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April 3, 2020

Mr. Lewis Pulley, Assistant Chief
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: EEO Program Audit for KPLI(FM) (Fac.ID 91212), Olympia, WA

Dear Mr. Pulley and Bureau Staff:

This law firm represents Pacific Public Media, licensee of the above-referenced non-commercial educational radio station KPLI(FM). With this letter we are submitting to the Enforcement Bureau the response of Pacific Public Media ("PPM") to the EEO Audit Letter (dated February 6, 2020) received by PPM by uploading the Resonse and supporting documents Exhibits to the Online Public Insprction Files (OPIF) of KPLI and the other FM stations in the PPM SEU.

PPM's response to that Audit Letter was due on or before March 23, 2020. On March x, 2020, Mr. Pulley granted the undersigned counsel's request for an extension of time to and including April 6, 2020. This PPM Response is timely filed on April 3, 2020.

Enclosed with this cover letter are the following documents, all of which will be uploaded to the appropriate Online Public Inspection File ("OPIF") for KPLI and for each of the other three full-service radio stations in the Pacific Public Media Station Employment Unit ("SEU"):

1. PPM's Response to the EEO Audit Letter, which has been certified by Steve Albertson, Director of Administration for PPM. This Response provides written responses to the Queries set forth in the Audit Letter, and lists the document exhibits that are being provided, either in direct response to a Query or in illustration of a Response.
2. A list of the Exhibits that have been included with this Response.

3. A set of Exhibits that correspond to the documents requested by the Audit Letter, as well as additional Exhibits provided by PPM in support of its Responses.

Thank you for your attention. Please direct any questions to the undersigned. Please use my cell phone number (202-431-9040), or email to susanjenkins2348@gmail.com.

Respectfully submitted

Susan M. Jenkins

Susan M. Jenkins

Counsel for Pacific Public Media

Enclosures

**Pacific Public Media, Licensee
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**Response and Statement of Pacific Public Media,
Licensee of KPLI(FM) to FCC EEO Audit (Feb. 2020)**

On behalf of Pacific Public Media, licensee of KPLI(FM) (Facility ID 91212), Olympia WA, Steve Albertson, Director of Administration for Pacific Public Media and its Station Employment Unit (SEU), provides the following Statement and Response to the FCC's EEO Audit Letter dated February 6, 2020.

**Introduction and General Information about Pacific Public Media and
its Station Employment Unit (SEU)**

My name is Steve Albertson. I am the Director of Administration of Pacific Public Media (PPM). I will certify the responses of the PPM SEU to this EEO Audit.

The Station Employment Unit (SEU) for PPM consists of the following full-service FM noncommercial educational (NCE) radio stations and translator stations.

<u>Full-Service Stations:</u>	<u>Facility ID</u>	<u>Community of License</u>
KNKX(FM)	51199	Tacoma, WA
KPLI(FM)	91212	Olympia, WA
KVIX(FM)	91468	Port Angeles, WA
KPLK(FM)	173038	Sedro-Woolley, WA

Translator Stations

K284BM	38908	Longview, WA
K204BA	51195	Bellingham, WA
K214FI	51196	Raymond, WA
K288GG	51198	Mount Vernon, WA
K265DP	51200	Aberdeen, WA
K211AP	51201	Centralia, WA
K221FR	51202	West Seattle, etc., WA
K244EV	142359	Woodland, WA

These twelve (12) stations comprise a single PPM Station Employment Unit (SEU or Unit). Therefore, this Response is not limited to KPLI alone but, rather, is based upon the complete PPM SEU and all above-identified stations. In this Response, PPM reports on employment, recruitment, and outreach for the entire Unit. KNKX in Tacoma is the flagship station, while the other full-service and translator stations are operated as an intra-state public radio network of satellite stations that re-broadcast the signal of KNKX. KPLI has no employees or programming of its own. Rather, PPM SEU employees are responsible for the operation and programming of KPLI and the other stations in the PPM SEU.

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PPM is an NCE non-profit corporation licensee that has been qualified as a 501(c)(3) entity by the Internal Revenue Service. PPM is a relatively new licensee for these stations, having acquired their licenses by assignment from the original licensee, Pacific Lutheran University. The Commission consented to the assignment of the 12 above-identified NCE stations from Pacific Lutheran University, the original licensee, to PPM on August 16, 2016 (*see Applications for Assignment on Form 314* Files Nos. BALED-20160706 AAM et al) and **Exhibit 2** for a PDF copy of the Authorization for these stations.

As a new licensee that can no longer rely on the recruitment support of a university licensee Human Resources Department, PPM has been developing its own recruitment, outreach, hiring, employment, and reporting policies and practices for the PPM SEU in compliance with section 73.2080 of the Commission's Rules. The PPM SEU is an Equal Opportunity Employer that highly values diversity and actively seeks to increase the diversity of the SEU's employees. At the present time, the PPM SEU has 40 full-time employees (and is thus in the rule category for stations with 10 or more full-time employees. Accordingly, SEU is required to conduct at least four general outreach initiatives and activities for each two-year period, as will be developed in more detail in response to Question 3(d) below.

In this Response to the EEO Audit Letter, the following format will be utilized: each response to a Query or subsection of a Query will be identified by the number and subparagraph number of the Query. Any documents responsive to the Query or subsection will be listed within or at the end of each such response, each one identified as a numbered Exhibit. A list of Exhibits will follow the Response, followed by the full set of Exhibits.

Audit DATA Requested and Responses

3. The PPM SEU employs more than ten (10) full-time employees.

Response 3.(a) The PPM SEU's two most recent EEO Annual Public File Reports:

Exhibit 1A 2017-18 EEO Annual Public File Report

Exhibit 1B 2018-19 EEO Annual Public File Report

KPLI does not have its own website. The website address, which is for the main flagship station, KNKX(FM), and includes all stations in the SEU, is <https://www.knkx.org/>
The most recent Annual Public File Report for the PPM SEU is posted on the KNKX website at: https://www.knkx.org/sites/kplu/files/ppm_eo_18-19_0.pdf

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Dates for PPM SEU full-time hires in license years 2017-18:

Listener Services Lead	1/16/2018
Sound Effects Producer	1/03/2018
ATC Producer	4/02/2018
Director of Administration	2/05/2018
Promotions Assistant	5/14/2018
Traffic Assistant	8/06/2018
Director of Major Gifts & Planned Giving	8/14/2018
Director of Music Programming	8/20/2018

Dates for full-time (and one part-time) hires in license years 2018-19:

Part-time, Jazz Host	8/26/2019
News Director	8/13/2019
Digital Content Manager	11/01/2018
Major Gifts Officer	9/16/2019
Major Donor Coordinator	7/02/2019
Gift and Data Processing Assistant	9/16/2019

3(b) In response to this Query, the PPM SEU is providing the following supporting information regarding each position that was filled between 10/1/2017 and 9/30/2019. This information is provided in the form of narrative response and document Exhibits, as indicated herein for each of the fourteen job openings that were filled during this two-year period.

The PPM SEU follows the following process for all full-time job openings: a comprehensive job opening announcement, including a detailed job description, is created for each job opening. That announcement is used as the text for all postings and other communications regarding that job opening. We will identify the announcement for each Job Opening as "PPM Job Information," with the title of the opening. Job openings are generally posted to all the Recruitment Sources and Community Referral Organizations listed in the respective EEO annual Public File Report for that License Year (*i.e.*, either Exhibit 1 or Exhibit 2, as identified above). After a job opening has been filled, the PPM SEU creates a recruitment analysis document in Excel that lists all sources that produced an applicant for that specific job opening, ranking each source for its relative effectiveness by the number and percentage of applicants it produced. We

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will identify each of these documentary exhibits as a "Summary of Sources" with respect to each job opening, as follows:

Listener Services Lead: *Please see Exhibit 3A PPM Job Opening - Listener Services Lead* for the text of the communication announcing this position, and **Exhibit 3B Summary of Sources - Listener Services Lead** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Effects Producer *Please see Exhibit 4A PPM Job Opening - Sound Effects Producer* for the text of the communication announcing this position and **Exhibit 4B Summary of Sources - Sound Effects Producer** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

ATC Producer. *Please see Exhibit 5A PPM Job Opening - ATC Producer* for the text of the communication announcing this position and **Exhibit 5B Summary of Sources - ATC Producer** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Director of Administration *Please see Exhibit 6A PPM Job Opening - Director of Administration* for the text of the communication announcing this position and **Exhibit 6B Summary of Sources - Director of Administration** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Promotions Assistant *Please see Exhibit 7A PPM Job Opening - Promotions Assistant* for the text of the communication announcing this position and **Exhibit 7B Summary of Sources - Promotions Assistant** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Traffic Assistant *Please see Exhibit 8A PPM Job Opening - Traffic Assistant* for the text of the communication announcing this position and **Exhibit 8B Summary of Sources - Traffic**

Assistant for a contemporaneous evaluation of the efficacy of the various sources with which with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Director of Major Gifts & Planned Giving *Please see Exhibit 9A PPM Job Opening - Director of Major Gifts & Planned Giving* for the text of the communication announcing this position and **Exhibit 9B Summary of Sources - Director of Major Gifts & Planned Giving** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Director of Music Programming *Please see Exhibit 10A PPM Job Opening - Director of Music Programming* for the text of the communication announcing this position. This announcement text was used for advertisements and notices for all sources listed in **Exhibit 1A**.

Part-time, Jazz Host *Please see Exhibits 11A Job Opening - Jazz Host* for the text of the communication announcing this position and **Exhibit 11B Summary of Sources - Jazz Host** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices in all sources listed in **Exhibit 1B**.

News Director *Please see Exhibit 12A Job Opening - News Director* for the text of the communication announcing this position and **Exhibit 12B News Director Search Posting Plan** for a contemporaneous plan for posting this job opening, recruitment for which was conducted by the search firm, Livingston Associates. This announcement text was used for advertisements and notices in all sources listed in **Exhibit 1B**.

Digital Content Manager *Please see Exhibits 13A Job Opening - Digital Content Manager* for the text of the communication announcing this position and **Exhibit 13B Summary of Sources - Digital Content Manager** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices in all sources listed in **Exhibit 1B**.

Major Gifts Officer *Please see Exhibit 14A Job Opening - Major Gifts Officer* for the text of the communication announcing this position and **Exhibit 14B Summary of Sources - Major Gifts Officer** for a contemporaneous evaluation of the efficacy of the various sources with which

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this announcement was used. This announcement text was used for advertisements and notices in all sources listed in **Exhibit 1B**.

Major Donor Coordinator *Please see Exhibit 15A Job Opening - Major Donor Coordinator* for the text of the communication announcing this position and **Exhibit 15B Summary of Sources - Major Donor Coordinator** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices in all sources listed in **Exhibit 1B**.

Gift and Data Processing Assistant *Please see Exhibit 16A Job Opening - Gift and Data Processing Assistant* for the text of the communication announcing this position and **Exhibit 16B Summary of Sources - Gift and Data Processing Assistant** for a contemporaneous evaluation of the efficacy of the various sources with which this announcement was used. This announcement text was used for advertisements and notices in all sources listed in **Exhibit 1B**.

3(c) Total number of interviewees and referral source for each hire:

Position	Number of interviewees	Referral Source
Listener Services Lead	16	Facebook
Sound Effects Producer	12	Word of mouth
ATC Producer	12	Twitter
Director of Administration	5	LinkedIn
Promotions Assistant	6	KNKX Website
Traffic Assistant	4	Indeed
Director of Major Gifts & Planned Giving	6	Word of mouth
Director of Music Programming	8	Word of mouth
Part-time, Jazz Host	6	KNKX Website
News Director	6	KNKX Website
Digital Content Manager	10	Current/former employees
Major Gifts Officer	6	LinkedIn
Major Donor Coordinator	5	Philanthropy NW
Gift and Data Processing Assistant	6	Indeed
Total number of interviewees	108	

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Please see Exhibit 17A for a recruitment analysis chart for job openings filled during these two license years, as prepared by PPM SEU staff.

3(d) The PPM SEU has forty (40) full-time employees. It serves a market that includes a major urban area with a population greater than 250,000. For these reasons, the PPM SEU is required by Sec.73.2080(c)(2) and (e)(3) to perform four outreach initiatives every two years. The PPM SEU is in compliance with this requirement. It performs at least four outreach initiative activities each year on an ongoing basis. These outreach initiatives include the following:

Please see also the following exhibits and links related to the Outreach Activities developed and operated by the PPM SEU management and staff: Exhibits 18A, 18B, 18C, 18D, 18 E.

Please also see the following website links:

(1) Journalism Internships with University of Washington and Western Washington University: The PPM SEU has developed relationships with the Journalism programs at two state universities, the University of Washington, and Western Washington University, for a specific internship program focused on radio news and journalism. *See Exhibits 18A, 18B, and 18C.* Erin Hennessey, a retired KNKX News Director, manages community internships programs as a PPM Community Outreach program and supervises interns, along with the Director of Administration, Steve Albertson, the News Director, and other staff employees who mentor interns. *See Exhibits 18A, 18B, 18C, and these links:*

<https://www.com.washington.edu/journalism/journalism-internships/>

<https://chss.wvu.edu/journalism/internships>

(2) Development of PPM Internship Program: Since 2017, the PPM SEU has also hosted and mentored interns from other schools and from the community who apply directly to the station.. Ms. Hennessey is in the process of expanding and further developing and formalizing this pathway as a separate all-station internship program, that will not be limited to journalism but will also cover station operations, underwriting, on-air, production, membership services, etc. Please see **Exhibit 18A**, in which Ms. Hennessey responded by email to requests for information about the Internship programs in connection with this EEO Audit Response.

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(3) Program with Schools: School of Jazz: *Please see Exhibits 18D and 18E and also please see these pages from the KNKX Website:*

<https://www.knkx.org/topic/school-jazz?ajax=1>

<https://www.knkx.org/topic/school-jazz>

(4) Mentoring: Next Generation Radio Project

<https://seattle2017.nextgenerationradio.org/sponsors/>

<https://www.askcbi.org/kuow-kplu-join-npr-and-cbi-to-train-next-generation-of-multimedia-journalists/>

(5) Job Shadowing and Studio Tours

Studio Sessions

<https://www.knkx.org/term/studio-sessions-0>

3. (e) There have been no complaints alleging unlawful discrimination in employment, either pending or resolved, filed against the Station, the PPM SEU, or any other station in the PPM SEU, since PPM became the licensee for these Stations on August 16, 2016. To the knowledge and belief of PPM station management, no such claims or complaints were filed against the SEU or the stations when they were licensed to PLU from 10/1/2013 to 8/16/2016.

3. (f) The PPM SEU and its Management:

(1) Responsibility for implementing the Unit's EEO and diversity policies and practices belongs to and is exercised by the SEU General Manager, Joey Cohn, the Director of Administration, Steve Albertson, and the Management Team, consisting of managers of various departments or areas, such as News Director, Membership, Music Director, Major Gifts, etc. Overall responsibility rests with Mr. Cohn and Mr. Albertson.

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- The following Diversity Statement is displayed prominently on the KNKX website, which is the website for all stations in the PPM SEU: <https://www.knkx.org/knkx-diversity-statement>

-- PPM SEU EEO and diversity policies are prominently featured in the PPM Employee Handbook. All new employees are familiarized with these policies and the handbook page during the on-boarding process of becoming a new employee. *See Exhibit 19A.*

-- Large posters regarding federal and state EEO laws and employee rights and protections are prominently displayed in the main studio and office, where all employees may view them. *See Exhibits 19B and 19C.*

-- The PPM management team, including the General Manager Joey Cohn, and the Director of Administration Steve Albertson, communicate with employees frequently in staff meetings regarding the SEU's EEO, anti-discrimination, anti-harassment, and pro-diversity policies and practices.

-- All SEU staff participate in the Annual CPB Training on Sexual Harassment and Discrimination.

-- All Job Opening Announcement contain a section stating that PPM is an Equal Opportunity Employer and that "all qualified applicants will receive consideration without regard to race, color, religion, gender, national origin, disability status, protected veteran status, or any other characteristic protected by law."

3. (g) Analysis of Recruitment Program: As indicated above, PPM became the licensee of KPLI and the other above-listed NCE stations in the SEU in August 2016 as the result of an Assignment of the stations's licenses by the previous licensee Pacific Lutheran University (PLU) to PPM, which assignments were approved by the Commission on August 16, 2016 (**Exhibit 2**). PPM was no longer covered by PLU's Human Resources Department and had to develop its own EEO policies and practices, including its job recruitment program and analysis of effectiveness of that program. PPM has filed only three full-license-year EEO Annual Reports since the August 2016 authorization: for license years 2016-17, 2017-18, and 2018-19. The two most recent of these are the subject of this EEO Audit and Response, but these three together illustrate how PPM management has effectively developed a job recruitment program that has achieved broad outreach and coverage within the community, statewide, and nationally. Each job opening is posted with a thorough description of the job, its duties, and qualifications, a large and diverse

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number of sources are used for each and every full-time job opening, and the PPM management team has developed a program, using Excel, that is used to evaluate the relative effectiveness of the sources used for each recruitment. This analysis tool, together with the analysis demonstrated by Exhibit 17A, demonstrate that PPM management tracks the effectiveness of all sources, with the intention that they may stop using sources that are repeatedly ineffective, substituting in new sources. The PPM management team has been increasingly trying to target sources that seem more likely to increase diversity. Current license year efforts in this direction, which will be reported as the 2019-20 EEO Annual Public File Report on or before 10/1/2020, demonstrate this effort, which has not yet been as successful as the management team had hoped. PPM management views its goal of increasing the diversity of applicants from the sources it uses as a challenge it will continue to pursue while continuing to reach out to its stations' respective communities of license.

3. (h) (1) Analysis of Salaries and Employment Benefits: The PPM SEU Senior Managers and management team routinely review the salaries, benefits, and other terms and conditions of employment in the SEU to determine that these elements are fair and equitable, and that staff members are not being discriminated against with respect to any of these elements. Equal pay and benefits without regard to gender is one of the EEO policies adopted and implemented by the PPM SEU. In order to determine whether its salaries, benefits, etc., are fair and non-discriminatory, PPM participates in the Corporation for Public Broadcasting's salary and benefit survey and routinely evaluates its salary and wage scales and benefit packages against the CPB salary and benefit survey results. *See link:* <https://www.cpb.org/stations/certification/cert4>

The PPM SEU management team also participates in the salary surveys conducted by KUOW, an NPR station in Seattle licensed to the University of Washington (in May 2018) and the New Hampshire Public Radio network (in October 2018).

(2) Union Agreement: PPM has one union agreement, with SAG-AFTRA, entered into on February 24, 2017, which is presently still in effect. Paragraph X of that agreement, Non-Discrimination, reads as follows:

"There shall be no unlawful discrimination by either SAG-AFTRA or the Company [PPM] against any employee or job applicant because of race, religion, color, sex, national origin, marital status, disability, Veteran status, sexual orientation, or gender identity or any other category protected by applicable federal or state law. Any alleged unlawful discrimination by an employee or the Union shall be prosecuted through the

applicable state or federal agency procedures and not through the grievance arbitration procedure set forth in this Agreement."

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To further avoid any possibility of discrimination, once the SAG-AFTRA Agreement went into effect, PPM management extended the identical wage and salary scale and health benefits provided for in the SAG-AFTRA Union Agreement to all PPM SEU employees, union and non-union alike. Management maintains a continuing relationship with union leadership and reports that the PPM SEU has had no problems whatsoever with the Union with respect to equal employment and non-discrimination.

3. (i) Neither PPM nor any of the stations in its SEU is a religious broadcaster.

4. **Time Brokerage.** The PPM SEU is not involved in any time brokerage arrangements. None of the stations in the PPM SEU is time-brokered to another entity. The PPM SEU does not include any time-brokerages stations.

Certification

Station: KPLI(FM), Facility I.D.# 91212, Community of License: Olympia, WA

As Director of Administration of KPLI(FM) and the other full-service and translator stations in the Pacific Public Media (PPM) Station Employment Unit (SEU), I have been authorized by the SEU General Manager and governing body to certify this PPM SEU Response to the Commission's 2020 EEO Audit Letter. As Director of Administration, I hereby certify and declare under penalty of perjury that the above Response and Statement by the PPM SEU to the FCC February 2020 EEO Audit Letter is complete and accurate.

Steve Albertson
Steve Albertson, Director of Administration

4/3/2020
Date

PPM EEO RESPONSE EXHIBIT LIST

Exhibit 1A 2017-18 EEO Annual Public File Report
Exhibit 1B 2018-19 EEO Annual Public File Report
Exhibit 2 Authorization
Exhibit 3A PPM Job Opening - Listener Services Lead
Exhibit 3B Summary of Sources - Listener Services Lead
Exhibit 4A PPM Job Opening - Sound Effects Producer
Exhibit 4B Summary of Sources - Sound Effects Producer
Exhibit 5A PPM Job Opening - ATC Producer
Exhibit 5B Summary of Sources - ATC Producer
Exhibit 6A PPM Job Opening - Director of Administration
Exhibit 6B Summary of Sources - Director of Administration
Exhibit 7A PPM Job Opening - Promotions Assistant
Exhibit 7B Summary of Sources - Promotions Assistant
Exhibit 8A PPM Job Opening - Traffic Assistant
Exhibit 8B Summary of Sources - Traffic Assistant
Exhibit 9A PPM Job Opening - Director of Major Gifts & Planned Giving
Exhibit 9B Summary of Sources - Director of Major Gifts & Planned Giving
Exhibit 10A PPM Job Opening - Director of Music Programming
Exhibits 11A Job Opening - Jazz Host
Exhibit 11B Summary of Sources - Jazz Host
Exhibit 12A Job Opening - News Director
Exhibit 12B News Director Search Posting Plan
Exhibits 13A Job Opening - Digital Content Manager
Exhibit 13B Summary of Sources - Digital Content Manager
Exhibit 14A Job Opening - Major Gifts Officer
Exhibit 14B Summary of Sources - Major Gifts Officer
Exhibit 15A Job Opening - Major Donor Coordinator
Exhibit 15B Summary of Sources - Major Donor Coordinator
Exhibit 16A Job Opening - Gift and Data Processing Assistant
Exhibit 16B Summary of Sources - Gift and Data Processing Assistant
Exhibit 17 Recruitment Analysis
Exhibit 18A Internship
Exhibit 18B Internship
Exhibit 18C Internship
Exhibit 18D School of Jazz
Exhibit 18E School of Jazz
Exhibit 19A Handbook EEO Page
Exhibit 19B EEO Poster
Exhibit 19C EEO Poster