



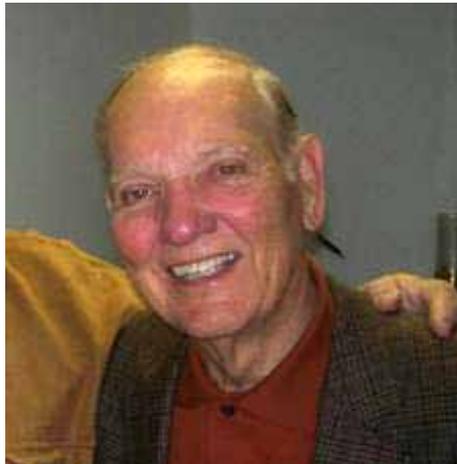
# Newsletter

Virginia Association of Broadcasters

November 2010

## Radio Personality, Les Woodie Signs Off After More than a Half Century in Broadcasting

After 48 years of serving KD Country clients, the Altavista community and the greater Lynchburg area; Broadcaster, artiste, neighbor and friend Mr. Les Woodie has announced his retirement.



He started his broadcasting career in Rocky Mount selling radio advertisement at WITI Radio before filling the position as General Manager for WKDE AM/FM Radio; a post he has held since 1962. Besides being an adored radio personality, hosting an afternoon program for many years on 105.5fm; "The Wheel Horse (Hoss)" has been a driving force behind the

sales department at KD Country.

Les Woodie has become somewhat of a bluegrass icon locally and is credited for being an ambassador of the genre of music that he loves. Having recorded his own album, Woodie is a world renowned musician for his talent and skills as a fiddle player. He has played with the likes of Stan Dudley, The Tunstall Trio and most recently with The Bluegrass Authority. Furthermore, he has performed and is heard on most of The Stanley Brothers Columbia recordings including Dr. Ralph Stanley's original "Man

of Constant Sorrow" from the movie "Oh Brother Where Art Thou".

Born and reared in Valdese, North Carolina. Les joined the Stanley Brothers (Ralph and Carter) on the popular "Farm & Fun Time" Jamboree on WCYB Radio in Bristol Tennessee and played live TV in Huntington W.VA. He then went on to be a regular performing member of The Louisiana Hayride in Shreveport, LA, before joining the U.S Air Force. While he was in the service he created an armed forces band, working military and civilian venues. He even once made a western movie in Manila, while stationed in the Philippine Islands.

Once discharged, he came to Lynchburg where he attended college and joined The Bill and Mary Reid Band. A first generation Bluegrass Hall of Honor

*continued on page 2*

### Minority, Civil Rights Groups Back Rush

Rep. Bobby Rush, D-Ill., has received the backing of a group of minority and civil rights groups in his bid to become the ranking Democrat on the House Energy and Commerce Communications, Technology and the Internet Subcommittee. In a letter to House Speaker Nancy Pelosi, D-Calif., the groups cited Rush's experience on the committee, his work on the 1996 telecommunications act and ability to work well with other Democrats and Republicans.

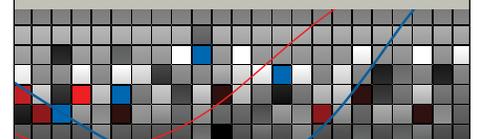
"With the exhaustive list of issues awaiting CTI's consideration, we need to be sure that the ranking member of this crucial subcommittee is up to speed," according to the letter signed by such groups as the Minority Media & Telecommunications Council, the Urban League and the Rainbow Push coalition. "Congressman Rush is not only up to speed, but he is ahead of the curve. His years of experience and intricate knowledge of current issues within CTI's domain make him the optimal candidate for this position.

The current chairman of the Communications Subcommittee, Rep. Rick Boucher, D-Va., was defeated in the midterm election earlier this month, leaving the top Democratic spot on the panel open in the next Congress when the GOP will have control of the House. Rush is currently the chairman of the Commerce, Trade, and Consumer Protection Subcommittee but announced earlier this month his desire to switch to become the ranking member on the Communications panel. ❖

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## VAB Newsletter

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## Woodie *continued from page 1*

recipient, Les has won numerous awards. Taking home first place prizes in fiddle contest including the North Carolina and Virginia State Fiddling Championships.

Mr. Woodie's last day will be November 6, 2010. We invite the public to help us bid him a fond farewell and happy retirement by way of congratulatory correspondences. Letters and cards may be sent to WKDE Radio, 200 Frazier Road, Altavista, VA 24517. ❖

## Nashville Radio Personality to be Inducted into Broadcasting Hall of Fame

Gerry House, award-winning Nashville radio personality and renowned songwriter, will be inducted into the NAB Broadcasting Hall of Fame during the NAB Show Radio Luncheon, sponsored by ASCAP. The luncheon, held Tuesday, April 12, will also feature the annual presentation of the prestigious NAB Crystal Radio Awards, which honor local radio stations for community service.

"Gerry House has been entertaining thousands of listeners in the Nashville area for 30 years," said NAB Executive Vice President of Radio John David. "We look forward to honoring Gerry for his long list of accomplishments, which includes his morning program that's leaving WSIX this December after a long and successful run."

House has released two country / comedy albums, titled *The Cheater's Telethon* and *Bull* in 1990 and 1992, respectively. A Country Music Association (CMA) and Academy Of Country Music (ACM) award-winning American radio personality, House currently entertains Nashville listeners on the morning show "Gerry House and the House Foundation" on WSIX-FM Nashville. In addition to hosting several nationally syndicated radio shows, including "Countryline USA," "America's Number Ones" and "The Saturday Night House Party," House has had a long and successful career as a songwriter, creating songs for George Strait, Reba McEntire, LeAnn Rimes and Pam Tillis. He has also had his songs recorded by Brad Paisley, Randy Travis, Trace Adkins, Mark Collie, Clint Black, Neal McCoy and The Oak Ridge Boys, among others.

House joined WSIX-AM Nashville in 1975 and later transitioned to WSIX-FM, where the morning show "Gerry House and the House Foundation" was established. House held positions at WSM-AM Nashville and KLAC-AM Los Angeles before returning to WSIX-FM to continue his popular morning program. House was inducted into the Country Music DJ Hall of Fame in 2009, and is a seven-time winner of Billboard's Radio Personality of the Year award. A four-time Country Music Association Personality of the Year winner, House is also a multiple winner of the Radio & Records Country Format Personality of the Year and a recipient of the NAB Marconi Radio Award for Large Market Air Personality of the Year. ❖



## Video Description Law Enacted for TV Stations

President Obama has signed the Twenty-First Century Communications and Video Accessibility Act of 2010 ("Act") into law. The Act reinstates the FCC's video description rules that were struck down in 2002 by the U.S. Court of Appeals for the District of Columbia Circuit. The Act requires the Commission, on October 8, 2011, to reinstate the rules that require broadcast stations affiliated with the top four networks (ABC, CBS, FOX, and NBC) in the top 25 DMAs to provide at least 50 hours per calendar quarter (roughly four hours per week) of programming with "video description" either during prime time or children's programming—programming that is typically provided by a network or syndicator and not originated by local television stations. Thus, the Act, initially at least, has cost and expense implications only for Big Four network affiliates in the top 25 DMAs, and these new costs (for budgeting purposes) will be relevant for these stations beginning October 2011.

### What To Expect In October 2011

The Act, literally, requires the FCC to reinstate the video description rules for Big Four network affiliates in the top 25 markets "on" October 8, 2011, but also mandates reinstatement of the rules according to "an appropriate phased schedule of deadlines." Thus, the language of the Act is somewhat unusual in that it requires a hard deadline for application of the reinstated rules to Big Four network affiliates in the top 25 DMAs and a "phased schedule of deadlines" for compliance for these same stations. Presumably, the FCC will, during rulemaking proceedings that are required to implement the Act, reconcile these seemingly conflicting statutory mandates.

As previously reported, the House and Senate approved different versions of video description legislation in July and August, respectively. Before the bills could move out of Congress and to the President, reconciliation of the two bills was required. The legislation, as reconciled, adopts in all relevant respects the Senate, rather than the House, version

of the bill. The Senate legislation took a more gradual approach to expansion of the video description rules beyond the top 25 DMAs than the House version of the bill.

"Video description," as defined in the FCC's earlier adopted rules and in the Act, means the insertion of audio narrated descriptions of a television program's "key visual elements" into natural pauses between the program's dialogue. Video description, where it is provided, is generally transmitted through a broadcaster's Secondary Audio Programming (SAP) channel and allows the blind and visually disabled to "hear what they cannot see."

### Post-2011 Implementation for Non-Top 25 Markets

The Act directs the FCC, after specified periods of time, to expand the video description rules to additional markets beyond the top 25. The law requires the Commission to phase in its video description rules for the top 60 DMAs by 2016 and allows the FCC, based on certain findings and beginning in 2020, to add an additional 10 DMAs each year thereafter.

### Other Considerations

The Act also allows the FCC to consider expanding the amount of video

description required per quarter to as much as 87½ hours per quarter for each affected station.

In addition to reinstating (and expanding over time) the video description rules, the Act also addresses the FCC's emergency access rule. The law requires the Commission to complete a proceeding to "identify methods to convey emergency information in a manner accessible to individuals who are blind or visually disabled" and to issue regulations that "require video programming providers and video programming distributors and program owners to convey such emergency information in a manner accessible to individuals who are blind or visually disabled." Exactly how this impacts the FCC's existing emergency access rule is not yet clear, though it presumably includes providing emergency information aurally.

### Stations' Distribution May Be Affected

Finally, the Act also requires the Commission to revise its rules to require closed captioning to be provided in video programming delivered through the Internet that is first delivered through television. This requirement has the potential especially to affect stations that repurpose news and other content on their websites. ❖

## New HD Radio Concept Provides Options

NAB FASTROAD has announced the release of a report on a new personalized service concept for in-band/on-channel (IBOC) digital radio. This work was undertaken by iBiquity Digital Corporation, developers of the HD Radio IBOC system used by U.S. broadcasters to transition to digital radio, and was co-funded by iBiquity and NAB FASTROAD.

The Persona Radio is a proof-of-concept advanced receiver design that would allow users to create a customizable listening experience and create opportunities for behavioral targeted advertising. Aspects of the listening experience that are customizable include audio content, text displays and advertisements. The report released today details the concept of how the Persona service would work, the supporting broadcast infrastructure, and a variety of possible listener use cases.

Release of this report follows initial discussions of the Persona Radio project by iBiquity in their exhibit at the 2010 Radio Show produced by RAB and NAB, where a mock-up of a Persona Radio receiver was featured as part of iBiquity's hospitality suite. For more information, visit [www.NABFASTROAD.org](http://www.NABFASTROAD.org). ❖

# Have You Been Through a Wage and Hour Audit Yet?

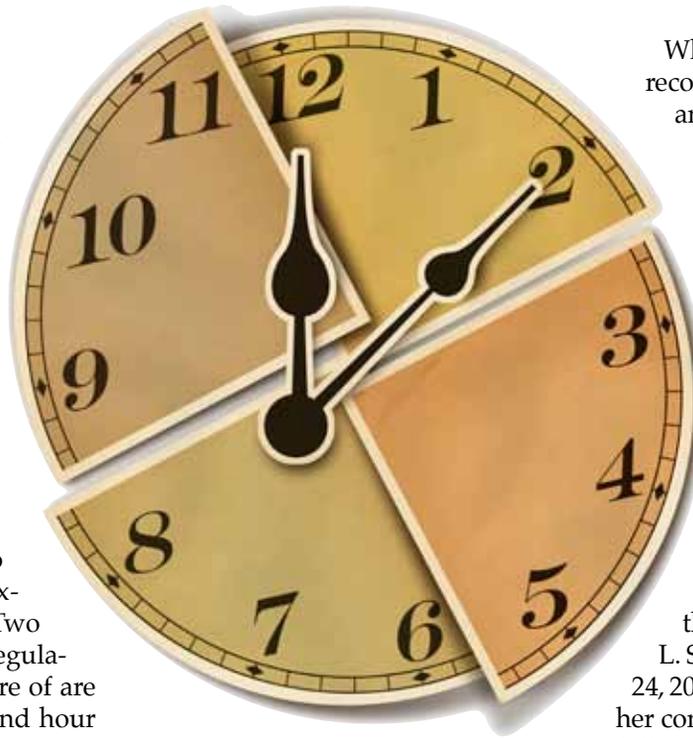
By John G. Kruchko  
and Christin L. Eberst

Are you confident your business is complying with government hiring and wage and hour regulations? Government audits are no longer simply a scare tactic to ensure employers abide by immigration and wage and hour regulations; rather, they are becoming a more common occurrence. Over the past year, government agencies have increased the number of investigations to ensure employers observe existing laws and regulations. Two noticeable areas of increased regulation employers should be aware of are hiring procedures and wage and hour compliance.

## The ICEman Cometh

Starting in July 2009, the U.S. Department of Homeland Security's Immigration and Customs Enforcement ("ICE") launched an aggressive initiative to regulate and ensure employers are complying with employment eligibility verification laws and regulations (i.e., the lawful hiring of immigrants). This initiative has been aimed at holding employers accountable for any wrongful hiring practices and to ensure a legal workforce.

To guarantee that proper hiring procedures are followed (more specifically, the proper completion of I-9 forms), ICE may audit a company's hiring records. Following a July 2009 press release regarding ICE's new initiative, the agency issued Notices of Inspections (NOIs) to 652 businesses. A receipt of an NOI initiates the auditing process. ICE has since issued over 1,000 more NOIs in November 2009 and another 500 NOIs this past September, 2010. Employer liability following an audit may result in significant fines and possible criminal sanctions.



Any employer may be the subject of an I-9 audit; all employers should therefore take preventive measures now to decrease the risk of potential liability. Employers are required to complete and retain an I-9 form for every employee hired for at least three years after hire, or one year after the employee has been terminated, whichever is later. These forms should be kept by the employer and not submitted to ICE, unless otherwise requested.

Other than retaining and completing a form for each employee, the following steps may help limit liability: (1) ensure that the correct version of the I-9 form is being used; (2) review I-9 policies and procedures; (3) keep I-9 forms separate from other personnel documents; (4) separate current employee forms from those employees who are no longer with the company; (5) ensure an employee's authorization document is on the List of Acceptable Documents and is genuine; (6) refrain from discriminating when reviewing the genuineness of an employee's authorization document; (7) properly train employees who review I-9 forms; and (8) complete an internal audit of I-9 records.

While this is not a complete list of recommendations, it may help reduce an employer's potential liability. Remember, if your company receives an NOI letter, you have three (3) days in which to respond and submit the required, original I-9 forms for inspection.

## Not to be Outdone ... Here comes the DOL

ICE is not the only agency to step up their audits of employers. The Department of Labor ("DOL") is also increasing its efforts to ensure wage and hour compliance. Shortly after the new Secretary of Labor, Hilda L. Solis, was confirmed on February 24, 2009, she made a statement voicing her concerns over employers' failure to follow wage and hour laws. In a March 2009 press release, Solis reiterated her commitment to ensure that "every worker is paid at least the minimum wage, that those who work overtime are properly compensated, that child labor laws are strictly enforced and that every worker is provided a safe and healthful environment."

Following this press release, the DOL began implementing a plan to step-up enforcement and "reinvigorate the work of this... agency." In March 2009, the DOL vowed to add 250 field investigators to their Wage and Hour Division ("WHD"). By the end of the 2009 fiscal year, over 160 new investigators had been hired and plans are in place to continue this aggressive hiring scheme. Since these new hiring efforts began, WHD has completed nearly 25,000 compliance actions and collected more than \$172,600,000 in back wages for more than 219,000 workers nationwide.

The DOL is apparently not yet finished. The 2011 Fiscal Year budget includes a request for a new multi-agency Misclassification Initiative to strengthen both federal and state efforts to combat employee misclassifications. This new

initiative, in addition to the hiring plan already in place, would continue to aid the DOL's ability to investigate wage and hour violations.

In light of the DOL's increased compliance measures, employers can be sure of an increase in audits. So, what should an employer do? Most importantly, employers should be very proactive in ensuring compliance; do not wait until an audit letter is deposited in your mailbox. This requires employers to look closely at all its wage and hour issues, including, but not limited to: meal and rest breaks, employee classifications (both exempt versus non-exempt classifications, and employee versus independent contractor classifications), the correct payment of overtime, and other wage and hour issues, such as Family and Medical Leave Act compliance and child labor requirements. When conducting this "internal audit" be sure to check compliance with both federal and state wage and hour laws. States are free to craft wage and hour laws that are even more onerous than their federal counterparts.

In order to prevent liability for your business, we recommend that you complete, at a minimum, an internal audit of these issues and have an attorney review the company's policies, procedures and results of the audit. These are complex issues that should not be ignored. While a preemptive self-audit may seem costly, a DOL investigation or law suit will cost significantly more. If your business has never performed an internal audit and you are unsure how to get started, we recommend you contact your Labor and Employment attorney to assist you. ❖

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John G. Kruchko is a Partner with the Management Labor & Employment Law Firm of Kruchko & Fries in McLean, Virginia; Christin L. Eberst is an Associate with the Firm. For more information, please contact Mr. Kruchko or Ms. Eberst at 703/734-0554 or JKruchko@KruchkoandFries.com, or CEberst@KruchkoandFries.com. This article is published for general information purposes, and does not constitute legal advice.



## FCC Extends EAS Cap Deadline

The FCC has issued an Order that extends the deadline for radio and television broadcasters participating in the Emergency Alert System to be able to receive alerts in the newly adopted Common Alerting Protocol (CAP) 1.2 format. The new deadline for CAP 1.2 compliance is now September 30, 2011.

As previously reported, the Federal Emergency Management Agency (FEMA) recently adopted the CAP 1.2 digital message format for the Integrated Public Alert and Warning System, the nation's "next generation" emergency alert and warning network. FEMA's adoption of the CAP 1.2 standard started the 180-day "clock" for broadcasters to be able to receive alerts in CAP 1.2 format. The FCC-mandated deadline was originally scheduled to be March 29, 2011.

Following FEMA's adoption of CAP 1.2, a group of broadcasters filed a petition with the Commission seeking a delay of at least another 180 days, or until September 30, 2011, before stations would be required to accept CAP 1.2 messages. These petitioners argued that 180 days was too soon for manufacturers to test and certify equipment compliant with the new standard and make it available to all participating stations. The Order released yesterday grants the petition and, as requested, waives CAP 1.2 compliance for an additional 180 days.

In the Order, the FCC also stated that it intends to "revisit the issue of CAP acceptance by EAS participants" in an upcoming rulemaking proceeding. The Order notes that the forthcoming proceeding will be a "comprehensive review of the impact of CAP" on the FCC's rules, including the CAP reception rule and the issue of Commission certification of CAP-compliant equipment. According to the Order, the FCC anticipates it will complete the rulemaking before the waiver period expires on September 30, 2011. ❖

## GOT NEWS?

For coverage in future issues, please send announcements/press releases and accompanying photographs to [marci.malinowski@easterassociates.com](mailto:marci.malinowski@easterassociates.com) or mail to:

VAB Newsletter  
600 Peter Jefferson Parkway, Suite 300  
Charlottesville, VA 22911

Submissions may be edited for length. Inclusion is not guaranteed and may be excluded due to space.



# NOVEMBER JOB BANK

## SUBMIT JOBS

### Submit to VAB Newsletter:

- Please e-mail the listing directly to [marci.malinowski@easterassociates.com](mailto:marci.malinowski@easterassociates.com).
- Be sure to include your station ID or company name, information on how the applicant can apply and where to send the applications materials.

### Submit to the Online Job Bank:

- Go to [www.vabonline.com](http://www.vabonline.com)

### Reporter Richmond, VA

WRIC-TV is looking for a reporter who can generate story ideas, understands relevant content, and can deliver stories in a non-traditional manner. Shooting and editing skills are an asset. Minimum of two years experience preferred. Please send non-returnable DVD and resume to: WRIC TV8 Personnel Dept., 301 Arboretum Place, Richmond, VA 23236-3464, or fax your resume to 804/330-8881, or email your resume to [personnel@wric.com](mailto:personnel@wric.com). NO phone calls please. EOE.

### Weekend News Photojournalist/Editor Richmond, VA

WRIC-TV is looking for a News Photojournalist/Editor. Experience working with Panasonic P2 format, Edius non linear editing and ENG live truck operation preferred. The ideal candidate must produce innovative content for all newscasts, exhibiting creativity and attention to detail. Please send non-returnable DVD and resume to: WRIC TV8 Personnel Department, 301 Arboretum Place, Richmond, VA 23236-3464. NO phone calls please. EOE.

### Director of Digital Sales Richmond, VA

Primary responsibility is to grow digital ad revenue on [wric.com](http://wric.com) and related sub domain sites. Work with GM/GSM/LSM to establish goals and strategy to grow digital revenue. Develop new initiatives based on client needs and new technology. Create and present digital marketing campaigns to generate results for local clients. Send resume to: WRIC TV8 Personnel Department, 301 Arboretum Place, Richmond, VA 23236-3464, or fax your resume to 804/330-8881, or email your resume to [personnel@wric.com](mailto:personnel@wric.com). NO phone calls please. EOE.

### Account Executive Richmond, VA

Account Executive position in Sales Department. Advertising sales background helpful. Send resume to: WRIC TV8 Personnel Department, 301 Arboretum Place, Richmond, VA 23236-3464, or fax your resume to 804/330-8881, or email your resume to [personnel@wric.com](mailto:personnel@wric.com). NO phone calls please. EOE.

### News Anchor/Reporter Roanoke, VA

WDBJ, the CBS affiliate in Roanoke, VA, is looking for an energetic and talented news

anchor/reporter. Must have a strong on-air presence, excellent news judgment, and solid reporting skills. Ideal candidate is a strong writer with the ability to contribute to all platforms. Must be able to meet deadlines and work well under pressure. Previous anchoring and reporting experience required. Will make outside appearances and represent the television station. Must have a valid driver's license with a good driving record. Pre-employment background and drug screen required. Send cover letter, resume, and a DVD demo to: News Director WDBJ Television 2807 Hershberger Road Roanoke, VA 24017 Emails are not accepted for this position. WDBJ Television, Inc. is an EOE.

### Director of Sales Fredericksburg, VA

Four Station family-owned business in Fredericksburg, Virginia has a terrific sales management career opportunity. Top performing radio stations come with all the research tools and resources to succeed. We're looking for a sales leader that can train, lead and motivate a seasoned sales/marketing team. Must understand and institute strong yield management systems, be excellent at generating local direct business, market cross platform clients campaigns and establish and maintain strong client relationships. Candidates must have a minimum of 2 years sales management experience in broadcast media preferably with multiple platforms. WFLS/WVBX/WWUZ Radio ATTN: Human Resources 616 Amelia Street Fredericksburg, VA 22401 Fax: 540/374-5449 Email to [jobs@freelancestar.com](mailto:jobs@freelancestar.com) EOE.

### 5PM Anchor/Producer Fredericksburg, VA

WHSV-TV is looking for a dynamic and creative Anchor / Producer to create a fast paced, interactive and current one-hour newscast. We're looking for a seasoned producer who has strong presentation skills to compliment our established male anchor on our 5PM show. Our newscasts are highly interactive with user-submitted content and LIVE video. If you know how to find stories and feedback on Facebook, Twitter and websites and present it in a meaningful way then we are looking for you. We're looking for an experienced newsroom leader who can help mold our young, energetic reporters into journalists who can create compelling content for our newscasts. Proficiency with I-News is a plus. Exposure to news gathering using new media is important. This position

mainly involves anchoring and producing but there are also opportunities to report. Shooting and non-linear editing skills are desired. Take a look at news product online at [whsv.com](http://whsv.com) and let us know how you could contribute. If you can see yourself living and working in the beautiful Shenandoah Valley, we want to hear from you. Please RUSH your tape and resume to: Ed Reams, News Director, WHSV-TV, 50 North Main Street, Harrisonburg, VA 22802. You may also email your resume to [ereams@whsv.com](mailto:ereams@whsv.com). WHSV-TV is a drug free workplace. EOE.

### General Manager, WTJU Charlottesville, VA

WTJU-FM (91.1), the free-form music and public-affairs radio station of the University of Virginia, Charlottesville, seeks a manager experienced in community radio to become its general manager. The GM supervises three full-time staff and 175 volunteers. Responsibilities include managing programming to ensure consistency with the University's and station's missions; overseeing budget and fundraising; ensuring operational compliance with policies and procedures of the university, FCC and CPB; and working with contract engineer to maintain broadcast and production equipment. For details or to apply, visit <https://jobs.virginia.edu/applicants/Central?quickFind=62532>. EOE.

### Marketing Director Richmond, VA

Responsible for directing the station's marketing strategy and philosophy through the use of on-air advertising, outside media, social media, community and special events. Bachelor's degree (B.A.) from four-year college or university preferred; or one to two years related experience and/or training; or equivalent combination of education and experience. This is a hands-on leadership position. Successful candidates will write and produce marketing products for the television station. If you are interested, send resume and non-returnable DVD of your work to WTVR-TV, 3301 West Broad Street, Richmond, VA 23230 or email information to [SHayes@wtvr.com](mailto:SHayes@wtvr.com). No phone calls. Local TV LLC is an Equal Opportunity Employer.

### News Producer Roanoke, VA

WDBJ7, the number one station in the Roanoke - Lynchburg market, is looking for a strong line producer. This is not a job for a show stacker. Candidates must have excellent journalism skills, understand how to use graphics effectively and can produce and post content to [wdbj7.com](http://wdbj7.com). This person must have clear news judgment and a good handle on what makes an informative and watchable newscast from beginning to end. Must have a valid driver's license with a good driving record. Background and pre-

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employment drug screen required. Send cover letter, resume, and your most recent newscast by mail to: Producer Position Attn: News Director WDBJ Television, Inc. 2807 Hershberger Road Roanoke, VA 24017 WDBJ Television is an Equal Opportunity Employer.

#### **Local Sales Manager Front Royal/Winchester, VA**

Royal Broadcasting is seeking a local Sales Manager for it's AM/FM stations in the Winchester/Front Royal Market. Applicant does not need to have prior management experience but they MUST possess the ability to train others and lead a sales team. The opportunity provides for LOTS of creativity and community service involvement. Applicants may apply by forwarding a brief letter of interest and resume to: [andrew@royalbroadcasting.net](mailto:andrew@royalbroadcasting.net) by December 1, 2010. Royal Broadcasting is a locally owned and operated company, and is committed to EEO.

#### **Creative Services Director Charlottesville, VA**

NBC29 seeks Creative Services Director for commercial and promotion-related production. Station seeks person with 2+ years experience in conceiving, scripting, producing, directing and editing of television commercials or industrial videos. Candidate must possess strong writing and communication skills, ability to meet deadlines, work directly and effectively with clients and sales staff, and direct others in the production process. Excellent compensation package. Interested persons should send resume with salary requirements and NBC29 application, available for download at [www.nbc29.com](http://www.nbc29.com), to: HR Manager WVIR-TV 503 E Market St Charlottesville, VA 22902 No phone calls please. Resumes received without NBC29 application will not be considered. EOE.

#### **Morning Anchor Charlottesville, VA**

Morning anchor/MMJ Here's a rare chance to join the team at the Charlottesville Newsplex, one of the nation's fastest-growing television stations in one of the nation's most desirable small cities. You're a reporter/anchor with smarts, spark and spontaneity. You want to team with an experienced, affable male anchor to create compelling live TV in the studio and in the field. You're a storyteller and consider yourself a reporter first. You're committed to accuracy and fairness, devoted to serving your community and intent on using social media and digital platforms to expand your impact. You want to work in a drama-free, fun newsroom that propels careers. You have at least two years' experience on air. If I've described you, don't call me. Rush your resume and tape, e-mailed links get first look, to Jim Hanchett, News Director, Charlottesville Newsplex, 999 2nd Street SE, Charlottesville, VA, 22902. Jim.

[Hanchett@Newsplex.com](mailto:Hanchett@Newsplex.com) Excellent driving record required. The Charlottesville Newsplex is a proud member of the Gray Television, Inc. family, an equal opportunity employer, and a drug-free workplace.

#### **Account Executive Norfolk, VA**

Sinclair Communications is looking for creative people who enjoy the fast-paced, highly challenging world of radio marketing and sales. We seek winners who have at least two years of outside sales experience. Apply now by calling Luciana Varverud at 757/222-2930, or fax your resume to 757/640-8552. EOE.

#### **General Sales Manager Harrisonburg, VA**

Conceptualize and execute marketing programs and client services. Develop, implement and communicate sales strategies and action plans. Analyze and report to upper management regarding station and market revenue activity. Hire, coach, train, counsel and motivate sales team. Three years related experience and/or training, or equivalent combination of education and experience. Understanding of broadcasting, pricing inventory, ratings, marketing, promotion and collection standards. Extensive knowledge of sales principles and practices. Excellent leadership, negotiating and communication skills. Ability to travel. Ability to work independently or in team setting. Ability to handle stress, deadlines and related financial pressures. Valid driver's license and state mandated automobile insurance. College degree preferred. Medical, Dental, Vision, Life, ESPP, 401k, EAP, Paid Vacation and Sick Leave. Resumes may be mailed or emailed to: Joyce Stiffler Assistant Business Manager Clear Channel Radio 207 University Blvd. Harrisonburg, VA 22801 [JoyceStiffler@ClearChannel.com](mailto:JoyceStiffler@ClearChannel.com) NO PHONE CALLS, PLEASE. EOE.

#### **Production Assistant PT Lynchburg, VA**

Primarily responsible for in-studio production assistance, including the operation of Camera, Audio, character generator, or etc. as assigned by shift supervisor. Also responsible for field technician assistance for Creative Services as needed. Knowledge of television production or willingness to learn. Knowledgeable in the operation of personal computers. Basic understanding of audio-visual components. Some knowledge of electronics preferred, but not necessary. Available to work irregular hours and holidays. Also available for long hours during special circumstances. Please apply in writing to Director of Human Resources, WSET-TV, P. O. Box 11588, Lynchburg, VA 24506-1588, or apply in person at WSET-TV, 2320 Langhorne Road, Lynchburg, VA 24501 from 8:30 a.m. to 5:30 p.m., Monday through Friday. No phone calls please! EEO/M/F.



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# Virginia Association of Broadcasters LEGAL REVIEW



## License Renewal Reminder: Non-Discrimination Provision in Advertising Contracts

By *Stephen Hartzell*

As we recently mentioned, the next license renewal cycle is just around the corner for Virginia radio stations. For the first time, stations will be required as part of the license renewal process to certify that their advertising sales agreements do not discriminate on the basis of race or ethnicity and that all such agreements held by the licensee contain non-discrimination clauses.

As we have previously reported, FCC rules that prohibit discrimination in the sale of broadcast time and in the sale of stations took effect more than two years ago, on July 14, 2008. To make the license renewal certification, stations will need to include non-discrimination language on written materials that document the agreement between the station and the advertiser.

Compliance with this non-discrimination rule poses special challenges for broadcasters that do not use formal advertising contracts. For example, some stations may use written proposals that buyers sign and return to the sales department. Other stations may verbally agree to sales terms without routinely exchanging written proposals or order confirmations.

In the former case, broadcasters may include on the written proposal a statement that the station does not discriminate in the sale of broadcast time. In the latter case, it would be prudent for broadcasters to include a non-discrimination statement on any written materials that are sent to the advertising client—for example, on invoices, promotional materials, rate

cards, confirmation faxes or e-mails, or any other written materials that are distributed to buyers.

The inclusion and distribution to advertisers of non-discrimination language necessarily varies from station to station based on the nature of written materials that are exchanged. To ensure

your Virginia radio station will be able to make the license renewal certification in 2011 (or your Virginia TV station in 2012), broadcasters will wish to consult with their communications counsel in order to draft and distribute appropriate non-discrimination language to comply with the Commission's rules. ❖



### Holiday Workplace Celebrations and Liability

With the holiday season upon us, your station may host a party or other social event for employees or clients. The decision whether to serve alcoholic beverages is an important one. Any event that involves serving alcoholic beverages poses special legal risks.

As you may know, many states have adopted "social host" liability rules which hold "social hosts" liable for damages for serving alcoholic beverages to an underage guest or to a guest who becomes intoxicated, operates a vehicle in a negligent fashion, and causes injury to another person.

If you decide to serve alcoholic beverages, you will wish to check your insurance policy or talk with your insurance agent concerning "special occasion" coverage. ❖

**This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.**

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