

# DRAFTS

## “Conciliation Settlement report”

### Conciliation

**Conciliation** is an alternative way to resolve a dispute between the complainant and the respondent. Conciliation can be initiated by the Internal Committee (IC) as an option of redressing workplace sexual harassment complaints, **only if the aggrieved person requests for the same.**

### Conciliation under POSH Act

1. The ICC before initiating an inquiry under section 11 and at the request of the aggrieved woman, take steps to settle the matter between her and the respondent through conciliation.

(please note that the respondent does not have the right to ask for a conciliation) and

2. **No monetary settlement** shall be made as a basis of conciliation
3. Where a settlement has been arrived at, the IC shall record the settlement so arrived and forward the same to the employer to act as specified in the recommendation
4. The IC shall provide the copies of the settlement as recorded to the aggrieved woman and the respondent.
5. Where a settlement is arrived and implemented, no further inquiry shall be conducted by the IC.

**Sample draft of the Conciliation Settlement report.**

**Name of the Complainant:**

**Name of the Respondent:**

**Complaint dated \_\_\_\_\_ :**

The Complainant and the Respondent have agreed to settle through a Conciliation. Both parties appeared before the committee on (DD/MM/YY) and deliberated about the incident. (please mention a brief note on the case proceedings).

The parties involved arrived at following terms of settlement:

(Please mention the terms of settlement arrived out of the Conciliation)

This entire agreement supersedes all previous agreements between the parties [in respect of matters of the complaint registered].

The parties concerned shall not disclose, publish or communicate any information regarding the Conciliation and the details of settlement to public, press or media in any manner whatsoever.

Therefore, in view of the above circumstances, the matter is resolved between the parties. The respondent has submitted a written undertaking that \_\_\_\_\_ (details of redressal) which was taken on record. The complainant is satisfied with the settlement and the case is disposed of.

Signed by (complainant) (with date)

Signed by (respondent) (with date)

Signed by (IC members who were part of the settlement) (with date)

(Note : The copy of the settlement to be given to both parties and the Employer).