

Discrimination Complaint Procedures Attachment C

Settlement agreement template

NOTICE: Pursuant to 29 C.F.R. § 38.93, a conciliation agreement must:

- (a)** Be in writing;
- (b)** Address the legal and contractual obligations of the recipient;
- (c)** Address each cited violation;
- (d)** Specify the corrective or remedial action to be taken within a stated period of time to come into compliance;
- (e)** Provide for periodic reporting on the status of the corrective and remedial action;
- (f)** State that the violation(s) will not recur;
- (g)** State that nothing in the agreement will prohibit CRC from sending the agreement to the complainant, making it available to the public, or posting it on the CRC or recipient's Web site;
- (h)** State that, in any proceeding involving an alleged violation of the conciliation agreement, CRC may seek enforcement of the agreement itself and shall not be required to present proof of the underlying violations resolved by the agreement; and
- (i)** Provide for enforcement for a breach of the agreement.

IN THE MATTER OF:

[name and address of Complainant]

v.

Complaint No.: [redacted]

[name and address of Respondent(s)]

CONCILIATION AGREEMENT

On [insert date complaint filed], the undersigned Equal Opportunity (EO) Officer received a complaint filed by [insert name of Complainant], the Complainant, alleging that [insert name of Respondent/Recipient], the Respondent, denied the Complainant [access/training/aid/benefits/services/ bid/proposal] on the basis of [insert protected class].

A number of federal civil rights laws apply to our federally-assisted programs and activities, including (1) Title VI of the Civil Rights Act of 1964, as amended; (2) Section 504 of the Rehabilitation Act of 1973, as amended; (3) Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA); (4) Title II of the Americans with Disabilities Act (ADA) of 1990 as amended by the Americans With Disabilities Act Amendments Act (ADAAA) of 2008; (5) Title IX of the Education Amendments of 1972, as amended; and (6) the Age Discrimination Act of 1975.

As a whole, these statutes bar discrimination on the “basis” of race, color, national origin, religion, age, sex, disability, citizenship, political affiliation or belief, and/or status as a WIOA participant in programs funded, in part or in whole, by the U.S. Department of Labor. I determined that I had jurisdiction to investigate this matter, and the issue(s) presented for investigation was as follows:

[insert the issue accepted for investigation]

Through mediation, the parties have reached a settlement of this matter. The terms of the settlement are as follows:

- 1.
- 2.
- 3.

Respondent agrees that violation of applicable federal civil rights laws will not recur.

All corrective actions [have been completed.][will be completed on or before _____].

Respondent understands that failure to complete the corrective actions may result in suspension and/or loss of funding. Both parties understand that this *Settlement Agreement* is binding and enforceable by law, and the EO Officer may seek enforcement of the agreement itself and shall not be required to present proof of the underlying violations resolved by the agreement.

The undersigned EO Officer shall retain jurisdiction over this matter for a period of three (3) years to ensure completion of agreed-to corrective actions, and to monitor for future compliance by Respondent.

Signed on this _____ day of _____, 201____ by:

Complainant

Respondent Official

EO Officer

Representative (if any)

Representative (if any)

BABEL NOTICE (29 C.F.R. § 38.9(g)(3)):

This document contains vital information. If English is not your preferred language, contact [insert EO Officer's name and contact information] to obtain translation and/or interpretation services for the content of this document.