

**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

Approved by OMB  
3060-0076  
Est. time per response:  
1 hour

**COMMON CARRIER ANNUAL EMPLOYMENT REPORT**

**SECTION 1 - General Information**

[Please read instructions before completing and for Notice regarding public burden.]

1. Name and Mailing Address of Respondent

RCN Telecom Services of Illinois, LLC  
2640 W. Bradley Place  
Chicago, IL 60618

☐ Check here if this  
is a change of  
address.

2. Year Report Filed

2018

3. Reporting Period (Ending Date of Pay  
Period Covered by Report)

3/23/2018

4. Number of Full-Time Employees during Selected  
Reporting Period (check one):

- a. ☐ Fewer than 16 (complete Sections I, IV, and V only)  
b. ☒ 16 or more (complete all sections)

**SECTION II - Full-Time Employees.**

**Number of Employees**  
(Report employees in only one category)

Race/Ethnicity

Categories	Hispanic or Latino		Not-Hispanic or Latino													Total Columns A - N		
	Male													Female				
	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races				
Executive/Senior Level Officials and Managers	1.1		1												1			
First/Mid-Level Officials and Managers	1.2	5	1	15	6					1	3	4		1		36		
Professionals	2	3	1	2	1	1				1		6		1		16		
Technicians	3	4		5	4	1				2						16		
Sales Workers	4	3	1	15	2		2					1				24		
Administrative Support Workers	5		2	2	3						1	11				19		
Craft Workers	6	8		5	10							1			1	25		
Operatives	7															0		
Laborers and Helpers	8															0		
Service Workers	9															0		
TOTAL	10	23	5	45	26	2	2	0	4	4	23	0	2	1	0	137		
PREVIOUS YEAR TOTAL	11	23	5	45	31	2	3	0	4	4	16	0	2	1	1	137		

## SECTION III - Part-Time Employees.

**Number of Employees**  
(Report employees in only one category)

Race/Ethnicity

Categories	2009														
	Hispanic or Latino			Not-Hispanic or Latino											Total Columns A - N
				Male							Female				
	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Executive/Senior Level Officials and Managers	1.1														0
First/Mid-Level Officials and Managers	1.2														0
Professionals	2														0
Technicians	3														0
Sales Workers	4														0
Administrative Support Workers	5														0
Craft Workers	6														0
Operatives	7														0
Laborers and Helpers	8														0
Service Workers	9														0
TOTAL	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PREVIOUS YEAR TOTAL	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## SECTION IV - Report of Discrimination Complaints Pursuant to 47 CFR 22.321, 23.55, 90.168, 101.4, and 101.311.

☐

This is to advise the Commission that no complaints regarding violations of the equal employment provisions of Federal, state, territorial, or local statutes have been filed against this company before any body having competent jurisdiction in such matters during the calendar year covered by this report.

☒

This is to advise the Commission that the following complaints alleging violations of the provisions of any equal employment opportunity statute have been filed against this company. (Attach a list indicating parties involved, date filed, courts or agencies before which the matter has been heard, file number or other designation, and current status or disposition.)

## SECTION V - Certification

I certify that to the best of my knowledge, information, and belief, all statements in this report are true and correct.

Date \_\_\_\_\_ Typed or Printed Name of Person Signing \_\_\_\_\_ Signature \_\_\_\_\_ Telephone No. \_\_\_\_\_

05/30/2018 Kenneth Conrad  (609) 681-2189

Title of Person Signing Vice President, Human Resources WILLFULLY FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (18 U.S.C. 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (47 U.S.C. 312 (A)(1) AND/OR FORFEITURE (47 U.S.C. 503).



RCN Telecom Svc. Of Illinois, LLC  
2640 W. Bradley Place  
Chicago, IL. 60618

RE: FCC Form 395 Section IV  
2018 Filing Year

**Charge:** Wage Claim - IL. Department of Labor (DOL)

**Charge #:** IL DOL – 17-002447

**Employee:** \_\_\_\_\_

**Filing Date:** September 9, 2017

**Background:**

Employee was hired on as a technician on July 25, 2011. Employee is currently employed by the company and is currently on a leave of absence. Employee claims that they are owed wages as a result of wages not being paid from September 2011 through June 2017. Employee states they are owed wages for 207.5 hours of unpaid lunch breaks in which the employee actually never took and worked. RCN received the formal complaint from the IL DOL on April 10, 2018.

**Status:**

**May 2018** - The Company submitted a written response via outside counsel to the IL Department of Labor (DOL) on April 30, 2018. At this time the claim resides with the IL DOL and the company is awaiting their response of our answer and information sent.





RCN Telecom Svc. Of Illinois, LLC  
2640 W. Bradley Place  
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RE: FCC Form 395 Section IV  
2018 Filing Year

**Charge:** Race / Retaliation Charge – EEOC  
**Charge #:** EEOC – 440-2017-06377

**Employee:** \_\_\_\_\_  
**Filing Date:** September 28, 2017

**Background:**

Employee was hired on October 31, 2011 as a technician and was promoted to Installation Supervisor in March 2014. Employee was performing in 2015 at satisfactory level, however began to experience performance issues in 2016 resulting in needs development rating on the annual evaluation. This resulted in numerous one on one meetings with management and an improvement plan being created for the employee. The employee's supervisory performance issues continued into 2017 resulting in a final written warning being issued to them on May 17, 2017. The employee's performance issues continued following the written warning which resulted in the decision by management to separate employee's employment with the Company on August 14, 2017. Following separation employee filed charges with the EEOC in September 2017 stating their belief that the separation of employment was a result of the company discriminating against him due to being denied a promotion due to his race and retaliation as a result of complaining about racial discrimination.

**Status:**

The company and employee participated in the EEOC's formal mediation program and employee and company were unable to reach an agreement. The company submitted through outside counsel our formal written position statement to the EEOC on April 6, 2018. At this time the matter resides with the EEOC investigator assigned to the charge. No further action required at this time.



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RE: FCC Form 395 Section IV  
2018 Filing Year

**Charge:** Retaliation Claim – Illinois Department of Human Rights

**Charge #:** EEOC – 440-2017-01498

**Employee:** \_\_\_\_\_

**Filing Date:** January 9, 2017

**Background:**

Employee was disciplined on or about January 4, 2017 for use of inappropriate language in the work place. Discussions of sexual conduct. Employee filed discrimination claim with the Illinois Department of Human Rights stating she had been discriminated against as retaliation, in violation of Title VII of Civil Rights Act of 1964,

**Status:**

We were notified by EEO that the EEOC claim was closed and that Ms. Payne requested and was mailed By the EEOC a Notice of Right to Sue document. As of the date of the report RCN is not aware of any additional action by \_\_\_\_\_ or her legal representatives in the courts. \_\_\_\_\_ continues to remain actively employed with RCN. No further action from either EEOC or Illinois Department of Human Relations – May 2018 Status – We were notified on January 13, 2017 by the EEOC that they closed this charge and provided employee the Notice of Rights to Sue notification. No further action occurred on this matter and the Company now considers it closed.



RCN Telecom Svc. Of Illinois, LLC  
2640 W. Bradley Place  
Chicago, IL 60618

RE: FCC Form 395 Section IV  
2018 Filing Year

**Charge:** Retaliation / Disability / Other Charge – Illinois Department of Human Rights / EEOC  
**Charge #:** EEOC – 440-2018-04129  
**Employee:** \_\_\_\_\_  
**Filing Date:** December 1, 2017

**Background:**

Employee was hired on February 2011 and held position of dispatcher. Her employment with the company was terminated on August 22, 2017 for inappropriate communications with both fellow RCN employee attempting to assist a customer and a second incident involving actual communications with a customer that was deemed to be unacceptable. As a result employee's employment with the company was terminated. Employee filed charges with EEOC stating that the company terminated her not due to the poor performance in her position but as a result of company retaliating against her following her return from a protected medical leave, and that management had singled her out and harassed her resulting in her termination from the company.

**Status:**

The EEOC completed an investigation in which company provided a written response to the allegations along with necessary documentation. The EEOC concluded their investigation and notified the Company on April 23, 2018 that they dismissed the charges and made the following determination: Based upon its investigation, the EEOC is unable to conclude that information obtained establishes violations of the statutes. A notice of suit rights was issued to the filer of the claim. At this time no further action on this matter has occurred. **The company considers these charges as closed.**