

LEGAL TRIAGE

Under this program, Foley & Foley will decipher workplace regulations and help your company achieve compliance so that you can concentrate on your business. We offer this unique risk management program because we know, first hand, that businesses are confronting a vast amount of challenges and pressures.

For a fixed monthly fee, your business can have access to Foley & Foley's seasoned lawyers by selecting one of the service and fee options detailed below, or work with us to create your own option. Our years of experience tell us these are just a few of the difficult issues you may face:

- How well prepared are you if the Department of Labor knocks on your door to conduct a wage and hour audit?
- What is your exposure to a discrimination complaint filed with the Massachusetts Commission against Discrimination?
- Are you in compliance with the rigid Independent Contractor Law in Massachusetts?
- Do you know how to effectively end the employment relationship with one of your employees?
- Do you know how to eliminate challenges when you are compelled to reduce the size of your workforce?
- Do you understand the employer mandates under the Massachusetts and federal health care reform?

We do. At Foley & Foley we know that when a workplace issue arises a rapid and reasoned response matters. The legal triage program gives you access to sage employment lawyers as problems arise. You can maximize your business and avoid distractions by establishing a relationship with a law firm that knows the workplace. Issues du jour addressed quickly and efficiently so you can get back to business. We can help.

We recognize that every business is different – number of employees, frequency of issues and level of resources provide just a few examples. We will tailor the monthly fixed fee at each service level of our program to meet the needs of our clients. I will guarantee that the fixed monthly fee at the first two levels of service will be below the hourly rate that I charged when I was an equity partner at a Boston-based regional law firm. Here is the menu of services:

LEGAL TRIAGE FEE SCHEDULE

1. For a fixed monthly fee of \$_____, the company will have unlimited telephone access to Foley & Foley's seasoned lawyers to ensure that the best possible decisions are made. This service and fixed fee have been designed to supplement and complement the company's internal human resources function and duplicate one component of in-house counsel support. I will serve as the lead contact and if I am not available, our paralegal, Heather Farrell, will refer the call to one of our other seasoned lawyers. This program will allow you to address issues du jour more easily with our advice and counsel. Please note that this level of our legal triage program does not include drafting, editing, or writing.
2. For a fixed monthly fee of \$_____, in addition to the unlimited telephone access described in paragraph 1 above, my firm will review documents to identify issues and recommend edits or amendments (brief email responses to questions are included). This expanded service will include the review of drafts of employment offer letters, drafts of progressive discipline and other forms of performance counseling, drafts of termination letters and related notices.
3. For a fixed monthly fee of \$_____, in addition to the services described in paragraphs 1 and 2 above, my firm will develop and assist with the implementation of the company's risk management and compliance functions. Our mission under this service will be to free the company's management team from the burdens and risks of deciphering the extensive regulations that govern today's workplace. We will monitor compliance with regulatory concerns and reporting obligations. We will develop policies and recommend best practices that will allow the company to achieve compliance with state and federal laws, including the Massachusetts Independent Contractor Law, the Massachusetts Personnel Records Law, the Massachusetts Equal Rights Act, state and federal discrimination laws, state and federal wage and hour obligations, the Massachusetts Maternity Leave Act, the Uniform Services Employment and Re-employment Act, the Massachusetts Small Necessities Leave Act, the Federal Family and Medical Leave Act, among others. We will conduct a comprehensive employment policies and practices audit and will update and help communicate the company's personnel policies and practices handbook.

LEGAL TRIAGE FEE SCHEDULE, continued

4. For a fixed monthly fee of \$ _____, in addition to the services described in paragraphs 1, 2 and 3 above, our firm will assist and supplement the company's human resource team. We will help develop best practices for the applicant screening process. We will identify and help initiate human resources process improvements. We will assist with the identification of training needs and the selection and development of appropriate programs. We will coach the management team in the areas of performance management, including the development of performance evaluation and individual performance improvement plans. We will also develop a process to achieve a smooth end to the employment relationship, whether voluntary or involuntary.
5. For a fixed monthly fee of \$ _____, in addition to the services described in paragraphs 1, 2, 3 and 4 above, we will come to you and develop a support presence on site. Our firm will conduct training and staff development programs, where appropriate. We will spend the necessary amount of time at a company to perform the scope of services defined above. We will hold a one-hour weekly meeting with the company's management team to discuss pending matters, new developments, compliance obligations and topics of interest or concern.

The five service levels described above do not include legal research or services in relation to a contested case, litigation or administrative proceedings such as MCAD, EEOC, DOL, DUA and court. If our firm is asked to conduct services outside the service and fixed fee option selected, we will do so at our standard hourly rate.

6. For fixed monthly fee of \$ _____, in addition to the services described in Paragraphs 1, 2, 3, 4 and 5 above, we will... [firm and client to define the scope of services].