

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Equal Employment Opportunity Recruitment )  
Requirements for Broadcast Licensees and Multi- )  
Channel Video Programming Distributors )

ORDER

Adopted: May 4, 2020

Released: May 4, 2020

By the Chief, Media Bureau:

1. In this Order, the Media Bureau (Bureau), in consultation with the Enforcement Bureau, waives the broad outreach requirements of the Federal Communications Commission’s (Commission) Equal Employment Opportunity (EEO) recruitment rules found in sections 73.2080(c)(1) and 76.75(b)(1) of the Commission’s rules in the limited circumstances described below relating to the COVID-19 pandemic.<sup>1</sup>

2. The Commission’s EEO rules ordinarily require broadcast stations employing five or more full-time employees and multichannel video programming distributors (MVPDs) employing six or more full-time employees to engage in broad recruitment outreach for all full-time job vacancies.<sup>2</sup> The Bureau finds good cause to waive this requirement to allow affected broadcast licensees and MVPDs to return operations to full strength once circumstances permit the re-hiring of released employees. Specifically, broadcast licensees and MVPDs may re-hire full-time employees who were laid off due to circumstances related to the ongoing COVID-19 pandemic without first conducting broad recruitment outreach, if they re-hire such employees within nine months after the date they were laid off. This partial waiver of the outreach requirement pertains only to employees who were released due to circumstances related to the COVID-19 pandemic.

3. Due to challenging economic conditions directly resulting from the COVID-19 pandemic, including significant layoffs and workforce reductions in the media industry,<sup>3</sup> the Bureau has determined that good cause exists to relieve broadcast licensees and MVPDs from EEO recruitment requirements in the limited circumstances described above. Given the unique importance of broadcasters and MVPDs in providing access to breaking news and critical information relating to the pandemic, the public interest, convenience, and necessity would be best served by encouraging these entities to maintain, or quickly resume, normal operations. Facilitating the expeditious re-hiring of full-time employees laid off as a result of the pandemic to job vacancies created by the pandemic supports this important goal.

4. Because the Bureau’s waiver will be limited to the re-hiring of employees laid off due to circumstances related to the COVID-19 pandemic, it will not have a material adverse impact on the

<sup>1</sup> See 47 CFR §§ 73.2080(c)(1) and 76.75(b)(1).

<sup>2</sup> See 47 CFR §§ 73.2080(c)(1), (d) and 76.75(b)(1), (i).

<sup>3</sup> Kristen Hare, *Here are the newsroom layoffs, furloughs and closures caused by the coronavirus*, Poynter (Apr. 29, 2020), <https://www.poynter.org/business-work/2020/here-are-the-newsroom-layoffs-furloughs-and-closures-caused-by-the-coronavirus/>.

Commission's goals of ensuring equal employment opportunity and nondiscrimination. This partial waiver is effective immediately.

5. Accordingly, **IT IS ORDERED**, pursuant to the authority found in sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 USC §§ 154(i) and 154(j), and sections 0.61, 0.283, and 1.3 of the Commission's rules, 47 CFR §§ 0.61, 0.283, and 1.3, this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED**, that pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order **SHALL BE EFFECTIVE** upon release.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey  
Chief, Media Bureau