**Section 2520.510 Settlement**

a) Settlement Enforceable by Commission. If the parties seek to have a settlement enforced by the Commission, the terms of settlement must first be approved by the Director. If the proposed terms are unambiguously drawn, not inconsistent with the Act, and knowingly and voluntarily entered into, the Director shall approve them and file them with the Commission. The Department may require any part to such terms to submit proof of compliance.

b) Private Settlement. The parties may choose to enter into a private settlement and not submit it to the Director for approval or to the Commission for enforcement. The Department will continue to process the charge unless it is withdrawn pursuant to Section 2520.380 of this Part.

c) Non-Disclosure. No stenographic or other formal record shall be made of settlement efforts.

d) Non-Compliance.

1) The Department may conduct an investigation to determine compliance with settlement terms if proof of compliance is not provided or if a party makes a written allegation of a violation.

2) If the Department concludes that substantial evidence of a violation is lacking, it shall so notify the parties in writing.

3) If the Department determines that there is substantial evidence of a violation, the Department shall file with the Commission a notice of violation, with service on all parties. The notice shall set forth the nature of the violation and shall request that the Commission:

A) authorize the Department to seek judicial enforcement of its order pursuant to Section 8-111(B) of the Act [775 ILCS 8-111(B)]; or

B) remand the matter to an Administrative Law Judge for public hearing on the alleged violation.

(Source: Amended at 18 Ill. Reg. 16829, effective November 4, 1994)