

**SHENANDOAH TO THE SHORELINE,
KEEPING YOU CONNECTED.**



Virginia Association of Broadcasters



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UPCOMING EVENTS

June 20-22, 2024

VAB 87th Annual Summer Convention
Marriott Oceanfront Hotel
Virginia Beach, VA

September 12-13, 2024

VAB Board Retreat
Farmington Country Club
Charlottesville, VA

October 24, 2024

VAB Small Market Radio Roundtable
Omni Hotel
Charlottesville, VA

October 24-25, 2024

VAB Best of the Best Session
Residence Inn
Charlottesville, VA

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Districts 6 & 9
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Roanoke, VA
Barbara Sewell
Three Rivers Media
Wytheville, VA

Districts 8, 10 & 11
Todd Bernstein
WJLA-TV
Arlington, VA

87TH ANNUAL SUMMER CONVENTION

JUNE 20-22, 2024

Marriott Oceanfront
Virginia Beach, VA

Follow the seagulls, let the shoreline lead you and plan to meet us on the coast...you are not going to want to miss out on this nautical time! You're invited to join **VAB UNDER THE SEA** at the VAB 87th Annual Summer Convention taking place June 20-22, 2024 at the **Marriott Virginia Beach Oceanfront Hotel!**

Registration is now open. **Click here** to register and view the Convention agenda. Our first speaker session will be on Thursday afternoon, awards banquet celebration on Friday evening, and the Convention will conclude with breakfast on Saturday morning. A block of rooms has been

reserved for the nights of Thursday, June 20 through Saturday, June 22. In order to receive the convention rate of \$299 please call the Marriott Virginia Beach Oceanfront directly today at (757) 937-4200 or use this **special website** for VAB.

As in past years, the VAB will once again subsidize \$100/per night for two nights if you reserve prior to the room block filling up. The credit will be reflected at check-out.

Should you have any questions or concerns, please contact Laura at (434) 326-9813 or email, **laura.lake@easterassociates.com**.



VAB BEST OF THE BEST ALUMNI REUNION EVENT

Members of the past 10 years of Best of the Best classes attended an exciting alumni event that was held on May 2nd in Richmond. It was a day of reuniting, networking, education on the study of co-leadership which included a private concert from Scuffletown! John Whitlow and Marc Carraway shared their talents in blending executive leadership training with musical performances to create collaborative power partnerships.



Reminder: Less Than One Week Until June 3, 2024 Deadline!

EEO Public File Reports Due June 3, 2024 for Virginia Radio and Television Stations



With the Memorial Day Holiday behind us, we write to remind all Virginia radio AND television stations with five or more full-time employees that the deadline to upload their annual EEO Public File Report (covering the period of June 1, 2023, to May 31, 2024) to their online public inspection file and post it to their website (if they have one) is less than one week away – the deadline is June 3, 2024. Recall that, for purposes of the FCC’s EEO rules, a “full-time” employee is one who works 30 or more hours per week.

As stations are well aware, the FCC’s EEO rules require broadcast stations to engage in specific non-vacancy outreach efforts. Every two years, stations that have more than 10 full-time employees and are not located in a “smaller market” must engage in at least four of the initiatives on the FCC’s “menu” of outreach options, and stations that are located in a “smaller market” or have five to ten full-time employees must engage in at least two of the initiatives. Stations with fewer than five full-time employees and religious broadcasters who apply religious qualifications to all employees are not required to engage in any “menu option” activities.

For Virginia television stations, the current two-year period in which to complete these EEO “menu options” ends June 1, 2024. (Virginia radio stations are currently in the middle of their two-year period, which will end June 1, 2025.)

For further details regarding the contents of the EEO Public File Report and EEO recordkeeping requirements, stations may wish to contact their communications counsel or call the VAB’s FCC Hotline.

Tim Nelson & Patrick Cross, Co-Editors
BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.



EEOC'S NEW GUIDANCE ON WORKPLACE HARASSMENT

By Anessa Abrams and James Handley

On April 29, 2024, the Equal Employment Opportunity Commission (“EEOC”) announced new guidance addressing harassment in the workplace, which went into effect immediately. This guidance consolidates the EEOC’s previous guidance and incorporates new topics reflecting recent changes in the law. For instance, the guidance enumerates new categories under “sex-based” harassment, including harassment based upon pregnancy, childbirth, or related medical conditions, including the choice to have or not have an abortion and to use or not use contraception, sexual orientation, and gender identity.

Highlights of the New Guidance

The guidance makes clear that the following conduct can form the basis of a harassment claim:

- Intentional use of a name or pronoun inconsistent with the individual’s known gender identity (misgendering);
- Denial of access to a bathroom or other sex-segregated facility consistent with the individual’s gender identity;
- Disclosing an individual’s sexual orientation or gender identity without permission;
- Insulting, criticizing, and demeaning behavior towards a person based on their pregnancy or pregnancy-related medical condition, such as lactation or morning sickness;
- Insulting, criticizing, demeaning, or changing the working conditions of an employee based on their decision to use or not use contraception, including abortion.

The guidance also addresses several concepts that may be unfamiliar to employers—retaliatory harassment and intraclass and intersectional harassment. Retaliatory harassment refers to harassment that occurs when an individual experiences harassment as a result of engaging in protected activity or anything that might deter a reasonable person from engaging in a protected activity. In an effort to explain intraclass and intersectional harassment, the guidance provides illustrative examples. According to the guidance, intraclass age-based harassment would occur when a 52-year-old supervisor directs derogatory comments toward a 65-year-old employee, even though they both are in the protected age category as employees over the age of forty. The guidance explains intersectional harassment occurs where individuals are targeted based on their membership in more than one protected category, using the example of a male manager making comments to a 51-year-old female worker that she was having a “menopausal moment.”

This new guidance, the first in 25 years, also incorporates the realities of the modern workforce by detailing how harassment can occur between remote workers and online. For instance, conduct is considered to be within the work environment if “it is conveyed using work-related communications systems, accounts, devices, or platforms,” including official social media accounts, video conferencing technology, and instant messaging system. Employers can also be liable if the conduct occurs in a non-work environment but has an impact on the workplace. This includes posts on private social media accounts if the victim learns of the post through a coworker, or if the post otherwise impacts the victim’s workplace.

This guidance does not come without its criticisms. When the EEOC unveiled a draft in September 2023, a coalition of 20 Republican state attorneys general argued that the guidance illegally stretched the definition of “sex-based harassment” and that they were ready to take “appropriate legal action” if the EEOC did not address its concerns in the final version. On May 13, 2024, many of these states followed through with that threat and filed a lawsuit seeking injunctive relief on the basis that the EEOC’s new guidance unlawfully expanded Title VII’s protections. However, employers should not act in reliance on any of the challenges being successful.

Considerations For Employers

As this guidance shows the EEOC’s current position on harassment claims, employers should familiarize themselves with the new guidance and institute the appropriate policies to reflect the robust changes. Whether harassing behavior violates the law will continue to be addressed on a case-by-case basis, but there are proactive steps that employers can take to mitigate the risk under these new guidelines. Employers should review their current policies, ensure that managers are familiar with the new guidance, and reach out to counsel when they learn of potential violations in the workplace.

If you have any questions regarding matters before the EEOC or employers’ workplace policies in response to this new guidance, please contact Anessa Abrams, partner in our Washington, DC office, or James D. Handley, counsel in our Washington, DC office at (202) 719-2045 or by email at aabrams@fordharrison.com or jhandley@fordharrison.com. This article was originally published on May 2, 2024 by Shannon L. Kelly and Rachel Saady-Saxe.



VAB BEST OF THE BEST CLASS FEATURES



Ivy Sheppard
General Manager, WEHC-FM
Emory, VA

Where did you grow up/go to school?

I grew up on a farm outside of Mount Airy, North Carolina. I was always keen on sound and music. As a little kid I went around making "field recordings" of various people and sounds that I'd then broadcast to anyone who'd listen on WIVY, accompanied by Johnny Horton and

Hank Williams records from the little portable turntable I carried everywhere I'd go. I think I drove my parents crazy! When it was time for college, I ended up at Guilford College. It's a little four-year liberal arts school in Greensboro, NC founded by the Quakers in 1836. There I studied history and political philosophy while running back and forth to east Tennessee each weekend to play music with the Roan Mountain Hilltoppers.

What was your first job in broadcasting? WPAQ 740AM, The Voice of the Blue Ridge!!! Radiating 10000 watts of glorious goodness since 1948. This station was the soundtrack of my childhood and I'd played music on it since I was in high school. Then one day a buddy of mine invited me to help out with his show. The next week he called and said he couldn't make it and would I fill in for him? So I did. He never came back, and I never left, and pretty soon I had a full time job.

What is your career goal? World domination through old-time music, of course! But seriously, I want to continue promoting the medium and music I love. It's pretty simple. I really, really want my own radio station. AM, preferably, maybe with an FM translator. And we're developing a new live radio broadcast that I'd like to see take off. It's getting great support and people are throwing money at it, so maybe something's there. I also want to help encourage and foster a new generation of up-and-coming broadcasters. It's really exciting to see what the kids at WEHC are doing.

What are you most looking forward to learning/taking away from the Best of the Best Leadership program? I'm super keen on focusing on leadership skills and how to best work with people around me. I found the DISC assessment extremely enlightening and have been integrating what I learned from it in my everyday practices at the station. I'm also interested in what challenges and successes others in the industry are facing.

What do you like to do in your free time? Play radio. I produce a syndicated radio show that takes up a lot of my time when I'm not at the station, and I'm also active on ham radio (N4IVY).

If you could have dinner with somebody from the past, present or future who would it be and why? Gosh, that's a tough one. A.P. Carter, Ralph Peer, the genius behind the Western Electric recording system? But it'd have to be with my late, great best friend, Joe Bussard. He was the king of the record collectors, had a radio show for over 60 years, and loved music more than anyone I'll ever know. We used to be on the phone multiple times a day, playing recordings for each other over the line. I miss him every day and would give anything to hear his voice again.

MEET YOUR EEO REQUIREMENTS & TRAIN NEW SELLERS



DON'T STRUGGLE WITH YOUR EEO REQUIREMENTS THIS YEAR.

Enroll your new sellers in P1 Plus, a sales success program designed to take your seller from "Rookie to Ready" in just 7 weeks!

Why P1 Plus Stands Out:

Are You Feeling the Strain?

- **Proven Results:** In 2023 alone, over 200 entry-level sellers gained confidence using our time-tested curriculum.
- **Real-World Training:** Specifically designed for sellers with less than 2 years of experience.
- **Student Approved:** Over 75% of P1 Plus students said they would recommend this program to new sellers. [\[View Testimonials and Curriculum\]](#)

You have access to this one-of-a-kind, \$650 training program for FREE thanks to your continued membership with us! The next class begins on July 8th, 2024.

[Click Here](#) to Enroll Now

How to Submit to the VAB Job Bank

Jobs that are printed in the newsletter are pulled directly from the online Job Bank.

- Go to www.vabonline.com. Login with your user name and password. Be sure to include your station ID or company name, information on how the applicant can apply and where to send the applications materials.

Welcome to the VAB Job Bank. Listed below are the latest job opportunities offered by the VAB Members.

WSVA News Anchor

Harrisonburg, VA Full Time News WSVA-AM/FM 5/28/2024

News Anchor/Reporter

Harrisonburg, VA Full Time News Saga Communications 5/28/2024

Television News Producer

Richmond, VA Full Time News WRIC-TV 5/23/2024

Sales Account Executive

Richmond, VA Full Time Sales WRIC-TV 5/23/2024

Account Executive

Kingsport, TN Full Time Sales Holston Valley 5/21/2024

Digital Content Producer

Roanoke, VA Full Time News WFXR-TV 5/20/2024

Sales Support Assistant

Roanoke, VA Full Time Sales WDBJ-TV 5/17/2024

Multimedia Consultant

Roanoke, VA Full Time Sales WDBJ-TV 5/17/2024

Multimedia Journalist

Portsmouth, VA Full Time News Nexstar Broadcasting Inc. 5/16/2024

Reporter

Portsmouth, VA Full Time News Nexstar Broadcasting Inc. 5/15/2024

Assistant Chief Engineer

Portsmouth, VA Full Time Engineering Nexstar Broadcasting Inc. 5/15/2024

Sales Manager

Staunton, VA Full Time Sales WTON Radio 5/15/2024

News Director

Staunton, VA Full Time On Air WTON Radio 5/15/2024

WSIG Morning Host

Harrisonburg, VA Full Time On Air WSIG-FM 5/14/2024

On-Air Personality Morning Host

Virginia Beach, VA Full Time On Air WGH-AM 5/14/2024

Weekend Board Operator

Arlington, VA Part Time On Air Salem Media Group 5/13/2024

Promotions Director

Arlington, VA Full Time Promotion Salem Media Group 5/13/2024

Editor/Photographer

Roanoke, VA Full Time News WDBJ-TV 5/13/2024