

May 28, 2010

EEO Staff  
Policy Division  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: Television Station WNLO (TV)  
Buffalo, New York  
Facility ID No. 71905**

Dear Sir or Madam:

WIVB Broadcasting, Inc. ("LIN"), licensee of Station WNLO (TV), Buffalo, New York ("WNLO"), hereby provides the information requested by the Federal Communications Commission in a letter dated April 19, 2010, from the Media Bureau (the "EEO Audit Letter"). This response is timely filed.

As requested in the EEO Audit Letter, LIN provides information for the applicable Station Employment Unit, which consists of WNLO and Station WIVB-TV, Buffalo, New York, Facility ID 7789 (the "Stations" or the "Employment Unit" or "Unit").

In making this response, LIN relied upon an examination of its files and records and due inquiry of current employees who are knowledgeable of employment-related issues at the Employment Unit. The responses below correspond to paragraphs as they are set forth in the EEO Audit Letter.

**Paragraph 3: Audit Data Requested**

**Paragraph 3(a):**

The Employment Unit's two most recent EEO Public File Reports are attached hereto as Attachment A. The Employment Unit's websites are as follows:

The WIVB website is located at [www.wivb.com](http://www.wivb.com), where the annual EEO report can be found at [http://www.wivb.com/subindex/About\\_Us](http://www.wivb.com/subindex/About_Us), and the WNLO website is located at [www.cw23.com](http://www.cw23.com), where the annual EEO report can be found at [http://www.cw23.com/subindex/about\\_us](http://www.cw23.com/subindex/about_us).

The chart included in Attachment A provides the date of hire of each position referenced on the last two annual EEO public file reports.

**Paragraph 3(b):**

During the period covered by the EEO Public File Reports, the Employment Unit filled 19 vacancies. Copies of notifications, postings and advertisements (collectively, “notifications”) announcing the full-time positions filled during the period covered by the two most recent EEO Public File Reports are attached hereto as Attachment B.

The notifications sent to recruitment sources are organized by vacancy and generally appear in the order set forth in the EEO Public File Reports. In this period, the Employment Unit did not receive a request to receive job notifications – as described in § 73.2080(c)(1)(ii) – from any local organizations.

**Paragraph 3(c):**

The total number of interviewees for each full-time vacancy and the referral source for each such interviewee during the period covered by the EEO Public File Reports are attached hereto as Attachment C.

**Paragraph 3(d):**

As of the date of this response, the Employment Unit employed more than ten full-time employees and is located in a market with more than 250,000 people. The Employment Unit therefore must complete four long-term initiatives in each two year period. The EEO Public File Reports located in Attachment A describe the Employment Unit’s long-term initiatives

**Paragraph 3(e):**

There have been no complaints filed during the Employment Unit’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 Employment Unit on the basis of race, color, religion, national origin or sex.

**Paragraph 3(f):**

The Employment Unit’s General Manager has ultimate responsibility for ensuring that the Employment Unit’s EEO policy is followed for each vacancy. The Employment Unit also has a new EEO Coordinator, Melvin Jelks, who works with appropriate managers when a vacancy occurs to ensure that the Unit’s EEO policy, including all proper recruitment procedures, is followed. Since Mr. Jelks has arrived at the Stations, the Stations have embarked on a renewed emphasis on broad recruitment, as described further below. Upon completion of the recruitment process, the EEO Coordinator advises the General Manager that all requirements have been met and that the vacancy can be filled.

The EEO Coordinator's responsibilities also include widely disseminating information for each full-time vacancy, ensuring the Stations fulfill all supplemental recruitment initiatives over each two-year period, keeping accurate recruitment and hiring records, preparing the Employment Unit's annual EEO Public File Report, and conducting annual self-assessment of recruitment efforts at the Stations.

The Employment Unit informs job applicants that it is an equal opportunity employer on all job postings and on its job application. Newly hired employees are given information regarding the Employment Unit's EEO policy during their training orientation. These new employees receive the LIN No Harassment Policy. Employees also receive revised copies of this policy when it is revised. Employees have continuous access to the LIN No Harassment Policy, which includes the Employment Unit's EEO policies, at anytime via the LIN online intranet site. Notice to employees of key employment rights, including instructions about how to submit a discrimination claim, is conspicuously posted on the Employment Unit's employee bulletin board. In addition to these measures, all management-level employees, the EEO Coordinator, the Corporate Vice President of Human Resources and the General Manager are available to discuss the Employment Unit's EEO policies at any time with job applicants and employees.

**Paragraph 3(g):**

The Employment Unit recently hired a new Business Administrator responsible for the EEO Coordinator role, Melvin Jelks. After Mr. Jelks arrived at the Stations, he launched a review of the Station's EEO processes, from recruitment to document retention. As a result of his analysis, Mr. Jelks has begun implementing several significant programs in relation to the Stations' FCC EEO obligations.

For example, the EEO Coordinator maintains the recruitment sources list. After the arrival of Mr. Jelks at the Stations, the Employment Unit updated and revised its recruitment list with the additional recruitment sources shown in Attachment E hereto. Mr. Jelks intends to periodically update it to maintain accuracy and to ensure wide dissemination of job vacancy announcements across the Employment Unit's community.

Furthermore, Mr. Jelks contacted several community organizations and asked if they would like to be considered "Entitled to Notification" going forward. The Station intends to regularly make such requests of local community organizations.

In addition, the General Manager and EEO Coordinator have recently instructed hiring managers on the FCC's EEO policies to be sure that hiring managers understand the requirements of the FCC's EEO policies. Mr. Jelks also recently attended an FCC EEO webinar sponsored by LIN Television Corporation, WIVB Broadcasting, Inc.'s parent company.

**Paragraph 3(h):**

For each job hire and promotion at the Employment Unit, the applicable pay rate or pay increase is reviewed and approved by at least two levels of management. Pay rates, benefits, promotions, seniority practices and selection techniques are reviewed annually by the General Manager and department heads and decisions are made based on performance without regard to race, color, religion, national origin or sex to assure equal opportunity and the absence of discriminatory effect. In promotion situations, all candidates are evaluated equally based on their qualifications and the requirements of the position. Outside candidates applying for positions with the Employment Unit are evaluated in the same manner. LIN's Vice President of Human Relations, in consultation with other members of the LIN management team, regularly reviews the company's pay rates, benefits, promotions, seniority practices and selection techniques independent of the General Manager's local review.

The stations, assisted by corporate headquarters, work with unions to prevent nondiscrimination in employment practices and to include in the labor agreements (currently with AFTRA and NEBET-CWA, AFL-CIO) an effective nondiscrimination clause.

**Paragraph 3(i):**

LIN is not a religious broadcaster; therefore this paragraph is not applicable.


**Paragraph 4:**

None of the Stations comprising the Employment Unit is being brokered by another company.

Should any questions arise regarding this information, please contact the undersigned by telephone at 401-457-9525 or e-mail at [Joshua.Pila@linmedia.com](mailto:Joshua.Pila@linmedia.com).

Respectfully submitted,

**WIVB BROADCASTING, Inc.**

By:   
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Regulatory Counsel and Assistant Secretary

Attachments