Newsletter October 2015

Twenty-Two Virginia Radio Stations Turn Up the Buzz on Radio's Reach

Stations Join Together on Important Messages

VIRGINIA BEACH. NORFOLK & CHESAPEAKE, VA -- Five of the largest radio groups in the Hampton Roads market are combining their expertise in a joint effort to help local businesses get the most out of their advertising dollars. The radio groups – Max Media, Saga Communications, Entercom Communications, iHeart Radio and Sinclair Communications – represent 22 FM and AM stations, united under a shared belief in the power of radio to reach audiences. Using the moniker Virginia Radio Alliance, the group creates and distributes regular advertising and marketing tips, useful business management information and radio industry news.

Launched in September, the Alliance's "Marketing Buzz" is a combination of social media posts, online articles and a twice-a-month email. The messages are designed to provide valuable insight to local business owners and individuals who work in advertising and marketing.

This collaboration between competitors is unique in an industry working to combat misconceptions that radio has lost some of its power to reach audiences in an increasingly digital age. The Virginia Radio Alliance is optimistic that working together and speaking with one voice may be the ticket to spreading the message. "We have more interaction with our listeners than ever before," explains Dave Paulus, general manager for Max Media's five Hampton Roads stations. "So we decided to take a more direct approach. I don't believe there's another project like this in the country, so we are excited about breaking new ground."

Wayne Leland, general manager of Saga Communications' three Hampton Roads stations, adds, "Our listeners are actively engaged in ways that satellite and online players can't touch. They aren't just listening, they're participating. We believe businesses in our area including the stations will benefit from this joint effort – a win-win for everyone."

The digital content generated and shared by the Virginia Radio Alliance serves several purposes. It balances a blend of marketing and useful business tips – such as staying up to date with changing SEO standards or tips for building an authentic brand – all while highlighting the benefits of advertising with radio. The messages also help position the stations as marketing and advertising experts.

Lisa Sinclair, general manager of Sinclair Communications says, "Our success has been based on generating great response for our advertisers because radio works. It's a very powerful medium".

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Upcoming Events:

November 3, 2015

VAB Roanoke Regional Meeting, Hotel Roanoke Roanoke, VA

June 23-25, 2016 VAB 79th Annual Summer Convention Hilton Oceanfront Hotel Virginia Beach, VA

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VAB Newsletter

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VAB Best of the Best Featured Q & A

1-Where did you grow up/go to school?

2-What was your first job in broadcasting?

3-What is your career goal?

4-What are you most looking forward to learning/taking away from the Best of the Best Leadership program?

5-What do you like to do in your free time?

6-If you could have dinner with somebody from the past, present or future who would it be & why?



Anita M. Grandeo Digital Sales Manager WSET-TV | Lynchburg

- 1- Elizabethtown PA/ Shippensburg University
- 2- Digital Sales Manager FOX5-WTTG Washington DC
- 3- To make digital a natural partner with broadcast and not just another bucket to fill or thing to do.
- 4- A better understanding of the broadcast industry and how I can make an impact.
- 5- Free time is Family time! Spend time with my boys and husband going on adventure, hiking, and just goofing around.
- 6- Simon Cowell I really want to know how bad of a singer I am. HA! J





Mike Bergazzi Executive Producer-WTVR-TV | Richmond

1- Was a Navy brat for the first 14 years of my life. I was born in San Diego, but we moved all over the place, including Japan. After my dad retired in 1994, my family settled in Northern Virginia. I went to high school in Woodbridge, where I was sports editor of my school's newspaper. I went to college at James Madison University, graduating in 2002.

- 2- First job in broadcasting was here at WTVR I was hired to be a morning producer in November 2002. Prior to that, I had interned at WTTG Fox 5 in Washington, DC.
- 3- I think it would be cool to produce an investigative report and/or series of reports that wins a National Murrow Award, or something that just gets national attention... possibly work for a 48 Hours or 60 Minutes-type operation one day. I enjoy being a part of the management team at WTVR, but always want to remain active and involved with the stories we produce.
- 4- Obviously, the more you learn, the better you are at your job. I have learned a lot in the nearly 13 years I've worked in our industry, but I don't have a lot of experience outside of a TV newsroom. For that reason, I am looking forward to picking the brains of people who work in other parts of broadcasting, and being exposed to the ideas and knowledge they have.
- 5- My wife and I enjoy hijacking my mother-inlaw's **dog** (we don't have our own, yet) and taking her down to the James River. I also enjoy cooking, though I'm pretty terrible at it. I'm a big fan of the San Francisco 49ers and Giants, so I watch a lot of football and baseball. I also like going to movies and listening to music, one artist in particular...
- 6- Bruce Springsteen, no question. I am kind of obsessed. I've been told. Been a fan since I was 14, and I've seen 30 concerts since 1999. I would love to talk to him about his creative process, his influences, and ask him what it's like to be adored by millions of people all over the world, from the rich and famous, to unremarkable common folk like myself J

Twenty-Two Virginia Radio Stations Turn Up the Buzz on Radio's Reach Stations Join Together on Important Messages...Continued from page 1

"Our goal goes beyond telling the radio story," emphasizes Derrick Martin, market president of the Norfolk division of iHeart Media. "We have a huge amount of marketing talent in our groups and realize the more we share that knowledge, the better we can serve the local business community, in addition to our listeners."

This isn't the first time these stations have joined together for the common good. Last year they held a conference with business owners in the area during which they shared advertising and marketing expertise. The feedback was positive, and the groups hope the online effort will have even more impact for both the area and the industry as a whole. "We are moving beyond meetings and conferences," says Bennett Zier, president of Entercom Communications' four local stations. "With the Marketing Buzz, our contacts can read and interact with the messages at their convenience."

For more information about the Virginia Radio Alliance and to subscribe to the Marketing Buzz email, visit www.VirginiaRadioAlliance.com. You can also find the organization on Facebook, Twitter and Instagram.

Contact: Dave Paulus

Vice President/General Manager Max Media of Hampton Roads Office: 757-671-1000 ext 206 Email: dpaulus@maxmediava.com



Kenyatta Parker, WTVR-TV, & Judy Gibson, Kathy Yevek, WSKY-TV, & Dave Morgan, Sinclair Communications, at Christopher Newport University.



2016 Best of the Best class met in Charlottesville on October 23rd. VAB Newsletter | October 2015

WWBT-TV at the VCU Career Fair.

VAB JOB BANK



How to Submit to the VAB Job Bank

Jobs that are printed in the newsletter are pulled directly from the online Job Bank. To include your listing: 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.

Position	Locations	Туре	Department	Organization	
Technical Media Producer	WHSV	Full Time	Production	WHSV-TV	10/17/2015
Account Executive	Richmond, VA	Full Time	Sales	WUPV-TV	10/16/2015
Marketing Assistant	Arlington, VA	Full Time	Sales	Salem Media of Virginia	10/15/2015
Sales Manager	Luray/Harrisonburg	Full Time	Sales	Hayden Hamilton Media Strategies, Inc.	10/13/2015
Creative Producer and Photographer	Hampton, VA	Full Time	Production	SKY4 / WSKY-TV	10/13/2015
Production Assistant	Lynchburg	Full Time	Production	WSET, Incorported	10/12/2015
ACCOUNT EXECUTIVE	TRI CITIES TN/VA	Full Time	Sales	Holston Valley Broadcasting Corp. (VA)	10/6/2015
Commercial Producer	Roanoke, VA	Full Time	Production	Nexstar Broadcasting	10/6/2015
Producer	Richmond, VA	Full Time	News	WWBT, Inc.	10/5/2015
Broadcast Engineer	Richmond, VA	Full Time	Engineering	WWBT, Inc.	10/5/2015
Newsroom Administrative Assistant	Norfolk/Portsmouth/ Virginia Beach	Full Time	News	WAVY-TV 10 Media General	10/5/2015
News Reporter	Lynchburg	Full Time	News	WSET, Incorported	10/2/2015
News Producer	Lynchburg	Full Time	News	WSET, Incorported	10/2/2015
Investigative Producer	Norfolk/Portsmouth/ Virginia Beach	Full Time	News	WAVY-TV 10 Media General	9/28/2015
Marketing Consultant	Charlottesville	Full Time	Sales	Charlottesville Radio Group	9/25/2015
Photojournalist	WHSV	Full Time	News	WHSV-TV	9/24/2015

To learn more about these jobs and to see new postings, please visit www.vabonline.com/careers

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It's hard to imagine that 243 million Americans have anything in common when it comes to media consumption, but according to a recent Nielsen report they do—and it might surprise you.

Ninety-one percent of Americans share a weekly activity, according to Nielsen. They all are tuning into radio.

It sounds surprising that radio reigns number one in media consumption. Aren't there savvier and quicker ways to consume information in 2015? Perhaps scanning a listicle or flipping through a slideshow? Radio, after all, is associated with the past. It's a gadget that conjures black and white images of people, huddling around a receiver, listening to news from abroad.

The Nielsen report sums up the continual power of radio with a succinct explanation: "always on, always local...and always reaching valuable consumers." The report shows that radio listening isn't linked to a particular demographic, be it age or race. It's consumed by Millennials, Gen X, and Boomers all at rates above 90 percent for weekly radio listening. The report also breaks out profiles of African American and Hispanic listeners, who also tune in at rates exceeding 90 percent.

In this age of social media sharing, people often assume the most valuable content is maximally democratic. Anyone can follow a Twitter account or go onto a news website. Radical accessibility seems to be what's great about the internet. But a national obsession with radio tells a different story, despite the limited reach of local radio stations.

"Radio has traditionally been a local business bound by the strength of a transmitter's signal the same way a newspaper was defined by how far delivery trucks drive in the morning," writes Joseph Lichterman in Nieman Lab. However, this statement about radio comes with some caveats. Local radio isn't entirely unique, as there are also local channels on TV. And radio isn't always local, with internetaccessible podcasts and national radio stations.

Continued on page 5



But local radio has some advantages over local TV and non-local radio. Radio is also most frequently consumed outside the home, an opportunity for advertisers to promote themselves when people are on-the-go. Radio may represent the difference between letting someone know about local vendor while already out of the home, as opposed to on television when that same person is comfortably nesting on their couch, not planning to move anytime soon.

Nielsen's radio statistics were released just a month before the grim study by NPR that their streaming hours have decreased by 6 percent. NPR holds music streaming services such as Pandora and Spotify accountable for their decreasing music audience, but that 6 percent drop in hours shows that news streaming rates are also on the decline. NPR isn't tanking any time soon though: their downloaded hours for podcasts have almost doubled. Unique users who download NPR podcasts are up 29 percent in the past year. This doesn't come as a surprise to those who were keyed into the "Serial" phenomenon, a podcast last year which averaged over 1.5 million listeners each week.

The numbers reported by NPR and Nielsen seem to be telling different stories. Is radio dramatically more successful than any other media format, or are streaming rates dropping? Do users want local radio or self-curated podcasts? And what does all of this mean for radio?

First, it's worth noting that the Nielsen and NPR studies focus on very different demographics. The average NPR listener will likely look very different than the average radio listener generally.

Both studies share a fundamental conclusion that audio, as medium for sharing information, is far from dead. In our highly visual culture that allows BuzzFeed listicles to go viral, one might think pictures are a necessity for successful content. And while the most viral BuzzFeed articles are read and shared millions of times, they don't capture the attention of 91 percent of Americans. Based on the Nielsen statistics, it seems there is something about listening to a voice while also driving in a car, taking a run, or sitting at work that has maintained a lasting appeal amongst Americans.

The studies also overlap in their focus on the personal curation of audio content. The Nielsen report notes the popularity of streaming radio, which by definition is locally broadcasted. People continue to enjoy consuming media that is directly impactful to their own lives. While news streaming may be dropping on NPR, the popularity of podcasts is on the rise. Podcasts, like local radio, shares the personalization effect: a person chooses what to download, curating their own listening experience.

The Nielsen report may seems surprising on its surface, but in a media world constantly being reshaped by technology, it's nice to know that at least one thing hasn't changed.

By Rikki Novetsky Business Fellow at Atlantic Media Strategies August 3, 2015 Media

http://atlanticmediastrategies.com/almost-everyamerican-still-listens-to-radio-heres-why/



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EEOC CONCILIATION REQUIREMENTS AND WHAT IT MEANS FOR EMPLOYERS

In a summer session that sought many groundbreaking and surprising opinions, the Supreme Court gave a limited victory to employers dealing with charges of discrimination. In Mach Mining, LLC v. EEOC Supreme Court held that courts have jurisdiction to review whether the Equal Employment Opportunity Commission ("EEOC") fulfilled its statutory obligation to conciliate with an employer before filing a lawsuit against it. A court's scope of review is extremely limited, however, with an inquiry limited to the quality or nature of the EEOC's conciliation efforts. Courts may review to determine whether the EEOC: 1) informed the employer about the nature of the alleged discrimination and which employee(s) have allegedly suffered from such discrimination, and 2) tried to "engage the employer in some form of discussion," written or oral. If the court finds the EEOC neglected these "barebones" requirements to conciliate prior to litigation, the employer's remedy is a stay of the lawsuit and an order requiring the EEOC to undertake the mandated conciliation efforts.

Under Title VII, the EEOC is required to "endeavor to eliminate" alleged discriminatory practices by "informal methods of conference, conciliation, and

persuasion." Only when the EEOC is "unable to secure" a conciliation agreement is it permitted to commence litigation against the employer. In Mach Mining, the Seventh Circuit held that whether the EEOC met this requirement was unreviewable, departing from the positions of several other circuit courts, which had all held that courts could review an EEOC's conciliation efforts, but had disagreed as to the scope of such review. On April 29, 2015. the Supreme Court reversed the Seventh Circuit, holding that a "barebones" review was appropriate under

> Mach Mining urged the Court to adopt a thorough standard analogous to one under the National Labor Relations Act ("NLRA"), citing numerous factors that the Court should consider, such as whether the EEOC provided the employer with the minimum settlement amount it would accept

Title VII.

to resolve the claim(s), the factual and legal bases for its claim(s), and a reasonable time to review and respond. The EEOC, on the other hand, argued that no judicial review was available, and that if it was, that its two "bookend" correspondence were sufficient to satisfy such review—one letter announcing the EEOC's reasonable cause determination and stating that it would be "in contact" with Mach Mining to begin a conciliation process, and another letter some time later stating that the conciliation attempt had "occurred" and failed.

The Court rejected Mach Mining's method of analyzing the conciliation process, holding that Title VII's conciliation provision, unlike the NLRA, was not focused on procedure but rather on "a substantive mission" to "eliminate" unlawful discrimination. Further, the Court observed that Mach Mining's approach failed to acknowledge that "every aspect" of Title VII's conciliation provision "smacks of flexibility." The Court held that the EEOC has discretion over the "amount of time or resources" it puts toward conciliation, the "pace and duration" of conciliation efforts, the "plasticity or firmness" of its negotiating positions, the content of its demands for relief. and, in the end, whether to enter into an agreement or to resort to litigation because it was "unable to secure" an agreement it finds "acceptable." Because Title VII's conciliation provision is not focused on procedure, the Court noted that the employer, for its part, also "has no

The Court also rejected the EEOC's approach, finding that a court was not required to accept at "face value" the EEOC's correspondence that it had completed its statutorily mandated conciliation efforts. The Court held that the appropriate scope of review is to verify that conciliation met the Title VII standards. Specifically, to meet its obligations, the EEOC must inform the employer about the specific allegations what the employer has done and which employee(s) has suffered. Additionally, the EEOC must try to "engage the employer in some form of discussion," written or oral, to give the employer a chance to voluntarily remedy the alleged violation. The Court found that limiting judicial review to these issues also complies with Title VII's non-disclosure requirement, which requires that nothing said or done during the conciliation process may be made public or used as evidence in a later proceeding without the consent of both the EEOC and the employer.

The EEOC can demonstrate that it met its conciliation duties through a sworn affidavit. Where the employer "provides credible evidence of its own" to the contrary, through an affidavit or otherwise, the court will engage in its own fact-finding on the issues. If the court concludes that the EEOC did not satisfy Title VII's conciliation requirements, it may order the EEOC to undertake the requisite conciliation efforts. Such conciliation order does not dismiss the lawsuit; it merely stays the legal proceedings.

> Employers' Bottom Line: While this is a partial victory for employers, the Mach Mining Court has affirmed the wide latitude given to the EEOC in its pre-suit conciliation efforts. Even if an employer proves that the EEOC failed to engage in its conciliation duties under

Title VII, the employer likely will have only a temporary victory, as the only remedy is to have the EEOC undertake this process. As such, employers should continue to think and act cautiously before, during, and after any EEOC investigation, as the mandatory Title VII conciliation provision offers no guarantee of good faith conciliation and remains an unreliable buffer against costly litigation.

By John G. Kruchko and B. Patrice Clair*

LEGALREVIEW

duty at all to confer or

exchange proposals."

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