

003751

page 2

began to align ourselves more closely with the Lutheran Employment Project for minorities, and, direct advertising in newspapers directed toward the Black Community. These efforts were successful in identifying minority candidates, and eventual employment. This will be detailed in part three of this reply.

The agencies and colleges contacted on that July 18, 1989 date included:

- Snelling & Snelling
- Roth Young Personnel
- Sales Recruiters Irvin-Edwards
- St. Louis Community Colleges
- Washington University - St. Louis
- Lindenwood College - St. Louis
- Southern Illinois University - Edwardsville, Illinois
- Broadcast Center - St. Louis
- University of Missouri - St. Louis

NAACP EXHIBIT 53

Federal Communications Commission	
Docket No.	<u>94-10</u> Exhibit No. <u>53</u>
Presented by	<u>NAACP</u>
Disposition	Identified <u>6/21</u>
	Received _____
	Rejected _____
Reporter	<u>BARBARA WOOD</u>
Date	<u>6/21/94</u>

ARNOLD & PORTER
1700 Lincoln Street
Denver, Colorado 80203
Telephone: (303) 863-1000
TELEFAX: (303) 832-0428

①

TELEFAX TRANSMISSION SHEET
We Are Sending 5 Pages
(Including This Cover Sheet)

003775

DATE: 5/5/92
TO: Roed Miller
FROM: Marcia Cranberg

PRIVILEGED AND CONFIDENTIAL information intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

MESSAGE: Roed - I'll discuss this with you tomorrow (Wed.).

Marcia

[] If checked, please confirm receipt with operator at (303) 863-1000. If any problems, contact operator.

Recipient's Telefax No. 202-872-6720 Return To: _____

Alternate Telefax No. _____ Room No. _____

Recipient's Voice Contact No. _____ Client/Matter No. 01226.001

Timekeeper Number: 3369

2

ARNOLD & PORTER

ONE UNITED BANK CENTER
1700 LINCOLN STREET
DENVER, COLORADO 80203
(303) 863-1000

1200 NEW HAMPSHIRE AVENUE, N. W.
WASHINGTON, D. C. 20038
(202) 872-6700

PARK AVENUE TOWER
85 EAST 85TH STREET
NEW YORK, NEW YORK 10022-3219
(212) 750-6060

CABLE: "ARPOPO"
TELECOMER: (303) 832-0422

May 5, 1992

003776

VIA FACSIMILE

Mr. Dennis Stortz
Stations KFUP/KFUP-FM
85 Founders Lane
St. Louise, MO 63105

Dear Dennis:

Enclosed are a couple of proposals with which you might like to start out your replies to Questions 1 and 2 of your FCC filing. In addition, please note the following with respect to Section 3:

As we discussed, (f) is missing from the Sharisse Bush listing;

As we discussed, you will expand the explanation of why knowledge of classical music is important for sales positions and why a religious background is important for secretarial positions;

(F) under Gertrude McCles has a typo -- the word "by" has been dropped before "a St. Louis area...";

(F) under John Obermann has a typo -- the word "as" has been dropped before "a consultant in the ..."; and

(H) under Bridget Williams should read Black Female.

Feel free to call me Wednesday, or Reed Miller thereafter, with any questions. Reed will expect a fax from you within the next few days, and a final version by no later than the filing deadline of May 12.

Sincerely,

Marcia

Marcia Cranberg

Enclosure

003777

1. Specific information detailing when recruitment sources were contacted and for what positions.

Following is a description of the various recruitment sources that KFUCO has used during its license period, along with a listing of when each source was contacted and for which specific positions. As noted in our "Opposition to Petition to Deny and Response to Inquiry", we do not use outside recruitment sources for every opening at the stations (although we have used them increasingly in recent years in an effort to increase our minority employment, and with good results -- see Section Three, below). This is due to the fact that the religious and classical music formats of our stations attract numerous unsolicited applications from prospective employees around the country with a particular interest/expertise in these areas; in addition, our reciprocal arrangement with the Concordia Lutheran Seminary (which provides our office and studio space rent-free) requires that we make special efforts to employ Seminary students without resort to outside recruitment sources.

[Insert listing of all sources used through the years, with dates and positions. Include all institutions contacted in the July 1989 letter; all newspapers used; Reverend Woodard; the Lutheran Church

093778

headquarters (emphasizing that it is 11 per cent minority); Broadcasting Magazine; the Lutheran Employment Project; miscellaneous Lutheran publications; and any others. Include any sources used, even if you ultimately filled the position some other way. Finally, as we discussed, include a parenthetical after each name stating which employment reports they did not appear in.]

5

603779

2. Minority Employees Not Appearing in Employment Reports.

The FCC's April 22, 1992 letter states that we had advised in earlier filings that there were four minorities employed at the stations who did not appear in our 1983, 1984 and 1985 annual employment reports. In fact, we had advised that a total of five minority employees did not appear in relevant employment reports. None of the five appeared in reports in years in which they were hired; two of the five did not appear in any employment reports at all. This was due to the fact that the employees were hired subsequent to the annual employment reporting date for the year in which they were hired; in the two cases in which no reporting occurred at all, the employees also left our employ prior to the next year's employment reporting period. The relevant years were 1984, 1985, 1988 and 1989.

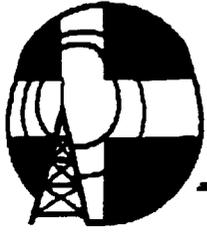
Following is the information requested with respect to each of the five employees:

[Insert information]

NAACP EXHIBIT 54

Federal Communications Commission	
Docket No.	<u>94-10</u> Exhibit No. <u>54</u>
Presented by	<u>NAACP</u>
Disposition	Identified <u>6/21</u>
	Received _____
	Rejected _____
Reporter	<u>BARBARA LORD</u>
Date	<u>6/21/94</u>

①



KFUO 850 AM 99.1 FM
lutheran radio

003754

85 FOUNDERS LANE. ST. LOUIS, MO 63105

(314) 725-3030

May 7, 1992

To Reed Miller

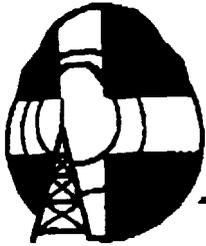
Dear Reed:

Here is proposed document. Please alert me with any changes.

I will also include an affidavit with the final version we overnight to you.

As always, thanks for your help.

Dennis Stortz



KFUO 850 AM 99.1 FM
lutheran radio

85 FOUNDERS LANE, ST. LOUIS, MO 63105

003755

(314) 725-3030

May 12, 1992

Glenn A. Wolfe
Chief, EEO Branch
Enforcement Division
Mass Media Bureau

Federal Communications Commission
Washington, D.C. 20554

Dear Mr. Wolfe:

Enclosed is the response from radio stations KFUO/KFUO FM in regard to your letter dated April 22, 1992.

As requested, we will forward a copy of this document to David E. Honig, counsel for the NAACP.

If more information is needed, please be in touch.

Sincerely,

Dennis Stortz

Dennis Stortz
General Manager, KFUO/KFUO FM

003756

To: Glenn A. Wolfe
Chief, EEO Branch
Enforcement Division
Mass Media Bureau

From: KFYO/KFYO FM Radio Stations, St. Louis

RE: Request for more information regarding EEO programs on pending applications for renewal of license for above stations.

- 1. Specific information detailing when recruitment sources were contacted and for what positions.

Following is a description of the various recruitment sources that KFYO has used during its license period, along with a listing of when each source was contacted and for which specific positions. As noted in our "Opposition to Petition to Deny and Response to Inquiry", we do not use outside recruitment sources for every opening at the stations (although we have them increasingly in recent years in an effort to increase our minority employment, and with good results -- see Section Three, below). This is due to the fact that the religious and classical music formats of our stations attract numerous unsolicited applications from prospective employees around the country with a particular interest/expertise in these areas; in addition, our reciprocal arrangement with the Concordia Lutheran Seminary (which provides our office and studio space rent-free) requires that we make special efforts to employ Seminary students who have required knowledge of the religious format without resort to outside recruitment sources.

1?

Following is a listing and description where necessary of the recruitment sources used:

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Lutheran Church - Missouri Synod, St. Louis, Missouri, International Headquarters.

All employment openings are posted at this location. Their minority staffing level is 11%.

Lutheran Witness - National monthly magazine distributed to Lutherans.

Positions advertised: General Manager, 1983, both stations
General Manager, 1987, both stations
Program Director, 1988, KFUD AM
General Manager, 1989, KFUD AM

St. Louis Lutheran - Monthly St. Louis area newspaper of Lutheran news.

Positions advertised: Secretary/Receptionist, January, 1990
Maintenance Worker, January, 1990

Broadcasting - National weekly magazine for broadcasters

Positions advertised: General Manager, 1983, both stations
Sales Manager, 1987, KFUD FM
General Manager, 1987, KFUD FM

St. Louis Post Dispatch - Largest St. Louis daily newspaper

Positions advertised: Bookkeeper, 1985, both stations
Sales Manager, 1987, KFUD FM
Receptionist/Secretary, January, 1990
Maintenance Worker, January, 1990

St. Louis Sun - St. Louis daily newspaper(now out-of-business)

Positions advertised: Receptionist/Secretary, January, 1990
Maintenance Worker, January, 1990

St. Louis Broadcasting Center - Only full-time broadcasting school in St. Louis.

Positions advertised: Announcer, 1987, KFUD AM
Sales position: 1987, KFUD FM

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page 3

Part-time announcer, 1989, KFUE FM
Announcer, 1991, KFUE AM

Lutheran Employment Project - a Lutheran social service
for minority employment

Positions contacted: Sales position, 1989, KFUE FM
Secretary, 1989, KFUE FM
Secretary/Receptionist, January 1990
Maintenance worker, January, 1990
Secretary, 1991, KFUE FM

St. Louis American - Black owned/targeted weekly newspaper

Positions advertised: Secretary/Receptionist, January, 1990
Maintenance worker, January 1990

St. Louis Argus - Black owned/targeted weekly newspaper

Positions advertised: Secretary/Receptionist, January, 1990
Maintenance worker, January 1990

Metro Sentinel - Black owned/target weekly newspaper

Positions advertised: Secretary/Receptionist, January, 1990
Maintenance worker, January, 1990

A letter was sent to the following companies and institutions on
July 18, 1989, seeking qualified minority referrals for any
openings that may occur.

- Snelling & Snelling Employment Agency
- Roth Young Personnel
- Sales Recruiters Irvin-Edwards
- St. Louis Community Colleges
- Washington University - St. Louis
- Lindenwood College - St. Louis
- Southern Illinois University - Edwardsville, Illinois
- Broadcast Center - St. Louis
- University of Missouri - St. Louis

As stated in original filing, these letters resulted in no direct
minority referrals from either the companies or the colleges. It

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page 4

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did allow the colleges to call us requesting placement of radio interns, a practice we do not utilize. In addition, the employment companies occasionally call us attempting to place office and clerical, however we have not had openings when calls were received.

Recognizing that utilization of these employment agencies and colleges were not successfully helping us achieve our goals, we took the following steps: continued association with the Lutheran Employment Project for Minorities; advertising in newspapers directed toward the Black community. These efforts were successful in identifying minority candidates, and eventual employment.

2. Minority employees not appearing on 1983, 1984, and 1985 annual employment reports.

The FCC's April 22, 1992 letter states that we had advised in earlier filings that there were four minorities employed at the station who do not appear in our 1983, 1984 and 1985 annual employment reports. In fact, we had advised that a total of five minority employees did not appear in relevant employment reports. None of the five appeared in reports in years in which they were hired; two of the five did not appear in any employment reports at all. This was due to the fact that the employees were hired subsequent to the annual employment reporting date for the year in which they were hired; in the two cases in which no reporting occurred at all, the employees also left our employment prior to the next year's employment reporting period. The relevant years were 1984, 1985, 1988, and 1989.

Following is the information requested with respect to each of the five employees:

Ruth Clerkly (Did not appear in 1984 employment report).
Date of hire: 7/30/84
Position: Secretary (Office and clerical)
Termination: 12/26/86
The position did not require theological or classical music

knowledge.

Helen Richardson (Did not appear in any employment report).

Date of hire: 3/26/85

Position: Receptionist (Office and clerical)

Termination: 8/31/85

The position did not require theological or classical music knowledge.

WAT??

Lisa Harrison (Did not appear in any employment report).

Date of hire: 8/28/85

Position: Secretary (Office and clerical)

Termination: 1/10/86

The position did not require theological or classical music knowledge.

Caridad Perez (Did not appear in 1988 employment report).

Date of hire: 3/7/88

Position: Sales

Termination: 1/31/89

The position did not require theological or classical music knowledge.

Cythia Blades (Did not appear in 1989 employment report).

Date of hire: 11/1/89

Position: Secretary (Office and clerical)

Termination: 4/20/90

The position did not require theological or classical music knowledge.

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page 6

3. Positions filled between November 1, 1989, and January 1990.

Sharisse Bush

- A. Account Executive
- B. KFUD FM.
- C. Sales Worker
- D. Full-time position
- E. Filled 10/30/89
- F. St. Louis Broadcast Center contacted for sales people.
- G. No interviews. Standing resume on file.
- H. White female.
- I. Walk-in
- J. We do not require sales people to have knowledge of classical, however, if they do, it is a definite advantage. In this case, Sharisse Bush did have a musical background.

Therapy 1 or Music;

Cynthia Blades

- A. Sales assistant
- B. KFUD FM
- C. Office and clerical
- D. Full-time position
- E. Filled 11/1/89
- F. The referral source used was the Lutheran Employment Project for recruiting and placing minorities.
- G. Three Black females were interviewed.
- H. A Black female was chosen.
- I. Lutheran Employment Project.
- J. No theological or classical music training required.

by music file

Jason Cashmer

- A. Part-time announcer.
- B. KFUD AM
- C. Professional
- D. Part-time
- E. Filled 11/1/89
- F. Referred from Concordia Seminary for student employment
- G. Two people were interviewed
- H. White male
- I. Concordia Seminary
- J. The position required theological training.

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page 7

Gertrude McClees

- A. Secretary
- B. KFUD AM
- C. Office and clerical
- D. Part-time
- E. Position filled 11/14/89
- F. This employee was referred to us by a St. Louis area Lutheran Church, (KFUD AM/FM gets regular applications and referrals from employees of area Lutheran Churches), in association with Senior Citizen retraining efforts.
- G. Only person interviewed.
- H. White female
- I. St. Louis area Lutheran Churches.
- J. No theological training required, however familiarity with Lutheran Church was a desired attribute. This is because direct contact has to be made to the Churches to arrange church-related interviews and potential funding drives.

5. John Obermann

- A. Associate Director of Development
- B. KFUD AM
- C. Professional
- D. Full-time
- E. 1/2/90
- F. None: Mr. Obermann had been employed by the radio station as a consultant in the development/fund raising area. He made a proposal to the radio station to convert to a full-time employee, and was accepted.
- G. No other interviews were conducted.
- H. White male
- I. No referral source was used
- J. Theological knowledge and background was required.



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page 8

Todd Wilken

- A. Part-time announcer
- B. KFUCO AM
- C. Professional
- D. Part-time
- E. Filled 1/20/90
- F. Referred from Concordia seminary for student employment.
- G. Two people were interviewed.
- H. White male
- I. Concordia Seminary
- J. The position required theological training.

Bridget Williams

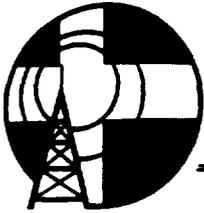
- A. Secretary/Receptionist
- B. KFUCO AM
- C. Office and clerical
- D. Full-time
- E. 1/30/90
- F. Referral services: St. Louis Post Dispatch, St. Louis Sun, Metro Sentinel newspaper, St. Louis American newspaper.
- G. 4 females interviewed. 3 were Black.
- H. Black Female
- I. St. Louis Post Dispatch.
- J. Position did not require theological or musical training.

Timothy Meeks

- A. Maintenance
- B. KFUCO AM & FM, shared position
- C. Service worker.
- D. Full-time position.
- E. 1/31/90
- F. Referral services: St. Louis Post Dispatch, St. Louis Sun, Metro Sentinel newspaper, St. Louis American newspaper.
- G. 6 males interviewed. Five were Black.
- H. Black male.
- I. St. Louis American newspaper.
- J. The position did not require theological or musical training.

NAACP EXHIBIT 55

Federal Communications Commission	
Docket No.	<u>94-10</u> Exhibit: <u>55</u>
Presented by	<u>NAACP</u>
Disposition	Identified <u>6/21</u>
	Received _____
	Rejected _____
Reporter	<u>BILL BARA WOOD</u>
Date	<u>6/21/94</u>



KFUO 850 AM 99.1 FM
lutheran radio

85 FOUNDERS LANE, ST. LOUIS, MO 63105

*KFUO-EEO Renewal
Problem-Cases. - 199*

6

(314) 725-3030

003780

May 11, 1992

Dear Reed:

Enclosed is the new and improved version of the EEO document for filing today, May 12.

Please attach the original affidavit to this version.

Once again, thanks for everything, and let me know if you have additional thoughts or insights.

Sincerely,

Dennis Stortz

RECEIVED (2)
MAY 12 '92 6

ARNOLD & PORTER

1200 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20036

(202) 872-6700

CABLE: "ARPOPO"

TELECOPIER: (202) 872-6720

TELEX: 89-2733

1700 LINCOLN STREET
DENVER, COLORADO 80203
303 863-1000

PARK AVENUE TOWER
65 EAST 85TH STREET
NEW YORK, NEW YORK 10022-3219
(212) 750-9050

REED MILLER
DIRECT LINE: (202) 872-6826

003781

May 12, 1992

Glenn A. Wolfe
Chief, EEO Branch
Enforcement Division
Mass Media Bureau
Federal Communications Commission
1919 M Street, N. W.
Washington, D. C. 20554

Re: KFUO/KFUO-FM, Clayton, Missouri -
Response to Request for Information

Dear Mr. Wolfe:

This will refer to your letter of April 22, 1992, addressed to The Lutheran Church--Missouri Synod, licensee of KFUO-AM and FM, Clayton, Missouri, requesting additional information with regard to minority employment by the stations.

Enclosed herewith, in triplicate, is the response to your request. In accordance with your instructions, a copy of the response has also been sent by United States mail, postage prepaid, to opposing counsel, as noted below.

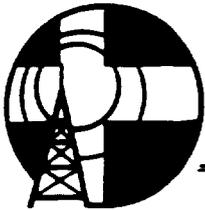
Should any question arise in connection with this matter, please communicate with the undersigned.

Very truly yours,

Reed Miller
Reed Miller

Enclosures

cc: With enclosures
David E. Honig, Esq.
Herbert H. Henderson, Esq.



KFUO 850 AM 99.1 FM
lutheran radio

85 FOUNDERS LANE. ST. LOUIS, MO 63105

(314) 725-3030

003782

May 12, 1992

Glenn A. Wolfe
Chief, EEO Branch
Enforcement Division
Mass Media Bureau

Federal Communications Commission
Washington, D.C. 20554

Dear Mr. Wolfe:

Enclosed is the response from radio stations KFUO/KFUO FM in response to your letter dated April 22, 1992.

As requested, we will forward a copy of this document to David Honig, counsel for the NAACP.

If more information is needed, please be in touch.

Sincerely,

Dennis Stortz
General Manager, KFUO/KFUO FM