

BakerHostetler

May 1, 2024

VIA POSTING TO ONLINE PUBLIC FILE OF WTXL-TV

EEO Staff
Enforcement Bureau
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: EEO Audit of Station WTXL-TV

Dear Ms. Goldin:

Scripps Broadcasting Holdings LLC (“Scripps”), licensee of television station WTXL-TV, Tallahassee, Florida (Facility ID No. 41065) (the “Station”), through counsel, hereby responds to your EEO Audit letter dated March 22, 2024. WTXL-TV’s most recent license renewal application was granted February 19, 2021 and Scripps’s responses herein relate only to the Station’s current license term, unless otherwise indicated below.

WTXL-TV’s station employment unit employs more than five full-time employees, and as a result Scripps responds to each of the numbered paragraphs of Section (b) of the audit letter. A declaration by Scripps’s Senior Vice President and Deputy General Counsel that this response is accurate and complete is attached to this letter as Exhibit 1. Certain confidential information has been redacted from the materials submitted with this response.

(i) Copies of the Unit’s two most recent EEO Public File Reports, described in section 73.2080(c)(6).

Copies of the Unit's two most recent EEO public file reports are attached as Exhibit 2.

(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 website 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 website for the station employment unit is: www.wtxl.com. The Unit’s most recent EEO public file report is linked to this website.

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(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), provide 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 you have sent a job notice to multiple sources, you may include in your 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). 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).

All available documentation related to the vacancy notices sent out in relation to the positions listed on the two most recent EEO Public File Reports is provided in Exhibit 3.

(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.

This information is included in the attached Exhibit 4. It should be noted that the licensee directs job applicants to apply for positions with its stations via its online recruiting tool at "Scripps.com." Thus, while an applicant may have learned of a vacancy from one of the variety of recruitment sources that themselves utilize the Scripps site as a source for posting vacancies or from one of the Unit's other recruitment contacts as described and documented in this report, the "referral source" often appears to be Scripps.com, as indicated in this exhibit.

(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 in job fairs, events with educational institutions, and mentoring or training programs for staff. Specify the Unit personnel involved in each 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 that you

provide 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.

Documentation for the four initiatives listed below is contained in Exhibit 5. The documents show that, during the reporting period, the Unit:

- **Participated in at least four job fairs involving station personnel who have substantial responsibility in the making of hiring decisions. Attached are documents demonstrating participation by station staff in 1) a November 16, 2021 job fair at Tallahassee Community College, attended by the Station's Creative Services Director and HR Generalist; 2) an October 27, 2022 job fair at Florida Agricultural and Mechanical University (FAMU)'s School of Journalism and Graphic Communication attended by the Station's Sr. Director of News and HR Generalist; 3) the March 28, 2023 University of Florida Careers in Communications Job Fair attended by the Station's Senior News Director and HR Generalist; and 4) an April 25, 2023 Career Fair at Florida State University Schools, attended by the Station's Director of Creative Services;**
- **Participated in at least four events or programs sponsored by educational institutions relating to career opportunities in broadcasting. Attached are documents demonstrating the participation by station staff in the following events: 1) On November 30, 2021, the Station's Director of Sales spoke at a Florida State University Communications and Advertising class; 2) on October 17, 2022, the Station's General Manager, Senior News Director, and HR Generalist, along with Scripps corporate representatives, attended a Career Day hosted by FAMU's School of Journalism and Graphic Communication; 3) on October 31, 2022, the Station's General Manager met remotely with a Strategic Communications Class at Oklahoma State University's School of Media and Strategic Communications; 4) on January 9, 2023, the Station's HR Generalist served as a guest speaker for an Introduction to Business class at Nova Southeastern University.**
- **Maintained an internship program. Attached is documentation related to the Station's hiring of a News intern from Florida International University in the summer of 2023, and a News intern from FAMU and a Sales intern from Florida State University in the summer of 2022; and**

- **Provided training programs to employees to enable them to acquire skills that could qualify them for higher level positions. Attached is documentation related to the “Explore” and “Career Hub” resources made available by Scripps to all employees providing interactive courses and other resources related to career development, as well as documentation of a drone pilot certification program the Station provides to select employees, and an Education Assistance program Scripps offers to all part-time and full-time employees.**

As reflected in the Unit’s annual Public File Reports, station personnel participated in many more events than are shown in the attached documentation.

As of April 25, 2024, the total number of full-time employees at the Employment Unit is 34, and the population of the Station’s market is over 250,000, so it is required to perform four initiatives within a two-year period.

(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 you must report all complaints, regardless of their status or disposition.

No reportable discrimination complaints were filed against the Station during the period covered by this response.

(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)), 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.

The Station’s Human Resources Business Partner and its General Manager are responsible for implementing the Unit’s EEO program. In addition, it is also the responsibility of all employees who make decisions with respect to the recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that the licensee’s EEO policy and program are adhered to and that no person is discriminated against in employment because of race, color, religion,

national origin or sex. Employment issues and EEO policies are discussed at management meetings, and managers' performance reviews are based in part upon their ensuring that all personnel actions are consistent with licensee's EEO policy.

The Unit's efforts to ensure that all members of the staff are cognizant of the equal employment opportunity policy and their individual responsibilities in carrying out this policy include:

- **The licensee's employment applications offer advice to prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify appropriate local, state or, federal agencies if they believe that they have been the victims of discrimination;**
- **Appropriate notices are posted reminding employees that the licensee is an equal opportunity employer, describing licensee's EEO policies, stating licensee's commitment to non-discrimination and equal employment opportunity, and describing employees' rights to notify an appropriate local, state or, federal agency if they believe they have been the victims of discrimination;**
- **The Unit's web pages and paid announcements for job openings include a statement that the Unit is an Equal Opportunity Employer;**
- **Each employee must certify when hired that he or she has received the Scripps employee handbook which emphasizes the company's commitment to EEO compliance and encourages employees to bring questions or concerns about discrimination to the attention of appropriate management personnel; and**
- **The licensee uses a third-party vendor, EthicsPoint, to allow employees to raise employment discrimination or harassment complaints anonymously.**

(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)), 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.

The Unit works with its corporate recruitment arm to ensure that notices of vacancies are widely disseminated. Recruitment and hiring decisions are addressed in regular Unit management meetings where it is emphasized that managers should take into account the value of having diverse voices at the Unit that are representative of its local community.

Unit diversity metrics are tracked monthly by the Station's Human Resources Business Partner, and reported each month to the General Manager, as well as the Station's Leadership Team and parent company leadership. The Station's designated Human Resources Business Partner is responsible for ensuring broad local recruitment and reviews each hiring decision to ensure that the hiring process complied with the licensee's EEO procedures.

(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)), 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.

The Station's General Manager, Human Resources Business Partner and individual department managers regularly review employee pay and benefits and the Unit's promotion practices with the goal of avoiding unlawful discrimination. In periodic meetings with the Station's managers, and with its parent company's officers, the General Manager and Human Resources Business Partner discuss Unit employment practices, including EEO compliance issues and the applicability of EEO policies to the performance, compensation and benefits decisions that affect the company's employees, both individually and collectively. The Station is party to a number of Association Agreements. The Station's EEO policies and the goal of avoiding unlawful discrimination, is practiced across the entire Station Employment Unit, including in relation to employees who fall under those Association Agreements.

(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.

The licensee is not a religious broadcaster.

EEO Staff
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Please contact the undersigned if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Kirkpatrick", with a long horizontal flourish extending to the right.

Daniel Kirkpatrick
Counsel to Scripps Broadcasting Holdings LLC

Attachments

cc: David Giles

EXHIBIT 1

DECLARATION OF DAVID GILES

I, David Giles, am Senior Vice President and Deputy General Counsel of Scripps Broadcasting Holdings, LLC, licensee of WTXL-TV.

I have reviewed the statements of fact in the attached EEO Audit Response and declare under penalty of perjury that this response is accurate and complete to the best of my knowledge, information and belief.

A handwritten signature in blue ink, appearing to read "DM Giles", written over a horizontal line.

David Giles
Senior Vice President and Deputy General Counsel
Scripps Broadcasting Holdings LLC

A handwritten date in blue ink, "May 1, 2024", written over a horizontal line.

Date