

In accordance with the Federal Communication Commission, this document, published on the home web pages for WKIT, WZON and WZLO provides notice to all that the FCC is conducting compliance Audits for many radio and television stations, including WKIT-FM.

The Zone Corporation



General Manager WKIT-FM  
THE ZONE CORPORATION  
861 BROADWAY,  
BANGOR, ME 04401

Federal Communications Commission  
Washington, D.C. 20554

February 14, 2019

Dear Licensee:

1. In accordance with 47 CFR § 73.2080(f)(4), the station employment unit (the Unit) that includes your above-referenced station (the Station) has been randomly selected for an audit of its Equal Employment Opportunity (EEO) program. A copy of Section 73.2080 of the Commission's rules is attached at the end of this letter for your reference.
2. If the Unit is not required under our rules to have an EEO recruitment program due to the nature of its full-time workforce (having fewer than five full-time employees, defined as employees regularly assigned to work 30 hours a week or more), you must still respond to this audit letter. However, in your response, you are required to provide only a list of the Unit's full-time employees, identified only by job title (no names should be provided), the number of hours each is regularly assigned to work per week, and a response to Question 3(e) below. Also, in formulating your response, please see Questions 4(a)-(d) below regarding brokers and brokered stations for instructions for situations in which the applicable employment unit has fewer than five full-time employees.
3. **Audit Data Requested.** If the Unit employs five or more full-time employees (and all units, for Question 3(e)), provide the following information, including an explanation regarding any requested information that you are unable to provide:
  - (a) Copies of the Unit's two most recent EEO public file reports, described in Section 73.2080(c)(6). For any stations in the Unit that have websites, provide each web address. If the Unit's most recent EEO public file report is not posted on each of these websites, indicate each relevant website and provide an explanation of why the report is not posted, as required by Section 73.2080(c)(6). In accordance with Section 73.2080(c)(5)(vi), provide the date of each full-time hire listed in each report provided. If the Unit does not have its own website, but its corporate site contains a link to a site pertaining to the Unit, then the Unit's most recent EEO public file report must be linked to either the Unit's site or the general corporate site, pursuant to Section 73.2080(c)(6).
  - (b) For each Unit full-time position filled during the period covered by the above EEO public file reports, or since your acquisition of the Station, if after that period, 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 your burden of responding to this audit, if you have sent a job notice to multiple sources, you may send us only one copy of each such notice, along with a list of the sources to which you have sent the notice. In addition, indicate in your response whether you retain copies of all notices sent to all sources used, as required by Section 73.2080(c)(5)(iii). For on-air ads that aired multiple times, you may send us one log sheet indicating when the ad aired and tell us the other times it aired instead of

(i) If your entity is a religious broadcaster and any of its full-time employees are subject to a religious qualification as described in Section 73.2080(a) of the rules, so indicate in your response to this letter and provide data as applicable to the Unit's EEO program. For example, for full-time hires subject to a religious qualification, only a record of the hire listed by job title and date filled, the recruitment sources used for the opening, and the source of the hiree must be provided. 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.

(j) Among items we do not need in your response to this letter are copies of applicants' resumes, your company training manuals, posters, employee handbooks, or corporate guidebooks. If you believe any of the information in various corporate manuals or posters are relevant to any part of this audit letter, you may summarize what is in them. If you believe this letter requires you to provide an unusually burdensome volume of documentation, you may contact us prior to the response deadline to discuss possible ways of condensing your response.

#### 4. Time Brokerage.

(a) **Licensee of brokered station(s).** If the Unit employs fewer than five full-time employees and any station included in it is subject to a time brokerage agreement, in addition to responding to this letter and providing us a list of the Unit's full-time employees listed by job title (and the number of hours each employee is assigned to work) and a response to Question 3(e) above, you must immediately forward a copy of this letter to the broker under each such agreement, which must respond to Question 4(b) below. If the Unit employs five or more full-time employees, the licensee must respond fully to paragraph 3 above, and also forward the letter to the broker so the broker may respond to Question 4(b) below.

(b) **Broker receiving audit letter from brokered station licensee.** If you are the broker of a station, and the station you are brokering receives an audit letter, the licensee of the brokered station must forward the audit letter to you. You should respond to the audit letter concerning EEO information relating only to your own full-time employees at the brokered station. *See* Section 73.2080(f)(3).

(c) **Broker receiving audit letter directly from Commission.** If you are a broker, but the target station in this audit letter is a station licensed to you, you must submit information requested herein for the EEO program at your station (or employment unit). If you maintain EEO data for a station you are brokering with that for your own station that is the target of this audit letter, and lack the ability to separate the information, you must include in your response the information requested herein pertaining to **your** full-time employees at the station(s) you broker. *See* Section 73.2080(f)(3).

(d) **Broker described under 4(b) or 4(c) above.** If your full-time employees at the station you are brokering, combined with your full-time employees at your owned station(s), total fewer than five, however, you need only respond to this letter by the deadline described below by submitting a list of your Unit's full-time employees (listed by job title and number of hours regularly assigned to work per week) and the same type of list for the full-time employees you employ at the brokered station(s), and a response to Question 3(e) above.

**CODE OF FEDERAL REGULATIONS**  
**TITLE 47—TELECOMMUNICATION**  
**CHAPTER I—FEDERAL**  
**COMMUNICATIONS COMMISSION**  
**SUBCHAPTER C—BROADCAST RADIO**  
**SERVICES**  
**PART 73—RADIO BROADCAST SERVICES**  
**SUBPART H—RULES APPLICABLE TO ALL**  
**BROADCAST STATIONS**

§ 73.2080 Equal employment opportunities (EEO).

(a) General EEO policy. Equal opportunity in employment shall be afforded by all licensees or permittees of commercially or noncommercially operated AM, FM, TV, Class A TV or international broadcast stations (as defined in this part) to all qualified persons, and no person shall be discriminated against in employment by such stations because of race, color, religion, national origin, or sex. Religious radio broadcasters may establish religious belief or affiliation as a job qualification for all station employees. However, they cannot discriminate on the basis of race, color, national origin or gender from among those who share their religious affiliation or belief. For purposes of this rule, a religious broadcaster is a licensee which is, or is closely affiliated with, a church, synagogue, or other religious entity, including a subsidiary of such an entity.

(b) General EEO program requirements. Each broadcast station shall establish, maintain, and carry out a positive continuing program of specific practices designed to ensure equal opportunity and nondiscrimination in every aspect of station employment policy and practice. Under the terms of its program, a station shall:

(1) Define the responsibility of each level of management to ensure vigorous enforcement of its policy of equal opportunity, and establish a procedure to review and control managerial and

supervisory performance;

(2) Inform its employees and recognized employee organizations of the equal employment opportunity policy and program and enlist their cooperation;

(3) Communicate its equal employment opportunity policy and program and its employment needs to sources of qualified applicants without regard to race, color, religion, national origin, or sex, and solicit their recruitment assistance on a continuing basis;

(4) Conduct a continuing program to exclude all unlawful forms of prejudice or discrimination based upon race, color, religion, national origin, or sex from its personnel policies and practices and working conditions; and

(5) Conduct a continuing review of job structure and employment practices and adopt positive recruitment, job design, and other measures needed to ensure genuine equality of opportunity to participate fully in all organizational units, occupations, and levels of responsibility.

(c) Specific EEO program requirements. Under the terms of its program, a station employment unit must:

(1) Recruit for every full-time job vacancy in its operation. A job filled by an internal promotion is not considered a vacancy for which recruitment is necessary. Religious radio broadcasters who establish religious affiliation as a qualification for a job position are not required to comply with these recruitment requirements with respect to that job position or positions, but will be expected to make reasonable, good faith efforts to recruit applicants who are qualified based on their religious affiliation. Nothing in this section shall be interpreted to require a broadcaster to grant preferential treatment to any individual or group based on race, color, national origin, religion, or gender.

(i) A station employment unit shall use recruitment sources for each vacancy sufficient in its

(4) Periodically analyze measures taken to:

(i) Disseminate the station's equal employment opportunity program to job applicants and employees;

(ii) Review seniority practices to ensure that such practices are nondiscriminatory;

(iii) Examine rates of pay and fringe benefits for employees having the same duties, and eliminate any inequities based upon race, national origin, color, religion, or sex discrimination;

(iv) Utilize media for recruitment purposes in a manner that will contain no indication, either explicit or implicit, of a preference for one race, national origin, color, religion or sex over another;

(v) Ensure that promotions to positions of greater responsibility are made in a nondiscriminatory manner;

(vi) Where union agreements exist, cooperate with the union or unions in the development of programs to ensure all persons of equal opportunity for employment, irrespective of race, national origin, color, religion, or sex, and include an effective nondiscrimination clause in new or renegotiated union agreements; and

(vii) Avoid the use of selection techniques or tests that have the effect of discriminating against any person based on race, national origin, color, religion, or sex.

(5) Retain records to document that it has satisfied the requirements of paragraphs (c)(1) and (2) of this section. Such records, which may be maintained in an electronic format, shall be retained until after grant of the renewal application for the term during which the vacancy was filled or the initiative occurred. Such records need not be submitted to the FCC unless specifically requested. The following records shall be maintained:

(i) Listings of all full-time job vacancies filled by the station employment unit, identified by job title;

(ii) For each such vacancy, the recruitment sources utilized to fill the vacancy (including, if applicable, organizations entitled to notification pursuant to paragraph (c)(1)(ii) of this section, which should be

separately identified), identified by name, address, contact person and telephone number;

(iii) Dated copies of all advertisements, bulletins, letters, faxes, e-mails, or other communications announcing vacancies;

(iv) Documentation necessary to demonstrate performance of the initiatives required by paragraph (c)(2) of this section, including sufficient information to fully disclose the nature of the initiative and the scope of the station's participation, including the station personnel involved;

(v) The total number of interviewees for each vacancy and the referral source for each interviewee; and

(vi) The date each vacancy was filled and the recruitment source that referred the hiree.

(6) Annually, on the anniversary of the date a station is due to file its renewal application, the station shall place in its public file, maintained pursuant to § 73.3526 or § 73.3527, and on its web site, if it has one, an EEO public file report containing the following information (although if any broadcast licensee acquires a station pursuant to FCC Form 314 or FCC Form 315 during the twelve months covered by the EEO public file report, its EEO public file report shall cover the period starting with the date it acquired the station):

(i) A list of all full-time vacancies filled by the station's employment unit during the preceding year, identified by job title;

(ii) For each such vacancy, the recruitment source(s) utilized to fill the vacancy (including, if applicable, organizations entitled to notification pursuant to paragraph (c)(1)(ii) of this section, which should be separately identified), identified by name, address, contact person and telephone number;

(iii) The recruitment source that referred the hiree for each full-time vacancy during the preceding year;

(iv) Data reflecting the total number of persons interviewed for full-time vacancies during the preceding year and the total number of interviewees referred by each recruitment source utilized in

(5) The public may file complaints throughout the license term based on a station's Form 397 or the contents of a station's public file. Provisions concerning filing, withdrawing, or non-filing of informal objections or petitions to deny license renewal, assignment, or transfer applications are delineated in §§ 73.3584 and 73.3587-3589 of the Commission's rules.

(g) Sanctions and Remedies. The Commission may issue appropriate sanctions and remedies for any violation of this rule.

47 C.F.R. § 73.3526

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PART 73--RADIO BROADCAST  
SERVICES  
SUBPART H--RULES APPLICABLE TO  
ALL BROADCAST STATIONS**

§ 73.3526 Local public inspection file of commercial stations.

(e)(10) Material relating to FCC investigation or complaint. Material having a substantial bearing on a matter which is the subject of an FCC investigation or complaint to the FCC of which the applicant, permittee, or licensee has been advised. This material shall be retained until the applicant, permittee, or licensee is notified in writing that the material may be discarded.

47 C.F.R. § 73.3527

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ALL BROADCAST STATIONS**

§ 73.3527 Local public inspection file of noncommercial educational stations

(e)(11) *Material relating to FCC investigation or complaint. Material having a substantial bearing on a matter which is the subject of an FCC investigation or complaint to the FCC of which the applicant, permittee, or licensee has been advised. This material shall be retained until the applicant, permittee, or licensee is notified in writing that the material may be discarded.*