



MEETING OF THE BBG GOVERNANCE COMMITTEE

Members Governor Dennis Mulhaupt, Committee Chair
Governor Michael Lynton, Committee Member
Governor Victor Ashe, Committee Member
Governor Susan McCue, Committee Member

Meeting Date: Thursday, September 13, 2012

Venue: BBG Headquarters, Washington D.C.

This meeting of the Governance Committee took place on September 13, 2012 at BBG Headquarters. Governor Dennis Mulhaupt chaired the proceedings. Governors Victor Ashe, Susan McCue, Michael Lynton and Michael Meehan were also in attendance.

The agenda of the meeting is set forth in Attachment 1 to this report.

Based on its deliberations, the Governance Committee makes the following recommendations to the plenary Board:

Policy Statements on EEO & Sexual Harassment

- That the Committee considered the draft policy statements on equal employment opportunity and sexual harassment at the March 7, 2012 Governance Committee meeting. The Committee noted that Governor Ashe suggested several edits to the draft policy statements at that meeting.
- That the Offices of Civil Rights, Human Resources, and General Counsel updated the policy statements to include suggested edits by Governor Ashe.
- That the plenary Board adopt the revised EEO and Sexual Harassment policy statements as set forth in Attachment 2¹.

Discussion of Creation, Role and Method of Appointment of CEO

- i. That the Board note that both the BBG Strategic Plan (adopted by the Board in October 2011) and the Board's January 2012 decision call for the creation of the position of Chief Executive Officer (CEO) of United States international broadcasting (USIB).

¹ Adopted by the plenary Board at the September 13, 2012 Board Meeting.

- ii. That the Board note the efforts of the IBB Director to develop draft legislation entitled the International Broadcasting Innovation Act (IBIA) with the characteristics required by the Board's January 2012 decision, including the creation of a CEO of USIB.
- iii. That, notwithstanding efforts to pursue the IBIA legislation, the plenary Board should act now to create a CEO of United States international broadcasting *within the Board's existing statutory authority* under the United States International Broadcasting Act of 1994 (as amended). The intent of this effort is to empower the CEO to the greatest extent permitted under existing law to act as the day-to-day executive of BBG-sponsored U.S. international broadcasting, including both its federal and non-federal components. The non-delegable authorities of the Board as set forth in the International Broadcasting Act will not be changed.
- iv. That the Board authorizes the Presiding Governor to form a Nominating Committee composed of three (3) Governors to recommend a method of selecting, appointing, remunerating and evaluating the CEO in accordance with federal law and regulation. The Nominating Committee will not begin its work until the reprogramming notification required by this decision has been sent to the appropriate Congressional Committees.
- v. That the Board instruct the IBB Director, under the guidance of the Governance Committee, to develop a plan to address the following issues:
 - a. The authorities that should be delegated from the Board to the CEO;
 - b. The agency officers who should report directly to the CEO;
 - c. The relationship of the CEO and the IBB Director;
 - d. The relationship between the CEO and the Grantees, including how the relationship should be formalized and expressed in the grant agreements;
 - e. A proposed budget and timeline for implementation of a CEO.
- vi. That the IBB Director is directed to work in close cooperation with the BBG-sponsored broadcasters, including the grantees, in preparing the requested plan. The Board directs and encourages all elements of USIB to cooperate fully with the IBB Director in facilitating the timely and accurate completion of the requested plan and budget.
- vii. That the Board directs the IBB Director, as soon as practicable, to prepare and deliver any Congressional reprogramming notification that may be required to implement the Board's intentions as stated in this decision (a copy of which will be simultaneously transmitted to Board members).
- viii. The Governance Committee will consider the IBB Director's plan and any recommendations from the Nominating Committee at the next meeting of the Governance Committee. The actual appointment of a CEO will be the subject of a further Board decision.

- ix. The Board directs the IBB Director to engage in appropriate Congressional consultation as soon as practicable with the Agency's eight Congressional oversight committees at a minimum, and others as may be suggested by Board members.



MEETING OF THE BBG GOVERNANCE COMMITTEE

September 13, 2012
8:00 AM - 10:00 AM
BBG Conference Room

Members
Governor Dennis Mulhaupt, Committee Chair
Governor Michael Lynton, Committee Member
Governor Victor Ashe, Committee Member
Governor Susan McCue, Committee Member

AGENDA

- Agenda Topic 1* **Discussion of Creation, Role and Method of Appointment of CEO**
- Agenda Topic 2* **Grantee Administrative Streamlining**
- Agenda Topic 3* **Board Administration**
- Discussion of President Obama's January 21, 2009 Memorandum on Transparency and Open Government
 - Policy regarding Non-Disclosure of Deliberative Information
- Agenda Topic 4* **Governance Committee Housekeeping Matters**
- Adoption of March 7 and March 9 Governance Committee Reports
- Agenda Topic 5* **Policy Statements on EEO & Sexual Harassment**

REVISED POLICY STATEMENT ON EQUAL EMPLOYMENT OPPORTUNITY
September 13, 2012

The Broadcasting Board of Governors (BBG or Agency) is firmly committed to equal employment opportunity (EEO), diversity, and the promotion of a strong affirmative employment program. It is the policy of BBG to provide equal opportunities in employment for every employee and job applicant, and to ensure a workplace that is free of discrimination on the basis of race, color, religion, sex (including sexual harassment and sexual orientation), age (person 40 years of age and older), national origin, disability (physical and mental), genetic information, and retaliation because an individual engaged in prior EEO activities. The BBG strongly promotes the full realization of equal opportunity in employment through a continuing affirmative program to identify and eliminate discriminatory practices.

EEO principles govern all aspects of the Agency's personnel policies, programs, practices, and operations. All phases of the Agency's employment – recruitment, hiring, retention, evaluations, promotions, transfers, benefits, assignments, training opportunities, awards, and separations – shall be conducted in compliance with the EEO laws and regulations.

The Agency holds each manager and supervisor accountable for ensuring a continuing affirmative application and enforcement of this EEO policy. Additionally, managers and supervisors must continue to take positive steps toward ensuring a supportive work environment and reaching early resolution of complaints. They must avoid even the appearance of acts of retaliation against individuals who exercise their right to file a complaint. Accordingly, equal opportunity will continue to be a factor in the total performance evaluation of managers and supervisors.

Employees are essential in maintaining a work environment of equal opportunities, and have a moral and legal responsibility to treat all of their colleagues with respect and professionalism. The BBG strongly supports a workplace free of discrimination and holds every employee accountable for contributing to the achievement of a Model EEO Program.

REVISED POLICY STATEMENT ON SEXUAL HARASSMENT

September 13, 2012

It is the policy of the Broadcasting Board of Governors (BBG or Agency) to provide a work environment free of any form of unlawful harassment or intimidation. This policy includes but is not limited to sexual harassment, a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, as amended.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such conduct by an individual is made either explicit or implicitly as a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Managers and supervisors are responsible for ensuring that the workplace is free from sexual harassment and that appropriate action is taken promptly when allegations of violations of this policy are brought to their attention. The Agency will not tolerate retaliation against an individual who presents a harassment complaint or who provides any information related to such a complaint.

Any Agency employee found to have engaged in sexual harassment in violation of this policy is subject to disciplinary action. The offending individual, however, may not necessarily be an employee, but may be a contractor or non-employee. Supervisors and managers who observe or are informed of any unprofessional behavior that may create a work environment offensive to any staff member have a responsibility to take appropriate, effective and immediate steps to prevent such behavior from continuing or recurring.