



KELO-TV      KDLO-TV      KPLO-TV      KCLO-TV  
KELO-DT      KDLO-DT      KPLO-DT      KCLO-DT



April 12, 2018

EEO Staff, Policy division  
Media Bureau  
Federal Communications Division  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: EEO Audit Response  
Nexstar Broadcasting, Inc.  
FRN: 0009961889  
KDLO-TV, Florence, SD, FAC ID 41975  
KELO-TV, Sioux Falls, SD, FAC ID 41983  
KPLO-TV, Reliance, SD, FAC ID 41964**

Dear Sir or Madam:

Nexstar Broadcasting, Inc., licensee of KDLO-TV, Florence, South Dakota, FAC ID 41975, hereby responds to the February 26, 2018 letter (the "EEO Audit Letter") from Lewis C. Pulley, Assistant Chief, Policy Division, Media Bureau, Federal Communications Commission, which stated that the KDLO-TV station employment unit had been randomly selected for an audit of its EEO program. KDLO-TV, KELO-TV, Sioux Falls, South Dakota, FAC ID 41983, and KPLO-TV, Reliance, South Dakota, FAC ID 41964, are commonly owned and operated and constitute a single station employment unit ("SEU"). As such, the instant letter serves a collective response for the above referenced stations.

**3(a). Provide the SEU's two most recent EEO Public File Reports and the SEU's web address.**

Response: A copy of the SEU's Annual EEO Public File Reports for the periods November 2015 through November 2016 (Exhibit 1.1) and November 2016 through November 2017 (Exhibit 1.2) are attached. Each report was posted timely to KELO-TV's website <http://www.keloland.com/>. KDLO-TV and KPLO-TV do not maintain separate websites. The date of each full-time hire is noted on each EEO public file report.

**3(b). For each SEU full-time position filled during the period covered by the above EEO public file reports provide dated copies of all advertisements,**



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bulletins, letters, faxes, e-mails, or other communications announcing the position. Include copies of all job announcements sent to any organization (identified separately from other sources) that has notified the SEU that it wants to be notified of SEU job openings.

Response: No entities have requested that the SEU notify it of all job openings during the reporting period. Copies of the notices for each job opening listed in the public file reports and the list of recruiting sources utilized for each opening are attached as Exhibit 2.1 (2015 report) and 2.2 (2016 report).

**3(c). Provide the total number of interviewees for each vacancy and the referral source for each interviewee for all full-time SEU vacancies filled during the period covered by the above-noted EEO public file reports.**

Response: This information is provided in the EEO public file reports included in Exhibit 1.1 and Exhibit 1.2.

**3(d). Provide documentation of SEU's recruitment initiatives during the periods covered by the above-noted EEO public file reports. Specify the SEU personnel involved in each such recruitment initiative. Also, provide the total number of full-time employees of the SEU and state whether the population of the market in which any station included in the SEU operates is 250,000 or more. Based upon these two factors, determine and state whether the SEU is required to perform two or four initiatives within a two-year period.**

Response: There are currently 89 full-time employees of the SEU, and the population of the Sioux Falls, South Dakota market is less than 250,000. Accordingly, the SEU is required to perform two (2) initiatives during each two-year period. Attached as Exhibit 3.1 (2015 report) and 3.2 (2016 report) is documentation demonstrating performance of the SEU's recruitment initiatives identified in the EEO public file reports. Station personnel involved in the initiatives are noted in the reports and supporting documentation.

**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 SEU on the basis of race, color, religion, national origin, or sex.**

Response: An EEOC complaint, citing race discrimination, Case No. 551-2015-01798, was filed on October 26, 2015. The case was dismissed on April 1, 2016.



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**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: The SEU's General Manager ("GM"), all SEU department heads, each of whom report to the GM, and SEU middle managers, each of whom report to the department heads are trained on the SEU's EEO policies, including EEO hiring obligations. Said training is refreshed on a regular basis. The SEU's department heads and middle managers are responsible for informing all employees and applicants of the SEU's EEO policies. A copy of the SEU's EEO/Affirmative Action Policy Statement is displayed in the employee break room and other common areas of the station.

The SEU's EEO policy is stated on each job application, which indicates that the SEU/Nexstar considers applicants for all positions without regard to race, color, religion, creed, gender, national origin, age, disability, marital status or veteran status. That same policy is displayed prominently in the SEU's employee handbook, distributed to each employee and available online through our employee web portal.

The SEU periodically broadcasts an announcement containing the SEU's EOE statement and asking local organizations to contact the station if they would like to receive job vacancy notifications. A copy of this script is included in this response material as Exhibit 4.

**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: In addition to the efforts undertaken as part of the preparation of the SEU's Annual EEO Public File Report, the SEU also audits the employee personnel files on a regular basis to conduct a review of persons hired to ensure that the SEU has an effective EEO recruitment program. The results of the



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review are internally discussed with the GM and all department heads in an effort to modify the program and implement improvements as necessary.

**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: The SEU's benefits and seniority practices are established at the parent/corporate level by Nexstar and, therefore, are not subject to discriminatory practices. When positions are open at the SEU, job announcements are posted in the SEU's break room on the employee bulletin board and posted on Nexstar's internal intranet. This ensures that any employee has the opportunity to apply for a promotion or transfer to another department. Nexstar policy requires that all employees receive an annual performance review, and pay increases may be awarded based on performance. Additionally, the GM periodically reviews the SEU's processes to ensure that its practices are adequate and nondiscriminatory.

Further, the Nexstar policy regarding equal employment opportunity contains an express provision aimed at nondiscrimination in promotion and advancement opportunities for current employees. Nexstar encourages all employees to realize their full potential and endeavors to promote from within and accommodate requests for transfers; therefore, when there is an opening within the company, internal candidates who have the right qualifications will be considered first. Decisions to promote or transfer are based on an employee's entire employment record, including skills, performance, cooperation with colleagues, efficiency, attendance record, experience, responsiveness to internal and external customers, disciplinary record and safety record. It is the goal of this policy that these special considerations will increase the retention of our experienced employees as an expression of Nexstar's commitment to every employee's personal growth and development, and help us to meet the development needs of the company.

**3(i). Religious Broadcasters.** Not applicable.

**4. Time Brokerage.** Not applicable.



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Should you have any questions regarding the foregoing information, please contact our attorney, Christine Reilly at (972) 764-6721.

Sincerely,

Jay Huizenga  
Vice President & General Manager



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