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POSTED TO KUVN-DT ONLINE PUBLIC INSPECTION FILE

Ms. Elizabeth E. Goldin
Assistant Chief, Investigations & Hearings Division
Enforcement Bureau
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Re: **KUVN-DT (Facility ID 35841), Garland, TX Response to 2022
Random EEO Audit**

Dear Ms. Goldin:

KUVN License Partnership, L.P., licensee of KUVN-DT, Garland, TX (“KUVN-DT” or the “Station”), hereby responds (the “Response Letter”) to your letter dated March 21, 2022, stating that the Station has been randomly selected for an EEO audit. The Station is commonly owned with and comprises the same employment unit as: KSTR-DT, Irving, TX (licensed to Unimas Dallas LLC); KUVN-CD, Fort Worth, TX (licensed to KUVN License Partnership, L.P.); KDXX(FM), Lewisville, TX, KFLC(AM), Benbrook, TX, and KFZO(FM), Denton, TX (licensed to Univision Radio San Francisco, Inc.); KESS(FM), Benbrook, TX (licensed to Tichenor License Corporation); and KLNO(FM), Fort Worth, TX (licensed to Univision Radio Stations Group, Inc.) (together with KUVN-DT, the “Stations” or the “Employment Unit”). All licensees are subsidiaries of Univision Communications Inc. (“Univision”).

These responses, which are provided in the order of the requests in Section 2 of your letter, were prepared under my general supervision with the assistance of Maricela Morin, who serves as the Employment Unit’s EEO Officer. As a parent company, Univision establishes basic EEO policies for its employment units and provides human resources and certain other administrative services to those employment units.

2(b)(i) “Copies of the Unit’s two most recent EEO public file reports, described in section 73.2080(c)(6).”

The license renewal application filing anniversary date for the Stations is April 1. Exhibit A, therefore, attaches the EEO Public File Reports for the periods April 1, 2020 - March 31, 2021 and April 1, 2021 - March 31, 2022. The cover sheets supplied in Exhibit B identify the dates of each full-time hire covered by the reports.

2(b)(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 websites 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 Stations have a joint website, from which their most recent EEO public file report is accessible via hyperlink: <https://www.univision.com/local/dallas-kuvn>; <https://st1.uvning.com/d6/ba/622dcbb8441f8fbf6ba19573350f/dallas-2021-2022-annual-eeo-report-final-3.31.2022.pdf>.

2(b)(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), 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 a job notice was sent to multiple sources, the Unit may include in its 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).¹ 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).”

During the two-year reporting period covered by the two most recent EEO Public File Reports, the Stations hired 14 full-time employees. Exhibit B includes a cover sheet for

¹ For on-air announcements that aired multiple times to advertise the position, you may send a traffic log summary documenting the timeframe during which the announcements aired (in lieu of the log in its entirety). The log showing all air dates and times may be required for additional verification, but the Unit need not provide with its initial response.

each of those openings which identifies the position, the number of interviewees for each opening, and the referral source for each interviewee and hiree. Each cover sheet is followed by copies of letters, emails, and other communications sent to recruitment sources to notify them of the vacancy. In circumstances in which the same letter, email or communication was sent to multiple recruitment sources, the Employment Unit has included a representative communication followed by a list of the sources to whom it was sent.

The Stations' practice is to retain copies of all letters, emails, and notices sent to all sources used, as required by section 73.2080(c)(5)(iii).

While it is the Stations' practice to disseminate notice of job vacancies broadly to multiple sources, for several positions filled during each of the 2020-2021 and 2021-2022 reporting periods, the Stations relied primarily on publication through its external Univision careers site.² The majority of the Stations' interviewees and hirees hear about job vacancies at the Stations via the Univision careers site. It is well-known throughout Univision's markets, easy to navigate, and the positions posted to the Univision careers site are frequently scraped by other popular job search websites such as Indeed.com and LinkedIn. That said, the Stations' normal course practice is to recruit more broadly. The reporting periods covered by this audit fall entirely within the COVID-19 pandemic. This has been a difficult time for the Stations, as employees have been trying to perform their jobs safely by working from home. The Stations also experienced an unusually high rate of turnover during the 2020-2021 and 2021-2022 reporting periods, and four different employees filled the role of EEO Officer for the Employment Unit during this time. To ensure that the Stations' practice of recruiting broadly to multiple sources for all positions is adhered to going forward, the Employment Unit will designate a senior manager to directly oversee recruitment at the beginning of any new EEO Officer's tenure.

² The 2020-2021 EEO public file report suggests that Columbia College Chicago, Ohio/Illinois Center for Broadcasting, and University of North Texas - the first two of which are not located in the Dallas area - requested to receive notice of job vacancies. There is no one at the Employment Unit who is aware of when or how these sources may have requested this notice. Further, it is our belief that the designation of these sources as having requested notice was removed from the 2021-2022 EEO public file report after the then-EEO officer confirmed with these sources that they were not requesting notice of all job vacancies pursuant to FCC EEO rules. (This belief is based on discussions that the Univision legal department had with the Employment Unit that these sources could only be treated as no longer entitled to vacancy notification if the Employment Unit reached out to the sources to confirm. Because the EEO officer in place at the time is no longer with the company, we have not been able to confirm.) The designation for these three sources was removed from the 2021-2022 EEO public file report, though the Employment Unit has elected to notify these sources of several positions during the reporting period.

2(b)(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.”

Each of the two Annual EEO Public File Reports attached as Exhibit A provides the total number of interviewees for all full-time Employment Unit vacancies filled during the reporting period and the referral sources of the interviewees. The cover sheets in Exhibit B further indicate the number of interviewees for each position and the referral source for each interviewee.

2(b)(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 at job fairs, events with educational institutions, and mentoring or training programs for staff. Specify the Unit personnel involved in each such 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 provided 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.”

Each of the two EEO Public File Reports attached as Exhibit A provides a description of the supplemental outreach initiatives undertaken by the Employment Unit during the reporting period. Exhibit C includes cover sheets describing activities sufficient to constitute four or more points worth of initiatives under section 73.2080(c)(2), and identifying the personnel involved to the extent that information is not reflected in accompanying documentation. These cover sheets are followed by documentation that reflects the performance of each initiative.

The Stations currently have 92 full-time employees. The Station is located in an OMB metropolitan area with a population of greater than 250,000 persons. Accordingly, the Station is not located in a “smaller market,” as defined in section 73.2080 of the FCC’s rules, and the Station is therefore required to perform four supplemental initiatives over the course of the two-year period covered by these reports.

2(b)(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 the Unit must report all complaints, regardless of their status or disposition.”

During the Station’s current license term, no such complaints have been filed against the Stations.

2(b)(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)), a description of 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.”

Mark Masepohl, President and General Manager, Univision Dallas, is responsible for ensuring that the Employment Unit provides equal employment opportunity in all employment decisions. In addition, in accordance with EEO policies, the EEO Officer, Maricela Morin, works with Mr. Masepohl to ensure that the Employment Unit effectively implements its recruitment and related programs as an equal opportunity employer. This includes maintaining and periodically updating and revising a list of recruitment sources; publicizing job openings (upon approval of the job posting by the relevant Department Manager); and maintaining records of information relating to the recruitment, interview, and hiring process. The Employment Unit’s EEO Officer also is responsible for reviewing the effectiveness of the Employment Unit’s EEO recruitment policies on an ongoing basis as well as annually.

Employees in Department Manager and supervisor level positions are responsible for understanding, communicating, observing and implementing the Employment Unit’s EEO policy in all employment related matters so as to prevent discrimination and provide equal employment opportunities to employees, as well as applicants under consideration for positions. This includes ensuring that job descriptions comply with Univision’s EEO policies and that information relating to the individuals interviewed and hired is provided to the EEO Officer.

The Employment Unit notifies applicants for job openings of its basic EEO policy commitment on employment applications and other publications of job notices. When hired, regular employees are required to acknowledge receipt of a Univision Employee Handbook,

which covers, among other things, Univision EEO policies. In addition, EEO notices that explain various rights and responsibilities relating to equal employment opportunity are placed on bulletin boards in the Employment Unit's offices. As a further effort to help ensure that effective steps are being taken to build and maintain a diverse workforce, Univision schedules training sessions regarding EEO compliance and non-discrimination practices in the workplace for the EEO Officer every two years. Additional guidance on FCC requirements is provided by myself, as Associate General Counsel, and by our outside legal counsel.

2(b)(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)), a description of 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.”

The Employment Unit's EEO Officer is responsible for reviewing the effectiveness of the Employment Unit's EEO recruitment policies on an ongoing basis as well as annually, pursuant to Univision's EEO policies. The EEO Officer, Maricela Morin, assesses recruitment and outreach efforts in the course of the Employment Unit's preparation of the Annual EEO Public File Report. The review includes assessment of the Employment Unit's recruitment sources to help ensure that they reflect a diverse array of sources designed to reach all segments of the community.

2(b)(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)), a description of 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.”

The Employment Unit strives to comply with all federal, state and/or local laws regarding pay, benefits, seniority practices, promotions and selection techniques, and tests to ensure that the Employment Unit provides equal opportunity and does not discriminate against employees or applicants. Univision sets policies regarding employee benefits on a company-wide basis. As noted, the Employment Unit is responsible for ensuring equal employment opportunity in all employment related decisions in accordance with Univision policy and applicable legal requirements.

As the Employment Unit's President and General Manager, Mr. Masepohl reviews compensation, promotions and selection techniques on an annual basis in connection with preparation of a business plan for the upcoming year within the context of basic parameters established by Univision. Such matters are also reviewed on an as-needed basis

throughout the year. Mr. Masepohl also reviews promotion and salary increase decisions at the time they are made.

The Station does not have an agreement with any labor union.

2(b)(x) “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.”

This request is not applicable.

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Ms. Elizabeth E. Goldin
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Please contact me if you have any questions about this Response Letter.

I certify that the statements in this Response Letter are true, correct and complete to the best of my knowledge and belief, and are made in good faith.

Respectfully submitted,

/s/ Christopher G. Wood

Christopher G. Wood
Senior Vice President and
Associate General Counsel -
Government and Regulatory Affairs

Attachments (Exhibits A-C)