

## ASO Legal Hotline Frequently Asked Questions (FAQ)

### Background

The ASO Legal Hotline (“Hotline”), provided by TriNet in partnership with Fisher Phillips (“Firm”), offers free general legal advice on human resources and employment law issues to TriNet clients. This service addresses questions beyond TriNet’s HR advice and is not a substitute for ongoing legal counsel. Fisher Phillips, a national law firm, ensures confidentiality and covers topics like harassment, discrimination, disability management, and wage-hour issues, but does not provide advice on active litigation or document review.

### Frequently Asked Questions

#### Q1. What kind of assistance does the Legal Hotline offer?

A1. The Legal Hotline allows you to obtain general legal advice about human resources and employment law issues to help reduce your risk of employment law-related claims. It is limited to questions that are beyond the scope of the HR advice that TriNet can provide. The Legal Hotline **is not** intended to replace the relationship your company should develop with experienced employment law counsel who can provide ongoing advice regarding specific employment issues.

If you appear to be using the Legal Hotline for more than occasional questions and in lieu of retaining Fisher Phillips for ongoing advice, Fisher Phillips may require you to retain the Firm to continue contacting them. TriNet clients may receive preferred rates when they retain Fisher Phillips.

Please see the [Appendix](#) for examples of what is in scope and what is out of scope. Each call is generally limited to **no more than 30 minutes**. **The Legal Hotline is not intended to provide answers as to whether any specific adverse personnel action should be taken.**

The Legal Hotline does **not** include advice in connection with active litigation, reviewing or drafting documents, transactional or corporate work, legal research or on-going advice regarding the same matter.

#### Q2. What is the cost of the Legal Hotline?

A2. The Legal Hotline is **free** for current TriNet clients.

#### Q3. Who provides services through the Legal Hotline?

A3. TriNet has partnered with the law firm Fisher Phillips to provide the Legal Hotline to TriNet clients. Fisher Phillips is a national law firm with 41 offices and 550 attorneys across the U.S. For over 80 years, Fisher Phillips has represented employers in all aspects of workplace law, including:

- Harassment and discrimination employment litigation;
- Disability and leave management;

- Reductions in force;
- Affirmative action;
- Benefits;
- Immigration;
- Wage-hour;
- Trade secrets and restrictive covenants;
- Drug testing; and
- Labor relations.

The Firm maintains a [website](#) providing comprehensive information about these and other employment law topics.

**Q4. Is the Legal Hotline advice kept confidential?**

A4. Yes. Communications with Fisher Phillips will be protected by attorney-client privilege. Neither the details of the communications nor the advice given will be disclosed to others, including TriNet, your insurance carrier or broker without your prior permission. TriNet will only receive a report for each call that indicates your company name, your TriNet Client ID and a general description of the call topic. Fisher Phillips may share insights with TriNet about emerging issues, but not your call. This helps TriNet understand trends and better address client concerns.

**Q5. How do I access the Legal Hotline?**

A5. If legal advice outside of TriNet's scope is requested, TriNet will facilitate contact between you and Fisher Phillips.

To request access to the Legal Hotline, submit a secure case by clicking the "Contact HR Plus Support" Quick Link on your platform Dashboard. Then, depending on your service package, select either HR Advisory > HR Question or HR Manager > General HR Question. Please allow for a response within one to three business days.

**Note:** Your use of the Legal Hotline is subject to a Fisher Phillips conflict check to ensure nothing precludes the Firm from speaking to you (e.g., representation of another Fisher Phillips client who is adverse to you in an unrelated matter).

**Q6. After TriNet refers me to the Legal Hotline, when can I expect to receive a response?**

A6. You should expect to receive a response from a Fisher Phillips attorney to discuss the issue presented within 48 hours of the referral by TriNet. In most cases, an attorney from the Fisher Phillips office closest to your location will return the call, but sometimes an attorney more familiar with the subject matter will call (e.g., a specialist in disability management, privacy, wage-hour or other high-risk areas).

**Q7. What should I do if I do not receive a call from a Fisher Phillips attorney?**

A7. Contact the TriNet colleague you spoke with when you requested the referral for assistance.

**Q8. Is there a limit to the number of times I can be referred to the Legal Hotline?**

A8. No. However, each referral must pertain to a unique question. If the topic is the same as a previous referral, you may be charged a fee by Fisher Phillips for additional information.

**Q9. Can I use the Legal Hotline for employment law issues occurring outside the U.S.?**

A9. Yes. However, the topic for referral **must** relate to an employee who is or was a “User” under the terms of your Master Subscription Agreement with TriNet.

**Q10. Can I report a discrimination claim or lawsuit to the Legal Hotline?**

A10. No. The Legal Hotline **cannot** be used to report service of an administrative charge, arbitration demand, service of lawsuits or other notices of claim to an insurance carrier. **It is your responsibility to notify your agent/broker in accordance with the terms of your insurance policy.**

**Q11. Can I retain Fisher Phillips for work beyond the scope of the Legal Hotline?**

A11. There is nothing preventing you from engaging Fisher Phillips on your own and paying any associated hourly rates charged by Fisher Phillips. TriNet has no pre-negotiated rates with Fisher Phillips.

**Q12. Who can I contact with questions?**

A12. If you have questions, please reach out to your HR Advisor or HR Manager by logging in to the [platform](#) and selecting the Contact HR Plus Support quick link in the upper right-hand corner of your dashboard.

**Legal Hotline FAQs – Appendix**

*Note: This list is meant to provide examples and is not comprehensive.*

Topic	In Scope	Out of Scope
<b>Sexual or Other Forms of Harassment and Discrimination</b>	<ul style="list-style-type: none"><li>• Learning what the Equal Employment Opportunity Commission and courts generally consider to be harassment or discrimination.</li><li>• Inquiring about steps to take when investigating reports of harassment, including suggestions for witness interviews; documentation of an internal complaint and witness interviews;</li></ul>	<ul style="list-style-type: none"><li>• Determining action to take after the investigation is conducted (e.g., should the alleged harasser be discharged?).</li></ul>

	development of a sexual harassment policy; and other preventive actions.	
<b>Promotion/Reinstatement After Leave of Absences</b>	<ul style="list-style-type: none"> <li>• Identifying the factors to consider when evaluating the downside of denial of promotion.</li> <li>• Obtaining information about when the law requires that a medical or Family Medical Leave Act (FMLA) covered leave should be granted and factors to consider when evaluating reinstatement (or an extended leave as a possible “reasonable accommodation”).</li> </ul>	<ul style="list-style-type: none"> <li>• Determining whether it would be discriminatory for an employee to be denied a promotion.</li> <li>• Determining whether an employee must be reinstated after a medical or family and medical leave.</li> </ul>

<b>Acts of Insubordination or Refusal to Comply with a Supervisor's Instructions</b>	<ul style="list-style-type: none"> <li>Obtaining an overview of your company's rights with respect to the types of actions it could consider when an individual fails or refuses to perform their job duties (or poorly perform them).</li> </ul>	<ul style="list-style-type: none"> <li>Determining whether an employee can be discharged because they did not perform a specific task.</li> </ul>
<b>Wage and Hour Issues</b>	<ul style="list-style-type: none"> <li>Inquiring when wages must be paid under state law, what types of time and pay records should be maintained, what exempt/non-exempt tests generally require, etc.</li> </ul>	<ul style="list-style-type: none"> <li>Determining whether your company is complying with wage and hour laws or the way an individual should be paid.</li> </ul>
<b>What is a "disability" and what must be done if an employee has a medical condition?</b>	<ul style="list-style-type: none"> <li>Determining whether the FMLA or state leave laws apply to your company and how they generally should be administered.</li> <li>Discussing the interplay of leave laws and disability accommodation rules.</li> </ul>	<ul style="list-style-type: none"> <li>Determining how a disability or medical condition should be accommodated and whether doing so would impose an undue hardship.</li> </ul>

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