organizations, and Internet resources, the selection process is based upon the experience, qualifications, and talents of the candidates. The Vice President and General Manager, Human Resources Manager (through June 1, 2010), Fisher HR (after June 1, 2010), and appropriate Hiring Manager consult on each selection.

Union Cooperation. The collective bargaining agreement between the Unit and the unions and the International Brotherhood of Electrical Workers (IBEW) contains non-discrimination and EEO language, as follows:

There shall be no discrimination by either the Union or the Employer against any employee or job applicant because of race, color, national origin, religion, sex, age, marital status, sexual orientation, disability or any other protected status.

Station management and union representatives meet as needed to discuss issues impacting union team members, and when relevant and appropriate, employment decisions are discussed and care is taken to ensure decisions are performance or seniority-based and are non-discriminatory.

The remaining audit data requested is not applicable. The Licensee is not a religious broadcaster and has no time brokerage arrangements.

The Employment Unit is placing a copy of this letter and the Exhibits on CD-ROM in its Public Inspection File.

If you have any questions regarding this response or need any further information, please call our attorney Elizabeth Spainhour at (919) 839-0300.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Teresa Burgess". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Teresa Burgess
Vice President and General Manager
Fisher Broadcasting—California TV, L.L.C.,
Licensee of KBAK-TV and KBFX(CA)

Exhibit List
Fisher Broadcasting—California TV, L.L.C.
EEO Audit Response

- | | |
|------------|---|
| Exhibit 1 | 2008-2009 EEO Public File Report |
| Exhibit 2 | 2009-2010 EEO Public File Report |
| Exhibit 3 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the News Promotions Writer position filled 8/12/2008 |
| Exhibit 4 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Graphic Artist position filled 9/18/2008 |
| Exhibit 5 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Reporter position filled 10/16/2008 |
| Exhibit 6 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Editor/Photographer position filled 10/17/2008 |
| Exhibit 7 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Producer/Assignment Editor position filled 11/24/2008 |
| Exhibit 8 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Editor/Photographer position filled 10/13/2008 |
| Exhibit 9 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Editor/Photographer position filled 10/27/2008 |
| Exhibit 10 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Reporter position filled 12/26/2008 |
| Exhibit 11 | Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Producer position filled 12/22/2008 |

- Exhibit 12 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Executive Producer position filled 12/4/2008
- Exhibit 13 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the News Director position filled 12/15/2008
- Exhibit 14 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Local Sales Manager position filled 2/2/2009
- Exhibit 15 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Marketing Executive positions filled 4/20/2009 and 5/4/2009
- Exhibit 16 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Anchor/Reporter position filled 3/10/2009
- Exhibit 17 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the News Operations Manager position filled 3/9/2009
- Exhibit 18 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Ignite Director position filled 5/8/2009
- Exhibit 19 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Photographer position filled 6/1/2009
- Exhibit 20 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Photographer/Editor position filled 6/5/2009
- Exhibit 21 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Morning Anchor position filled 11/2/2009
- Exhibit 22 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Promotions Writer position filled 12/2/2009

- Exhibit 23 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Reporter position filled 7/2/2010
- Exhibit 24 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Producer position filled 5/10/2010
- Exhibit 25 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Local Marketing Executive position filled 11/11/2009
- Exhibit 26 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Photojournalist position filled 1/15/2010
- Exhibit 27 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Ignite Director position filled 8/17/2009
- Exhibit 28 Copies of all available advertisements, bulletins, letters, faxes, emails, or other communications announcing the Administrative Assistant position filled 7/6/2010
- Exhibit 29 Documentation demonstrating participation in events sponsored by organizations representing groups in the community interested in broadcast employment issues, including conventions, career days, workshops, and similar activities
- Exhibit 30 Documentation of internship program established to assist members of the community to acquire skills needed for broadcast employment
- Exhibit 31 Documentation demonstrating participation in scholarship programs designed to assist students interested in pursuing a career in broadcasting
- Exhibit 32 Documentation demonstrating participation in job fairs by station personnel who have substantial participation in the making of hiring decisions