**APPENDIX**

1. **INITIAL SUBMISSION FORMAL DISPUTE RESOLUTION PROCEDURE FOR SEXUAL OR OTHER HARASSMENT GENERATED WITHIN AND OUTSIDE THE WORK ENVIRONMENT**
2. **COMMITMENT TO CONFIDENTIALITY OF THE MEMBERS OF THE COMMITTEE OF ENQUIRY**
3. **CONCLUSION DOCUMENT DRAWN UP BY THE COMMISSION OF ENQUIRY**
4. **CHECKLIST OF TASKS DURING THE FORMAL PROCEDURE**
5. **INITIAL SUBMISSION FORMAL DISPUTE RESOLUTION PROCEDURE FOR SEXUAL OR OTHER HARASSMENT GENERATED WITHIN AND OUTSIDE THE WORK ENVIRONMENT**

To:

By:

My name is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ (personal identification and card number or worker of the company, or of the representative or advisor of the victim), I have been working in the company for \_\_\_\_ for (months or years) and I work in the department \_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_ (write down the position you hold).

I hereby inform you that \_\_\_\_\_\_\_\_\_\_\_ (Specify full name), who works in \_\_\_\_\_\_\_\_ (write the position your harasser holds in the company), who shows a sexual harassing attitude towards me, making me a victim of attitudes, which invade and harm my personal space.

On the dates described below (in chronological order), this person has harassed me \_\_\_\_\_\_\_\_ (specify the nature of the harassment) in the work environment in which I work.

Fact 1: On the day \_\_\_\_\_ (day, month and year) I was at my workplace, at the collection office where I work, and \_\_\_\_\_\_ (full name of the accuser or harasser) sent me a text message (which I have attached or saved), expressing provocative words towards me. I note that I spoke to him (or her), my office partner being a witness \_\_\_\_\_\_\_ (full name of the witness), but his behaviour persisted.

Fact 2: You continue to describe the situation(s) that arose or occurred, and what you did to try to resolve them before submitting this letter.

These actions seriously violate and infringe the provisions set out in \_\_\_\_\_\_\_ (detail and reference the laws, regulations, guidelines and their corresponding articles that have been violated, you can consult the labour laws of your country and/or the internal regulations of the company).

I would very much appreciate it if you could admit this formal complaint and take the necessary steps to put an end to this situation.

Awaiting your prompt attention and response, I bid you farewell.

In \_\_\_\_\_\_\_ (location) to \_\_\_\_\_\_\_ (day, month and year).

Yours sincerely:

(Name and surname and signature)

**COMMITMENT TO CONFIDENTIALITY OF THE MEMBERS OF THE COMMITTEE OF ENQUIRY**

The undersigned, as Members of the Commission of Inquiry and Control of Discrimination, constituted on the day of 20 and appointed in accordance with the Protocol of Action on Harassment and Violence at Work, in relation to the complaint submitted by .

 registered under number

UNDERTAKE THE FOLLOWING COMMITMENTS

- Reserve the information they receive throughout the procedure, keep it strictly confidential and protect it from access by third parties, so as not to allow it to be known or handled by persons outside the Commission, either at work or outside.

- Not to allow the copying or reproduction of all or part of the documents and information given to it or to which it has access, keeping them strictly confidential, discreet and careful.

- Assume the consequences that an improper use of this information may generate to any of its employees or third parties directly or indirectly involved in the information mentioned, by virtue of this commitment yƒo of the legal rules that may eventually be violated.

Finally, they declare and acknowledge that they are fully aware of the contents of this commitment, and that they understand the scope and the obligations, both direct and consequential, arising from it, in acknowledgement and acceptance of what they sign.

In 20

(Signature)

Commission President,

 Representing the Human Recourses Department

(Signature)

Commission Secretary,

 Representing the Legal Department

**CONCLUSION DOCUMENT DRAWN UP BY THE COMMISSION OF ENQUIRY**

1. Description of the alleged subject of the complaint

Brief description of the background of the case, complaint and circumstances of the same, identifying the people affected: (complainant / victim / defendant)

2. Summary of the facts denounced

Transcription of the facts denounced and description of the documents provided by the complainant in the Complaint Form.

3. Summary of testimonial evidence

Summary of the interventions and arguments made by the parties, testimonies, evidence and proceedings.

4. Summary of expert evidence

Summary of reports or considerations made by internal or external advisors involved in the process.

5. Conclusions

Presentation of the facts that from the information and testimonies obtained and analysed are considered proven

6. Proposal for corrective measures

Description of the corrective measures proposed by the Commission

In  20

(Signature)

Commission President,

 Representing the Human Recourses Department

(Signature)

Commission Secretary,

 Representing the Legal Department

**CHECKLIST OF TASKS DURING THE FORMAL PROCEDURE**

|  |  |  |
| --- | --- | --- |
| Actions to be taken  | Done  | Date |
| Receipt of the complaint |  |  |
| Definition of the type of procedure: (specify) |  |  |

 Abbreviated Procedure:

|  |  |  |
| --- | --- | --- |
|  Hearing of the parties: (specify) |  |  |
|  Preparation of report and conclusions |  |  |
|  Dissemination of the report and agreement reached |  |  |
|  Adoption of measures: |  |  |
| - relating to the harasser: |  |  |
| - relating to the victim: |  |  |
|  Receipt of discrepancies by the parties |  |  |

 Ordinary Procedure

|  |  |  |
| --- | --- | --- |
|  Call for Research Committee |  |  |
|  Communication of the constitution of the Commission to the parties |  |  |
|  Receipt of submissions to members of the Commission |  |  |
|  Receipt of discharges by the accused |  |  |
|  Adoption of precautionary measures: (specify) |  |  |
|  Research process: |
| - information analysis and downloads |  |  |
| - Evidence assessment |  |  |
| - hearing of testimonies / experts |  |  |
|  Preparation of the interim report and conclusions |  |  |
|  Receipt of submissions to the interim report |  |  |
|  Drafting of the final report and transfer to the Human Resources Department. |  |  |
|  Adoption of measures |  |  |

|  |  |  |
| --- | --- | --- |
| Suspension of the procedure on the basis of a record of proceedings administrative, lawsuit or complaint |  |  |
| Completion of the file, filing and registration in the Registry Book |  |  |

OBSERVATIONS AND COMMENTS