

July 22, 2010

Paul Bustamante, President and
Members of The Board of Trustees
The Socorro Electric Cooperative, Inc.
PO Box H
Socorro, NM 87801

RE: Kathy Torres' Charge of Discrimination Against The Socorro Electric
Cooperative, Inc., Filed July 7, 2010 With the EEOC and NM Human Rights
Bureau

Dear President Bustamante and Members of the Board of Trustees:

Enclosed to each of you is the Charge of Discrimination (COD) against the Socorro Electric Cooperative, Inc. (SEC) filed by the SEC Accountant Kathy Torres (an employee) with the New Mexico Workforce Solutions, Human Rights Bureau and the EEOC. The Complaint was filed July 7, 2010.

The gravamen of the complaint is that Kathy Torres brought her complaint before the Trustees some time ago and was ignored. Therefore, this filing must not be ignored, as the Cooperative must make a position of defense. The complaint centers on Trustee Charles Wagner whom Ms. Torres states has:

1. Subjected her to a hostile work environment
2. Sexually harassed her
3. Accused her of fraud
4. Mr. Wagner has commented that "they are hiding behind her skirt"
5. Ms. Torres filed a formal complaint with the Board and nothing was resolved
6. A lot of the harassment is retaliation for filing the complaint
7. She believes that when the Board is reduced to 5 from its current 10 members she will be fired
8. She believes Mr. Wagner's comments are racially motivated because Mr. Wagner is an Anglo while Ms. Torres is Hispanic
9. She states Mr. Wagner has made racial comments about Hispanics.

Ms. Torres concludes her complaint by stating she has been discriminated against (as an SEC employee) because of her sex, female, sexual harassment because of her national origin, *Hispanic and retaliated against.*

Because SEC is charged with employment discrimination, because of Trustee Wagner's alleged improper conduct, SEC is entitled to submit

"A Statement of Position or Evidence Regarding the Issues Covered by This Charge."

As SEC's Attorney, I believe a committee of trustees should immediately investigate the charges and with the Company Attorney, compose a "Position Statement" which should be submitted to the State Human Rights Bureau and EEOC to show that the conduct of Mr. Wagner, if true, will not be tolerated.

I further believe that the Board should consider offering Kathy Torres an employment contract for a period of years. The contract can be worked out by Ms Torres, her attorney, the Board Committee and the Cooperative Attorney, subject to Board approval.


As further proof of the Company's good faith, Charles Wagner should agree to stay away from Ms. Torres and stay out of the Co-op's Headquarters Office while she is on duty.

Further sanctions against Mr. Wagner can be considered if he refuses to stay away from Ms. Torres.

I have given the Board some options on how to precede. Something positive and definite needs to be done by the Board and sent to EEOC. At the same time, Ms. Torres deserves respectful treatment in an attempt to mollify her concerns. The Cooperative should seek a settlement agreeable to all concerned.

Thank you for your prompt action.

Very truly yours,


DENNIS R. FRANCLISH
Attorney at Law

DRF/djg

Encl: As Stated