

## WPOB 88.5 FM ON-AIR STAFF AGREEMENT 2019-2020



All on-air staff must be aware that WPOB-FM is licensed by the Federal Communications Commission (FCC) and its broadcasts and music selections are subject to rules and regulations defined by the FCC. Below are some of the most significant rules you must **ALWAYS** be aware of while on the air or while preparing programs.

### OBSCENE AND/OR INDECENT MATERIAL

The broadcast of obscene or indecent material is prohibited by law and carries a maximum penalty of a \$12,500 fine and a two-year jail sentence. It can also result in FCC administrative sanctions such as license revocation and fines.

Prior to April 1987, the FCC limited enforcement of the indecency standard to a collection of obscene words, generally known as “four-letter swear words.” The new policy uses the more general interpretation that *language or material that depicts or describes sexual or excretory activities or organs...* shall be deemed indecent if there is a reasonable risk that children may be in the audience. The FCC describes children as anyone 18 years of age or younger. The obscene words previously ruled non-broadcastable are forbidden *whether children could be listening or not*. Therefore, DJs cannot play music with obscenities in the vocals.

News broadcasts ARE NOT EXMPTED, and a warning that such language may be offensive to some segments of the listening audience will not shield the station from FCC action if a complaint is filed.

### DRUG LYRICS

The FCC treats music that “might promote the use of drugs” in a manner which guarantees a programmer’s first amendment rights: if a program director wants to use music that promotes drug usage by mentioning drugs without condemning their use or uses “street” language or slang references to drug terminology, a letter of permission must be filed by the station manager in the Public File. Without such a filing, broadcast of music with drug lyrics is illegal, and no such letter is on file for WPOB-FM.

WPOB-FM is operated by the Plainview Old-Bethpage Public School District, and, as manager, Mr. Weinstock is responsible for its proper operation. As an employee of the School District, he cannot condone the playing of drug lyrics without jeopardizing his position; therefore, he will never file such a letter. Thus, drug lyrics on WPOB-FM are in practical application, illegal.

### STATION IDENTIFICATION ANNOUNCEMENTS

The FCC law requires each station to make an identification announcement at the beginning and end of each broadcast day and *once every 15 minutes* and as close to the hour as feasible (at a natural break in the program.) The Official Station ID contains the call letters followed *immediately* by the city of license. Other cities and/or promotional tags may be added afterwards. Only the license name and frequency are permitted between the station name and city. Legal examples for WPOB-FM include:

*WPOB-FM Plainview ... WHERE WE ROCK YOU!!!*  
*WPOB, 88.5 FM, Plainview ... WHERE WE ROCK YOU!!!*  
*Welcome to the station WHERE WE ROCK YOU; We’re WPOB-FM, Plainview!!!*  
*Etc., Etc.*

The tag “WHERE WE ROCK YOU” is currently copyrighted to us. No other radio station in the tristate area (NY, NJ, CT) can use that phrase **UNLESS** they can prove that we have not used it at least once per hour. Likewise, if you hear a cute phrase on the radio, you cannot adopt it for a WPOB program if it is copyrighted by another station. If you are uncertain about a tag, check online to see if it is copyrighted.

## WPOB 88.5 FM ON-AIR STAFF AGREEMENT (continued)



### DEFAMATION, LIBEL, AND SLANDER

Defamation is a false statement about a person or group; when it is spoken, it's called slander, when it is written it's called libel. New York State laws govern the exact definition, and legal remedies can impose a very heavy fine on the station and the school district. If an on-air individual defames anyone, a tape copy or transcript of the slander must be provided to that party within seven days. Exceptions are people in the public eye and foreign dignitaries.

### UNAUTHORIZED COMMUNICATIONS AND REBROADCASTS

The program content of another broadcast station may not be rebroadcasted without WRITTEN consent. This rule includes taping or downloading music for rebroadcast on WPOB-FM.

A little known rule in this very important category is that point-to-point communications may not be in a broadcast unless an emergency exists. One cannot broadcast a message to just one group, i.e., a DJ cannot use air time to talk to his or her mother or particular friend. This rule exists because radio is for general broadcast and is opposed to personal information exchanges, while common carrier services, (such as the telephone companies,) are only legal empowered to deliver point-to-point communications.

### COMMERCIAL ANNOUNCEMENTS

WPOB-FM is a non-commercial broadcast station. We are not permitted to make commercial announcements of any kind. We may make underwriting announcements and collect money or services from the party "sponsoring" the announcement. An underwriting statement consists of the establishment, its location, and a one-sentence description, DEVOID OF SUPERLATIVES, of the establishments services. For example:

*"This program has been brought to you by Dr. B. Well Naturally, located in Plainview on Washington Avenue. Dr. B. Well Naturally supplies all the essential health and vitamin needs for a healthy lifestyle."*

### PAYOLA AND PLUGOLA

The acceptance of cash, travel, gratuities, etc., for playing certain records or "plugging" certain products is prohibited. Accepting payola could result in heavy fines and imprisonment for the license and person involved.

### CONTESTS AND PROMOTIONS

It is illegal to mislead an audience about station-conducted contests. The rules must be made clear from the very beginning and the station must follow the rules to the letter. Everyone must have an equal chance of winning and the contest must not endanger anyone, i.e., avoid search contests that could cause people to look in dangerous places. Special logging procedures apply for contests. Violation of contest rules, once established could result in a license revocation and fines. As a result of the stringent regulation regarding contests, only those approved by Mr. Weinstock may be broadcast.

### STATION LOGS

There are five logs that our station must keep by law. The DJ maintains two, a Program Log and a Music Log, and the Station Management keeps the other three. These consist of the Emergency Alert System (EAS) Log (where received and transmitted alerts are recorded), the Operating Log, and the Maintenance log. Each staff member must know the rules regarding the keeping of the logs and such as the format, use of ink, no erasures of errors (one-line with cross-outs are used,) and accuracy. Samples of the log sheets are available in the DJ handbook.

I hereby agree to obey the rules and operate WPOB-FM in a professional manner.

Student (DJ) Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Parent/ Legal Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_