

**Statement of Charles David “Stoney” Richards (WDSY-FM)
on behalf of the SAG-AFTRA position on Broadcast Free Market Agreement Act
Pennsylvania Senate Committee on Labor & Industry**

June 10, 2021

Thank you all for your attention. I am Charles David Richards, an actor and a broadcaster, a SAG-AFTRA member since 1973, a member of the SAG-AFTRA National Board, a member of the Ohio-Pittsburgh local board, part of the nationwide SAG-AFTRA Broadcast Steering Committee representing specifically radio and television talent and journalists and I am currently employed as the morning show host at WDSY-FM in Pittsburgh owned by the second largest broadcast group in the country, based here in Pennsylvania, Audacy Incorporated, formerly Entercom radio. Audacy also owns America’s first commercial radio station, KDKA-AM, of which I have been a member of the on-air staff for the past 7 years. On the air, I go by the name Stoney Richards.

Chances are good that when you listen to the radio or turn on the TV news the employees who created that content are subject to a non-compete agreement. That means that **should the company decide, for whatever reason, that the services of those employees are no longer needed, they must leave those air waves and may be banned from seeking other employment at another station in that market or even in the surrounding markets for as much as a year later.** This is wrong, unprofessional and un-American! Now, there may be some who say these clauses are necessary, but what these clauses really do is stifle the ability of talented employees to participate in an open market for their services. It would be no different than if we were to ban the Eagles from playing the Steelers: if we did that, how would we ever know who the better team would be. I will leave that debate to later in the fall.

My job is an art form, a business and a public service. We as broadcasters are charged with serving the public, be it with entertainment, information or both. If broadcasters cannot work in their chosen field, if they cannot serve the public, what are they supposed to do? They have really only two choices: abandon their vocation or go elsewhere. Can the Commonwealth of Pennsylvania afford to lose talented employees to other states? Maryland, West Virginia, Ohio and New Jersey are all within relocation distance. But must a broadcaster have to uproot their family, while not being able to work, transfer their kids to other schools just because one company decided that that employee could no longer work for them.

We allow a government that is of the people, for the people and by the people. Nowhere does that say or imply that a company has anything to do with banning an individual to seek employment. You are all elected officials. Would you agree to a non-compete rule that says you cannot seek another office until a year after all compensation from your current position has ended. **Non-compete clauses in contracts for broadcasters are wrong and we are here with you to change that and make things right.**