

March 1, 2024

Angela Wakeman
Human Resources Officer
Huerfano County
401 Main Street, Ste 310
Walsenburg, CO 81089

Re: Workplace Investigation

Dear Angela:

I would like to thank you for your membership with Employers Council. We look forward to working with you and your organization in conducting a workplace investigation. This letter is provided to clarify Employers Council's investigation services, and contains important information about your relationship with us.

Our investigations engagement and the related services that we will render to you are limited strictly to the services described in this Engagement Letter. You understand that within the scope of this engagement for investigations services, you are not relying on us for employment law or business advice. We will keep you advised of developments as necessary to perform our services and will consult with you as necessary to ensure the timely, effective, and efficient completion of our work.

Scope of Engagement

In order to address specific issues within your organization, **Huerfano County** is engaging Employers Council to perform an objective and neutral investigation of the matter. Employers Council's investigators are licensed attorneys; however, the investigators do not provide legal services and do not act in a representative capacity in the course of conducting investigations. The investigator's specific purpose is to develop a comprehensive record of allegations and evidence of supporting and refuting information to enable you, as the employer, to make an

informed decision regarding the circumstances including corrective action, if any. This material will be presented in an investigation report summarizing the procedure and detailing the information involved.

Information Production

During the course of this investigation, we ask that all parties fully cooperate with us by providing accurate information and requested documents in a timely manner, including, but not limited to relevant facts surrounding the situation at hand and the appropriate contact person. Interview participants may be asked to review, edit and approve their respective interview summary statements. All participants will be informed of the investigator's purpose in this process, the organization's prohibition against retaliation for initiating this process or participating in the investigation, and the organization's expectation that he or she be entirely truthful. The investigator will also discuss with parties and witnesses the importance of not discussing the investigation with coworkers, and will inform all parties and witnesses that no confidentiality is guaranteed them.

In order for Employers Council to timely conduct an investigation, we ask that you provide someone to assist with interview scheduling within 5 business days. We ask that you notify us with any material employment or structural changes that take place during the investigation. We also ask that all documents are submitted as soon as possible. Without such cooperation, Employers Council's ability to conduct the investigation, including the production of the investigation report, may be hampered.

During the course of, or immediately following, an investigation, you may need legal advice as to managing the workplace environment or addressing the investigation findings. While the investigator cannot answer these questions, Enterprise and Consulting members may obtain legal advice from an Employers Council staff attorney. Core members will need to obtain legal advice from their own internal or outside counsel.

Processing Timeframe

Due to the nature of investigations, Employers Council is unable to provide an estimated timeframe for interviews or a total cost for services. In some cases, additional witnesses will be suggested to the investigator during the course of an investigation, and witnesses may sometimes need to be re-interviewed. Typically, the investigation report is provided approximately 14 business days after the conclusion of interviews. Providing complete and uniform information will assist the assigned investigator in completing your investigation report in a timely manner.



Confidentiality

Employers Council acknowledges that its employees and personnel may have access to confidential and proprietary information and trade secrets of **Huerfano County** during the performance of the services outlined in this agreement. Employers Council agrees not to disclose any information or trade secrets obtained during the Term of this Agreement to any person or entity except as necessary to satisfy its performance and any legal obligations.

In conducting an investigation, Employers Council may provide **Huerfano County** documents that are specifically labeled “Attorney-Client Privileged.” **Huerfano County** should limit disclosure of such identified documents to those individuals within the Company that oversee the implementation of the investigation and executive decision makers in order to protect the attorney-client privilege. **Huerfano County** may run the risk of waiving the privilege if the information is shared too broadly within the Company.

Payment Schedule

This is a “for fee” service of Employers Council provided for members through Employers Council Services, a subsidiary of Employers Council. The hourly rate for this investigation including travel, conducting and documenting interviews, and preparing the investigation report is two hundred twenty-five dollars (\$225) per hour. Where the investigator’s participation is later sought or required in the course of litigation or other appeal, the employer will be billed at the investigator’s current hourly rate. **You will receive monthly billing statements for this project from Employers Council Services (not Employers Council), which may not individually represent the entire cost.** Bills are due upon receipt. If you fail to pay any charge within thirty days of the date of the bill, Employers Council may elect to stop the investigation until payment is received.

Minimum charges for certain types of services encompassed within this engagement include:

Telephone call—15 minutes

Drafting an email—15 minutes

Right to Terminate Investigation and Fees on Termination

Huerfano County has the right to terminate this investigation at any time and for any reason. In the event that **Huerfano County** terminates the investigation, **Huerfano County** shall pay, and Employers Council shall be entitled to, the fee earned by Employers Council from the amount of hours provided up to the time of termination.



Communication

The preferred method of communication is email. Please direct questions relating to this engagement to the investigator assigned to this matter. We will strive to respond to your inquiries within 24 hours. However, response time may be delayed depending on the work volume at that time.

Due to the confidential nature of our investigations, we utilize an encryption software called ShareFile to share the final reports and attachments with members. We will receive notification of your downloads to ensure that you have received your files. ShareFile only allows a document to be downloaded a maximum amount of three times, but these files will still be accessible to you in the download section of your computer.

Entire Agreement

This Engagement Letter set forth our entire agreement concerning this engagement and your obligation to pay reasonable fees and costs. These terms will not be modified unless in a written agreement signed by all parties. By signing the last page of this letter, you acknowledge you have read these documents in their entirety and that you understand and agree to the terms of this engagement. Finally, you acknowledge that you understand that you consider these terms to be fair and reasonable. Once you have signed the last page of this packet, please return the signed copy. We look forward to working with you and your organization in this matter. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

EMPLOYERS COUNCIL, INC.

Julia Paris

Managing Attorney, Workplace Investigations

Huerfano County

Angela Wakeman

Human Resources Officer

Signature and Date

