

# **AFFIRMATIVE ACTION PLAN**

WV Educational Broadcasting Authority

July 1, 2017 - June 30, 2018

September 8, 2017

The Honorable Jim Justice  
State of West Virginia  
State Capitol Complex  
Charleston WV 25305

Dear Governor Justice:

This report demonstrates the WV Educational Broadcasting Authority's commitment to the State Equal Employment and Affirmative Action Program. We continually strive for equality in our hiring practices and policies.

Sincerely,

Scott Finn, Executive Director  
WV Educational Broadcasting Authority

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**INFORMATION SHEET**  
**WV Educational Broadcasting Authority**  
**AFFIRMATIVE ACTION PLAN**

Period: July 1, 2017 - June 30, 2018

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# CONFIDENTIALITY STATEMENT

A copy of the West Virginia Educational Broadcasting Authority's AAP is provided to the Governor of the State of West Virginia and the State EEO Director. This information may directly or indirectly reveal data pertaining to personnel files, financial, and/or investigatory information. As such, notice is hereby given that this AAP, and all related appendices, documents, and support data are confidential and are not to be copied in whole or part without the express written consent of the WVEBA Executive Director.

The WVEBA AAP is confidential; however, specific narrative information on the plan can and will be made available for employee review and participation upon written request to the EEO coordinator. The WVEBA requires that everyone treat such information as confidential and that such information not be released to any other person whatsoever.

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Scott Finn, Executive Director  
WVEBA

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Date

## EEO POLICY STATEMENT

It is the policy of the Educational Broadcasting Authority (EBA) to provide equal employment opportunity to all qualified individuals without regard to their race, color, religion, national origin, sex, age, or handicap in all personnel actions, including recruitment, selection, compensation, in-service training, evaluation, promotion, and termination.

# **SEX DISCRIMINATION POLICY**

## a. Statement of Philosophy

The EBA is proud of its tradition of a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere which promotes equal opportunities and prohibits discriminatory practices, including sexual harassment.

**CONDUCT THAT CONSTITUTES "SEXUAL HARASSMENT" NEVER HAS BEEN AND WILL NOT BE TOLERATED BY THE EBA. IT IS UNACCEPTABLE AND IT IS ALSO ILLEGAL.**

## b. Definition of Sexual Harassment

State and federal laws define and prohibit such conduct. For purposes of this policy, sexual harassment is defined as unwelcome and unwanted conduct of a sexual nature (verbal or physical) or based upon sex when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's continuing employment, or
2. Submission to or rejection of such conduct is used as a basis for employment decisions, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or it creates an intimidating, hostile or offensive working environment.

## c. Examples of Prohibited Conduct

Some examples of sexual harassment include, but are not limited to the following:

- Demanding sexual favors in exchange for favorable treatment, reviews, assignments, promotions, continued employment or promises of the same;
- Continued or repeated sexual jokes, language, epithets, flirtations, advances or propositions;

- Verbal abuse of a sexual nature;
- Graphic verbal commentary about an individual's body, sexual prowess or sexual deficiencies;
- Sexually degrading vulgar words to describe an individual;
- Leering, whistling, touching, pinching, brushing the body, assault, coerced sexual acts, or suggestive, insulting or obscene comments or gestures;
- The display in the workplace of sexually suggestive objects, pictures, posters or cartoons;
- Name calling, relating stories, gossip, comments or jokes that have a sexual connotation;
- The display of sexually suggestive graffiti; or
- Retaliation against employees for complaining about such behavior.

This behavior is unacceptable in the workplace itself and in other work-related settings and business-related social events.

d. Individuals Covered Under This Policy

This policy covers all employees. The EBA will not tolerate, condone or allow sexual harassment, whether engaged in by fellow employees, supervisors, or other non-employees who conduct business with the EBA.

e. Reporting a Complaint

While the EBA encourages individuals who believe they are being harassed firmly and promptly to notify the offender that his or her behavior is unwelcome, we also recognize that power and status disparities between an alleged harasser and a target may make such a confrontation impossible. In the event that such informal, direct communication between individuals is ineffective or impossible, then any such conduct should be reported immediately to your supervisor when it occurs. Any supervisor who receives notice of a complaint or who learns of an incident of alleged sexual harassment is required to promptly report the incident to the division head to allow the complaint to be properly and promptly investigated. In the event that you feel, for any reason that you cannot deal directly with any of these people you should see the executive director and discuss your complaint in order to allow your problem to be investigated and addressed properly and promptly.

f. Resolving the Complaint

When the investigation is complete the matter will be referred to the appropriate office for resolution. Individuals who are found to have engaged in such conduct will be disciplined, up to and including discharge where the facts warrant.

## **Disabled Veterans and Vietnam Era Policy**

The WV Educational Broadcasting Authority is fully committed to Affirmative Action for disabled veterans and veterans of the Vietnam era/ The EBA recognizes its obligation to treat all disabled veterans and veterans of the Vietnam era in a fair and equitable manner as it pertains to employment, promotions, transfers, training, compensation, working conditions, disciplinary actions, separation, and recruitment.

It is the policy of the EBA to maintain and provide a work environment that is not only safe, but also free from any discrimination and harassment in employment. This agency will fully cooperate with the State Division of Personnel and State Equal Employment Opportunity Office to achieve and maintain Affirmative Action Opportunities for disabled veterans and veterans of the Vietnam era.

All staff will support and abide by the provisions of this statement. If deficiencies are found or the policy is violated, corrective action will be taken.

The Affirmative Action Plan will be in effect for one year from the date of approval.

# DISABLED EMPLOYEE POLICY

Reasonable accommodation is defined as any change or adjustment to a job or work environment that permits a qualified applicant or employee with disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodation may include:

- acquiring or modifying equipment or devices used in performing the essential functions of the job,
- job restructuring,
- part-time or modified work schedules,
- adjusting or modifying examinations, training materials or policies,
- providing readers and interpreters, and
- making the workplace readily accessible to and usable by people with disabilities.

A reasonable accommodation can also include reassigning a current employee to a vacant position for which the individual is qualified, if the person becomes disabled or is unable to do the original job. However, there is no obligation to find a position for an applicant who is not qualified for the position sought. Employers are not required to lower quality or quantity standards in order to make an accommodation, nor are they obligated to provide personal use items such as glasses, hearing aids, or personal assistance services. Employers are required to accommodate only a “known” disability of a qualified applicant or employee.

An employee requesting a reasonable accommodation should do so in an email or in-person meeting with the Executive Director or the employee’s supervisor. Within five (5) business days, the supervisor will then take steps to either 1) accommodate the request or 2) request clarification for the request or 3) seek assistance in methods of accommodating a request, if possible. Within seven (7) business days of the original request, if a supervisor believes the request will cause undue hardship, he or she will take the request to the Executive Director who will either 1) seek additional resources to accommodate the request or 2) determine that the request will cause undue hardship to the agency and try to find another type of accommodation that would not pose such a hardship. The Executive Director will conduct outreach to other agencies including the Division of Rehabilitation Services to seek assistance in accommodating the request and will, when appropriate, offer the employee the opportunity to provide the accommodation or pay for the portion of the accommodation that constitutes an undue hardship to the agency. A final determination regarding the request will be made by the Executive Director within 30 business days of the original request.

WV Educational Broadcasting Authority follows guidance from the state ADA Coordinator and more information is available at [http://www.ada.wv.gov/state\\_employee/Page/Title-EmploymentReasonableAccommodations.aspx](http://www.ada.wv.gov/state_employee/Page/Title-EmploymentReasonableAccommodations.aspx)

# **Organizational Overview & Organizational Chart**

## **Mission Statement**

West Virginia Public Broadcasting educates, informs and inspires our citizens by telling West Virginias Story.

## **Operations**

### Statewide Broadcasting Services

- Acquire for broadcast national radio and television programming for general and specialized audiences.
- Produce for broadcast educational radio and television programming to meet the state's special needs.
- Coordinate programming information with public schools, higher education, other state agencies and local public service organizations, which use the radio and television programs.
- Make the public aware of educational programming through various media.

### Administrative Office

- Hold the licenses for three public television stations and eight translators and the public radio network's eleven transmitters and four translators.
- Coordinate inter-division activities.
- Manage local resources to leverage federal dollars designated for telecommunications equipment.
- Manage the distribution of government funds.
- Manage, direct and improve the 626-mile microwave interconnection system.
- Set goals and objectives for WV Public Broadcasting.

### Continuing Educational, Informal and Infrastructure Projects

- Provide nightly legislative and live final day television coverage.
- Maintain equipment for the microwave interconnect.
- West Virginia Public Broadcasting has been serving the state for more than 40 years. We are the most widely used educational and cultural institution in the state, with a network of television, radio, internet and educational resources available to virtually every citizen of every age. We are leading the way in addressing our state's unique

needs in education, economic development, and quality-of-life issues through a variety of successful partnerships with individuals, businesses, governments and organizations. All this is possible thanks to the on-going support of underwriters and individual members, the West Virginia Legislature and Congress. You can find us on the radio dial at:

W-203-AE 88.5 FM Elkins	WVPB 88.5 FM Charleston	WVPW 88.9 FM Buckhannon	WVEP 88.9 FM Martinsburg	WVDS 89.5 FM Petersburg
WVWV 89.9 FM Huntington	WVNP 89.9 FM Wheeling	WVPG 90.3 FM Parkersburg	WVPM 90.9 FM Morgantown	W-218-AT 91.5 FM Union
WVKM 106.7 FM Matewan	WVBY 91.7 FM Beckley	W-220-BK 91.9 FM Logan	W-297-AA 107.3 FM Clarksburg	WVBL 88.5 FM Bluefield

WVWS  
89.3 FM  
Webster Springs

You may find us on television at:

WSWP-TV  
Grandview/Beckley

WPBY-TV  
Huntington/Charleston

WNPB-TV  
Morgantown

You can reach the EBA and its radio and television divisions at the address and phone number below:

- 600 Capitol Street  
Charleston, WV 25301  
(304) 556-4900
- E-mail – [feedback@wvpubcast.org](mailto:feedback@wvpubcast.org)

## Organizational Display

Administrative Services Mgr. 1	1 Female/White	
Administrative Services Mgr. 2		1 Male/White
Administrative Services Mgr. 3		1 Male/White
Administrative Services Asst. 2		1 Male/White
Chief Financial Officer	1 Female/White	
Cultural Program Manager	5 Females/White	2 Males/White
Cultural Program Coordinator	7 Females/White	6 Males/5White/1Asia
Cultural Program Associate*		1 Male/White
Cultural Program Specialist*	6 Females/White	8 Males/7 White/1 Black
Custodian Lead		1 Male/White
Electronics Technician 1		1 Male/Black
Electronics Technician 2		2 Males/White
Electronics Technician 3		1 Male/White
Executive Director		1 Male/White
Information Systems Mgr. 1		2 Males/White
Information Tech Proj Mgr 2		1 Male/White
Information System Specialist 1		1 Male/White
Information System Specialist 2		1 Male/White
Office Assistant 2	1 Female/White	
Public Information Spec 2	1 Female/Black	
Technical Analyst Senior		1 Male/White
Technical Analyst 3		1 Male/White

\*Cultural Program Associate Part-time 18  
 Cultural Program Specialists Part-time 4

# Previous Year Assessment

## 2016-2017 EEO/AA Activities

The West Virginia Educational Broadcasting Authority (WVEBA) must obtain and regularly renew its licenses to broadcast over its radio and television frequencies from the Federal Communications Commission (FCC). It must demonstrate a genuine commitment to equal opportunity in employment or risk losing its federal authorization to operate. This is a powerful motivation for effective EEO/AA.

Another strong influence for successfully integrating equal opportunity into the agency's culture is the Corporation for Public Broadcasting, which contributes to the WVEBA budget. This annual contribution (which began in 1969) is contingent on an effective showing of equal employment and affirmative action on the part of the grantee (the WVEBA).

Finally, the WVEBA has always operated as a public agency in the public interest. Its very existence creates an inherent expectation among its employees, managers and board of directors that the agency will insist upon equal employment opportunity and affirmative action in all of its activities.

Some of the highlights for this year are:

**Initiative:** Attendance at Job Fairs

**Station Staff Involved:** Tammy Treadway, CFO, Jan Johnson, Human Resource  
Job Fair, Glenville State University, Glanville West Virginia, March 2, 2017  
Career Fair, Erma C Byrd Higher Education Center, Beckley, West Virginia, October 28, 2016  
Career and Employment Expo, West Virginia State University, Institute, West Virginia, April 7, 2017

**Initiative:** Participation in job banks, internet programs, and other programs designed to promote outreach.

1) An ad was placed in the "Minority Review," a circular which reaches the Eastern region of the United States. The ad appeared in the section set aside for companies supporting minority outreach in hiring and promotion within their organization. The ad presents contact information for each organization. The West Virginia Public Broadcasting ad appeared along with companies from Maryland, Massachusetts, New York and Pennsylvania.

2) Listing of each upper-level category opening in a job bank or newsletter of media trade groups whose membership includes substantial participation of women and minorities.

Membership in the West Virginia Broadcasters' Association

**Initiative:** Internship program designed to assist members of the community to acquire skills needed for broadcast employment.

1) An internship was established with an area universities:

Concord University, Athens, WV, WVU, Morgantown WV, WV State University. The intern is assigned to research and execute stories for West Virginia Public Radio. Duties included gathering sound, writing scripts, taking pictures and sometimes video, and then translating the script into a web version story. The intern also helped with minimal paperwork and equipment maintenance as well as other duties as needed.

# DISSEMINATION OF POLICY STATEMENT AND AFFIRMATIVE ACTION PLAN

## Policy Dissemination

The following procedures are designed to ensure that all members of the staff are cognizant of the EBA's Equal Employment Opportunity Program and their individual responsibilities.

- a. The EBA employment application form contains a notice informing prospective employees that discrimination because of race, creed, color, religion, national origin, sex, age, handicap, physical, mental disability or veteran's status is prohibited and that they may notify the appropriate local, state or federal agency if they believe that they have been the victim of discrimination.
- b. Notices are posted informing applicants and employees that the EBA is an Equal Employment Opportunity Employer and of their right to notify an appropriate local, state, or federal agency if they believe they have been the victim of discrimination.
- c. It is stated policy of the EBA that all of its employees have the right to work in an environment free from all forms of discrimination and conduct which may be considered harassment, coercive or disruptive. No employee should be subjected to uncalled for and unwelcome conduct of a discriminatory nature based upon any of the above-stated criteria. Discriminatory conduct whether committed by supervisory or non supervisory personnel is strictly prohibited and will not be tolerated. Any such conduct should be reported immediately to your supervisor when it occurs. In the event that you feel, for any reason that you cannot deal directly with your supervisor in reporting potential discrimination problems you should see the division head in order to allow the charge to be investigated.
- d. A web site is available to inform the public of current job openings.
- e. External recruitment sources include colleges, universities, local churches and local community groups.

# Action Programs

On March 10, 2003 the Federal Communications Commission (FCC) created a new version of the Equal Employment Opportunity (EEO) Rule. The EEO Rule requires extensive outreach efforts. The EEO Rule contains a three-prong EEO outreach requirement designed to ensure that stations engage in broad outreach to potential male and female applicants of all races and ethnicities. The rules now are effective and stations must comply with the rules for any job vacancy.

## Outreach Prong 1 – Recruitment for all Full-Time Vacancies

Broadcasters are required to develop and use a list containing a variety of recruitment sources that can be reasonably expected to reach the entire community for each full-time job vacancy.

## Outreach Prong 2 – Notification to Community Groups

Broadcasters are required to provide notification of full-time job vacancies to organizations involved in assisting job seekers who have specifically requested to be notified of openings through a mailing list.

## Outreach Prong 3 – Menu Option Initiatives

Broadcasters are required to further broaden outreach efforts to reach segments of the labor force that may be inadvertently omitted from vacancy-specific recruitment. The activities from these initiatives are to be done independently of any specific opening at the station, with the idea that the opportunities that the broadcasting industry as a whole offers will help establish a continuing pipeline of people interested in broadcast employment. Some of the menu options include: participation in job fairs; establishment of an internship program; participation in job banks, Internet programs, and other programs designed to promote outreach; listing of each upper-level category opening in a job bank or newsletter of media trade groups whose membership includes substantial participation of women and minorities; and provision of training to management level personnel as to methods of ensuring equal employment opportunity and preventing discrimination.

# Job Group Analysis