

3-10 UNC PEMBROKE GUIDELINES FOR PHASED RETIREMENT PROGRAM

(Phased Retirement policies and regulations are currently being reviewed by the Office of the President. Please contact the Office for Academic Affairs for the most up-to-date policy.)

The University of North Carolina at Pembroke welcomes the opportunity to participate in the Phased Retirement Program. Our program will operate within the parameters set by The University of North Carolina and approved by the Board of Governors and the UNC Pembroke guidelines presented here. In this narrative, we have in several instances incorporated wording from documents provided to us by the UNC General Administration.

The Program is available to full-time tenured faculty members who have five years of full-time service at the constituent institution of the University at which he/she is currently employed and who (1) are age 60 or older and have at least five years of contributory participation in the Teachers' and State Employees' Retirement System (TSERS) or in the Optional Retirement Program (ORP) or (2) are age 50 and older and have at least 20 years of contributory participation in TSERS or the ORP. Full-time tenured faculty occupying full-time administrative or staff positions are not eligible to participate in the Program until they vacate such positions. Thus services rendered while in phased retirement will be only those teaching and administrative duties under faculty appointment.

For those who have not reached "normal retirement age," retirement must be demonstrated by a clear break in service of at least 30 days between cessation of full-time employment and return to institutional employment under the Program. For participants in ORP, "normal retirement" is the later of one's 65th birthday and the date on which one completes five years of service. For participants in TSERS, "normal retirement" is the age at which the faculty member first satisfies an age-and/or service requirement for service (unreduced retirement "service"), that is if one is aged 60 with 25 years of credited service, if one is aged 65 with five years of credited service, or if one has 30 years of credited service at whatever age. (See **"Administrative Policies for Implementation of The University of North Carolina Phased Retirement Program"** for statements reproduced in this and the previous paragraph).

The Eligible Faculty Member deciding to participate in the Program gives up tenure and terminates his/her current full-time position. In return, The University of North Carolina at Pembroke will contract with the faculty member for half-time employment. The participant in Phased Retirement will retain professorial rank and the full range of responsibilities, rights and benefits associated with it, except for tenured status. Once made, the decision to enter phased retirement is irreversible.

Should the faculty member choose to participate in the Program, he/she will be entitled to participate in all employee benefit programs for which he/she is eligible as well as those activities for retired faculty provided by the institution.

3-10.1 General limitations on number of Eligible Faculty Members who may participate

The University of North Carolina at Pembroke has not set specific institution or departmental limitations on the number of eligible faculty who may participate in the Phase Retirement Program.

3-10.2 Description of limitations set because of financial exigency

The institution reserves the right, should the necessity arise, to consider such limitations resulting from financial exigencies or University, departmental and program factors and needs, including number of departmental faculty, major enrollments, and critical areas of expertise. Should such exigencies arise, the institution reserves the right to consider such limitations.

3-10.3 Description of limitations set because of academic program compromise

UNC Pembroke also reserves the right to set limitations on participation in the Program if such participation would substantially weaken academic quality of the departmental programs or disrupt program sequence.

3-10.4 List of eligible and ineligible tenured faculty

It is the individual faculty member's responsibility to insure that the institution has all information necessary for it to determine the eligibility of the applicant both as to service at the institution and service within either TSERS or the ORP. For these purposes the Institution shall determine an applicant's age and service longevity with reference to the August 1 following the submission of an application (See "**Administrative Policies for Implementation of the University of North Carolina Phased Retirement Program**").

For administrators holding tenure as faculty who wish to participate in Phased Retirement, their twelve months salaries must be refigured using a conversion formula described on the attached List of Eligible and Ineligible Faculty.

3-10.5 Number of years participants will be allowed to remain on phased retirement

To provide a reasonable period of time for Eligible Faculty Members to participate in the Phased Retirement Program, The University of North Carolina at Pembroke sets a period of three (3) consecutive years as the contractual period for a faculty member to participate in Phased Retirement. This three-year period will also provide a broader opportunity for a larger number of faculty members to participate in the Program.

Since the Phased Retirement Program will be available for a period of five years, Eligible Faculty Members may enter the Program at any time during the five-year period. A faculty member who begins phased retirement during the initial five-year period will be able to

complete the period of phased retirement even if the period for electing to enroll in the Program has expired. Eligible Faculty Members may elect annually to enter the Program during this five-year period, effective with the fall semester following election.

It is the individual faculty member's responsibility to insure that the Institution has all information necessary for it to determine the eligibility of the applicant both as to service at the Institution and service within an applicant's age and service longevity with reference to the August 1 following the submission of an application.

3-10.6 Detailed description of procedures used to accept, review and approve applications

Eligible faculty members will meet with their departmental chairs to discuss their interest in participating in the Phased Retirement Program. During these initial meetings, Eligible Faculty Members should discuss their intent to participate in the program, the formal application process, etc.

The Eligible Faculty Member should discuss with the chair the initial details of the half-time work plan. Once a preliminary half-time work plan has been agreed upon, based on departmental needs and schedules, the details of the plan are to be submitted directly to the Office of the Provost and Vice Chancellor for Academic Affairs (since UNCP is not organized into schools or colleges) by the chair for preparation of the following:

- the official University of North Carolina Phased Retirement Application and Reemployment Agreement, and
- the General Release.

Duplicate copies of these two documents will be sent to the faculty member for review and signature. Once executed, one copy of The University of North Carolina Phased Retirement Application and Reemployment Agreement and General Release will be returned to the faculty member within ten (10) days of being signed by the Provost and Vice Chancellor for Academic Affairs.

A faculty member will have at least forty-five (45) days to return the duplicate copies of the signed Agreement and Release. The University of North Carolina Phased Retirement Application and Reemployment Agreement and Release must be reviewed and signed by the faculty member, the chair, and the Provost and Vice Chancellor for Academic Affairs.

Faculty members electing to participate in the Program have the right to revoke the Agreement and Release anytime within seven (7) days of the date the Release is signed by the parties. Election to participate in the Program does not become final until after the seven-day period has run. If the Agreement and Release are revoked, the Agreement is void. (See **“Administrative Policies for Implementation of The University of North Carolina Phased Retirement Program”** for statements reproduced in this and the previous

paragraph.)

3-10.7 General Guidelines for the UNC Pembroke Half-time Work Plan for Eligible Faculty Members

The Half-time Work Plan for UNC Pembroke faculty, drawn from the UNCP schedule of potential services, will be based on the concept of the faculty member's role in contributing significantly to the University's "balanced program of teaching, research/scholarly activity, and service" as set forth in UNC Pembroke's mission. Activities appropriate to consider in developing the Eligible Faculty Member's half-time work plan cover the range of typical activities the faculty member has been engaged in throughout his/her career. These activities include teaching, research and creative activities, service, advising, writing of grants, publications as well as other such activities.

In developing and evaluating such a plan, consideration should be given to constructing a work plan equating to approximately one-half of the normal expectation of a full-time faculty member. Some discretion may be applied in working out the Half-time Work Plan for a specific faculty member, but the plan must reflect appropriate attention to expected half-time contributions in teaching, research and scholarly activity (including creative activity and/or grant writing) and service (including advising and other departmental service as well as community service).

The teaching load of a full-time faculty member at UNC Pembroke is 12 semester hours per semester. This teaching load is the function of the institution's size, its mission, its funding and resources and its commitment to small class size and individual attention to and interaction with students. The Half-time Work Plan for Eligible Faculty Members who participate in Phased Retirement will be based on the expectation of a six semester hour teaching load per semester (or a 12-semester hour teaching load for the Eligible Faculty Member electing to complete the yearly half-time commitment in one semester).

Expectation for research/scholarly activity and University and public service will be a viable part of the Half-time Work Plan. The Eligible Member will be asked to submit a proposal for research/scholarly activity and University and public service as a part of the application process. Such a plan, for example, might include a proposal for completion of a research project in progress, its status and the projected time frame for submission for publication. Or the proposal might be a description of a planned grant proposal, its relevance to the University, the nature of the proposed activity, the Eligible Faculty Member's role in the proposed activity, and the projected time frame.

As indicated, both University and community service will continue as components in the work of the Eligible Faculty member participating in the Phased Retirement Program. The applicant will be asked to include a proposal describing how this aspect of the faculty role will be addressed in the Half-time Work Schedule. Appropriate service might include the following activities, among others: community service, both departmental and University-wide; (including committee work where appropriate); a curriculum revision project for the department; a

University-wide project relating to faculty development and/or enhancement and enrichment of classroom instruction; collaboration with an academic support office to study, e.g., the extent of student use of the service and development of ways to extend and expand the utilization of that service; service to the public elementary and secondary schools; or public service contributing to the economic development of the region/state.

3-10.8 List of Institutional Officers Authorized to Answer Questions about the Program

The following institutional officers are authorized to answer questions about the Phased Retirement Program, presented alphabetically.

- Provost and Vice Chancellor for Academic Affairs, Lumbee Hall, The University of North Carolina at Pembroke, One University Drive, 28372 (telephone: 910-521-6211).
- Benefits Manager, Human Resources, Lumbee Hall, The University of North Carolina at Pembroke, One University Drive, 28372 (telephone: 910-521-6279).
- Assistant Vice Chancellor for Academic Affairs, Lumbee Hall, The University of North Carolina at Pembroke, One University Drive, 28372 (telephone: 910-521-6224).

3-10.9 List of benefits, privileges, and services in which individual Program participants may continue

See attached table on “Continuation of Benefits/Payroll Deductions” for specific benefits, services and privileges that will either continue or discontinue when an individual enters the Phased Retirement Program. This table contains the benefits/deductions common to all UNC institutions as well as the specific additional services and privileges available at UNC Pembroke.

3-10.10 Letter to Candidates/Participants

Name

The University of North Carolina at Pembroke
Pembroke, NC 28372

Dear Name:

I am pleased to announce the establishment of The University of North Carolina Phased Retirement Program (the "Program"). Our records suggest that you are now or will be eligible on or before August 1, 1998 to participate in the Program. This letter sets out in summary fashion the details of the Program. We have enclosed for your review a Program Summary, a sample UNC Phased Retirement Application and Reemployment Agreement, a Release, and a list (both departmental and institutional in scope) of individuals by faculty rank who appear eligible or ineligible for the Program.

Only tenured faculty who meet certain age and service requirements ("Eligible Faculty Member") may participate in the Program. Eligible Faculty Members are individuals who are at least age 60 with five years of contributory service, or at least age 50 with 20 years of contributory service in either the Teachers' and State Employees' Retirement System ("TSERS") or the Optional Retirement System (the "ORP"). In addition, an Eligible Faculty Member must have at least five years of full-time service at their current institution.

The Phased Retirement Program contemplates actual retirement and reemployment of participating faculty on part-time status for a limited period. For those who have not yet reached "normal retirement age," retirement must be demonstrated by a clear break in service at least 30 days between cessation of full-time employment and return to institutional employment under the Program. For participants in the Optional Retirement Program (ORP) "normal retirement" is **the later of one's 65th birthday and the date on which one completes five years of service.** For those in the Teachers' and State Employees' Retirement System (TSERS) "normal retirement" is the age at which the participating faculty member first satisfies age-and/or-service requirement for service (unreduced) retirement. Under TSERS unreduced retirement is available if one is age 60 with 25 years of credited service time, if one is age 65 with five years of credited service, or if one has 30 years of credited service, at whatever age.

Should you decide to participate in the Program, you would give up tenure and terminate your current full-time position. In return, The University of North Carolina at Pembroke would contract with you for half-time reemployment for three years. You will negotiate individually with UNC Pembroke to determine your specific teaching duties and the time frame for fulfilling them. For example, you may be contracted to teach a half schedule for both semesters or a full schedule for either fall or spring semester each year, depending on mutual agreement among the

participant, the department, and the University. Half-time appointments and duties may vary among departments, but all enrollments in the Program commence with the fall semester and do not include summer school duties.

You would be compensated at a salary equal to fifty percent (50%) of the salary you received during your final year of full-time service. Your salary would be paid over a twelve-month period. Upon entering the Program you would be subject to performance review. Subject to any limitations imposed under the State Retirement System you would be eligible for salary increments and merit pay based on annual evaluations.

The Program will be offered during the five-year period February 1, 1998, through January 31, 2002, with respect to the academic years 1998, 1999, 2000, 2001, and 2002. Subject to certain enrollment caps and annual application "windows," you may apply during this five-year period to participate in the Program commencing with the fall semester that follows the date of your application. If you begin your phased retirement by fall semester 2002, you will be allowed to complete your period of phased retirement.

You do not have an absolute right to participate in the Program. UNC Pembroke may limit participation in the Program in response to a *bona fide* finding that financial exigencies prohibit enrollment in the Program or that further enrollment will substantially weaken academic quality or disrupt program sequence. UNC Pembroke may also set caps to limit the number of Eligible Faculty Members who may participate in the Program.

If you choose to enroll in the Program, you may participate in all employee benefit programs for which you are eligible. These programs and activities include health insurance; Social Security and Medicare Tax Payroll Deductions; Federal and State Income Tax Payable Deduction; Workers' Compensation; Liability Insurance, State Health Care Plan; North Carolina Flex benefits/deductions; access to and use of services of the Academic Computing and Information Services and the Media Center; access to the services of the campus bookstore, the gymnasium, and the Sampson-Livermore Library; identification card for admission to all University-sponsored activities, including but not limited to athletic events and Performing Arts Center events (Only events sponsored exclusively by the University are included.); free parking on campus; and the current issue of the Yearbook at the end of the retirement year.

If you decide to participate in the Program, you will be asked to sign a release as a condition of your entering the Program. You are encouraged to consult with your attorney and financial advisors before making a decision to enter the program. A decision to enter the Program is irreversible once made. The period of phased retirement may be terminated at any time if you and The University of North Carolina at Pembroke both agree.

You are encouraged to attend an informational meeting on _____ and _____. The meeting will be held _____. At this meeting the group of officials who have been designated to provide information on Phased Retirement to Eligible

Faculty Members, will be available to answer any questions you might have about the Program. The officials will also be available as a resource at any time.

We know that decisions regarding retirement are both emotional and difficult. The Program is intended to make the process easier and to facilitate difficult decisions by allowing one to continue to participate in academic life and the mentoring of students while preparing for the future. We hope you will agree that the Program is a beneficial one.

THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE

By _____
Title

Enclosures

3-10.11 SUMMARY OF UNIVERSITY OF NORTH CAROLINA PHASED RETIREMENT

I. PURPOSE

The University of North Carolina Phased Retirement Program (the “Program”) is designed to provide an opportunity for eligible full-time tenured faculty members (“Eligible Faculty Members”) to make an orderly transition to retirement through half-time (or equivalent) service. The goals of the Program are to promote and to provide additional flexibility and support for individual faculty members who are nearing retirement. The Program is entirely voluntary and will be entered into by a written agreement between an Eligible Faculty Member and the institution. The effective date of the Program is February 1, 1998, subject to there being in place supplemental procedures and participation standards (“guidelines”) at the employing institution. Enrolling Eligible Faculty Members may elect to begin receiving the benefits they have accrued under either the Teachers’ and State Employees’ Retirement System (“TSERS”) or the Optional Retirement System (The “ORP”). But they are not required to do so.

II. ELIGIBILITY AND APPROVAL

- A. The Program is available only to full-time tenured faculty members. Non-tenured and tenure-track faculty are not eligible for the Program. Faculty must be at least age 60 and have at least five years contributory participation in either TSERS or the ORP, or be at least age 50 and have at least 20 years of contributory participation in either TSERS or the ORP as of the August 1 that follows application for the program. In addition, he or she must have at least five years of full-time service at his or her current institution. Faculty are individually responsible for providing to the institution age and service date, needed to determine their program eligibility. Faculty who occupy full-time administrative or staff positions are not eligible for the Program until they vacate the administrative or staff position.
- B. Once made, a decision to enter the Program is irreversible.
- C. Generally, the decision to enter or not enter the Program rests entirely with Eligible faculty members. An application to enter the program must be made at least six (6) months, but not more than eleven (11) months before the effective date of the phased retirement period. However, this deadline is at least four (4) months prior to participation with respect to applications for retirement periods to commence with fall term 1998.
- D. Eligible Faculty Members do not have an absolute right to participate in the Program. Departments, schools, or institutions may limit participation in the Program based on three conditions. One condition is the finding that financial exigencies prohibit enrollment in the Program. The second condition is that further enrollments in the Program will substantially weaken academic quality or disrupt program sequence. Further, a department, school or institution may also establish a cap or limit on the number of Eligible Faculty members who may enter the Program.

- E. An application to enter the Program must be submitted to the Eligible Faculty Member's Department or Division Head. It is subject to final approval by the Chief Academic Officer.
- F. The Program will be offered for a period of five years. Eligible Faculty Members may elect to enter the Program at any time during this five-year period for the number of years specified by the employing institution for all its participating faculty.

III. TERMS AND CONDITIONS

- A. Phased retirement under the Program is subject to the following terms and conditions:
 - 1. Upon entering the Program, Eligible Faculty Members give up tenure. They terminate full-time employment and contract for a period of half-time service to their institution. Half-time responsibilities may vary by institution and among departments in the same institution. Half-time service may consist of full-time work for one-half a year (e.g., full-time work for one semester of an academic year) or half-time work for a year (e.g., half-time work in each of the two semesters of an academic year). Under either pattern the Program enrollment period begins with the fall semester. Teaching, research and service assignments during the period of phased retirement are individually negotiated by the Eligible Faculty Member and the appropriate supervisors and/or personnel committee(s). The details of the half-time service ("work-plan") must be set forth in a UNC Phased Retirement Application and Reemployment Agreement (the "Agreement").
 - 2. In conjunction with the Agreement executed under the Program an Eligible Faculty Member must execute a waiver of rights and claims under the Age Discrimination in Employment Act (the "ADEA") and other laws (the "Release"). The Release has to fully comply with the requirements for knowing and voluntary waivers as provided in the ADEA. After the Agreement is drafted, it must be delivered to the Eligible Faculty member and the Eligible Faculty Member has no less than forty-five (45) days within which to consider the Release. Eligible Faculty Members are encouraged to consult an attorney prior to executing the Release. The Release does not become effective and enforceable for a period of seven (7) calendar days following its execution, and during such period the Eligible Faculty Member may unilaterally revoke the Release. If the Eligible Faculty Member elects to revoke the Release within the seven (7) day period, the Eligible Faculty member must immediately be restored to the same full-time employment status as the faculty member held prior to execution of the Release and the Agreement becomes null and void. Revocations must be in a writing personally signed by the affected faculty member and must be effected by personal delivery or posting by United States Mail to the office or official to whom the prior application to participate in the Program was submitted.
 - 3. Participating Faculty Members receive a salary equal to fifty percent (50%) of the

salary they received during their last year of full-time employment. Compensation is paid over twelve (12) months irrespective of the pattern of duties under the Faculty Member's work-plan. Subject to any limitations imposed under the State Retirement System, Eligible Faculty Members are eligible for salary increments and merit pay based on annual evaluations.

4. Participating Faculty members will remain subject to The Code of The University of North Carolina.
 5. Phased retirement under the Program may be a period of at least but not greater than five years. Each institution will set the length of phased retirement for its faculty. All Eligible Faculty members at each institution will have the same participation period of phased retirement.
- B. Eligible Faculty Members who elect into the Program will retain their professorial rank and the full range of responsibilities, rights, and benefits associated with it, except for tenured status. (The employing institution, though, will keep records of participation so as to note those faculty who are in Phased Retirement.) Eligible Faculty members participating in the Program are eligible to participate in the following employee benefit plans or programs: After-tax Accidental Death and Dismemberment; After-tax Dental Insurance; Credit Union Deductions; Life Insurance, Long-Term Care Insurance; Supplemental Disability Insurance; Voluntary Supplemental Retirement Annuities such as 403(b), 457 and 401(k); other Benefits/Deductions; UNC Pembroke services including University Computing and Information Center; Media Center; Campus Bookstore; Gymnasium and other recreational facilities; Sampson-Livermore Library; Givens Performing Arts Center (Only events sponsored exclusively by the University are included.); identification card for admission to all University-sponsored activities (including athletic events); free parking on campus; current issue of yearbook at the end of the retirement year.

IV. GENERAL PROVISIONS

- A. Nothing in the Program precludes a participating Faculty Member from terminating his or her phased retirement at any time upon the mutual agreement of the parties.
- B. Eligible Faculty Members participating in the Program do not enjoy the benefits of tenure. They may not serve on committees if applicable procedures require that members be tenured. Otherwise participants have the same academic freedoms and responsibilities as other faculty members and have access to all grievance and appeal procedures available to non-tenured members of the faculty who are not participating in the Program.
- C. Participating Faculty members are expected to maintain high levels of professional commitment to their institution.

3-10.12

**UNIVERSITY OF NORTH CAROLINA
PHASED RETIREMENT APPLICATION
AND REEMPLOYMENT AGREEMENT**

EMPLOYEE NAME _____

EFFECTIVE DATE OF TERMINATION _____ DATE REEMPLOYED _____

REEMPLOYMENT OBLIGATION FROM _____ TO _____

INSTITUTION THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE

DEPARTMENT _____

AGE _____ YEARS OF SERVICE _____ RETIREMENT PLAN _____

To participate in the University of North Carolina Phased Retirement Program (the "Program"), I understand that I must terminate my employment with The University of North Carolina at Pembroke and give up my tenured status. I further understand that I may elect to start receiving benefits I have accrued under either the Teachers' and State Employees' Retirement System ("TSERS") or the Optional Retirement Plan ("ORP") but am not required to do so. Furthermore, all retirement benefits for which I am eligible shall be determined in accordance with the applicable Plan. I understand and acknowledge that my decision to participate in this Program is voluntary and irreversible.

Upon the acceptance of my application to participate in the Program, The University of North Carolina at Pembroke is obligated to offer me reemployment for a term of three years. My reemployment shall be on a half-time basis (or the equivalent thereof). Compensation during the period of reemployment shall be one-half the salary I was earning during my last year of full-time employment prior to entering the Program. I will continue to be subject to performance reviews on reemployment. I will be eligible for salary increments and merit pay increases based on annual evaluations.

The specific duties which I shall perform under this agreement are as follows:

I understand that, unless I have attained my normal retirement age under the applicable plan, if I elect to

start receiving the benefit I have accrued under TSERS or the ORP, I must, in order to validate such election, remain off The University of North Carolina and institution's payroll for 30 days immediately following the effective date of my retirement or termination of employment.

At the conclusion of the three year contractual reemployment period neither UNC Pembroke nor The University of North Carolina has any obligation to offer me additional employment.

I may participate in all state or institutional employee benefit programs for which I am eligible as a half-time employee or retiree. These benefits include the following: After-tax Accidental Death and Dismemberment; After-tax Dental Insurance; Credit Union Deductions; Life Insurance, Long-Term Care Insurance; Supplemental Disability Insurance; Voluntary Supplemental Retirement Annuities such as 403(b), 457 and 401(k); other Benefits/Deductions; UNCP Pembroke Services including University Computing and Information Center, Media Center, Campus Bookstore; Gymnasium and other recreational facilities; Sampson-Livermore Library; Givens Performing Arts Center (Only events sponsored exclusively by the University are included.); identification card for admission to all University-sponsored activities (including athletic events); free parking on campus; current issue of yearbook at end of the retirement year.

I will remain subject to The Code of The University of North Carolina.

This agreement may be terminated at any time upon the mutual written agreement of the parties.

Signed _____ Date _____
Eligible Faculty Member

Signed _____ Date _____
Department Chair

Signed _____ Date _____
Dean of College/School

Signed _____ Date _____
Chief Academic Officer

UNIVERSITY OF NORTH CAROLINA PHASED RETIREMENT PROGRAM
GENERAL RELEASE

I, _____, in accordance with the University of North Carolina Phased Retirement (the "Program") and the Reemployment Agreement between The University of North Carolina at Pembroke, a constituent institution of The University of North Carolina and me, dated _____, [1998, 1999, 2000, 2001, 2002] entered into in conjunction herewith, hereby **release, acquit, and forever discharge** the State of North Carolina; The University of North Carolina; UNC Pembroke; their employee benefit plans; all current and former officers, agents, and employees of the above-named entities (in both their official and individual capacities); and all successors of the above-named entities (all hereinafter referred to as "Releases") from any and all claims, actions, causes of action, demands, rights, damages, costs, sums of money, accounts, covenants, contracts, promises, attorney fees, and all liabilities of any kind or nature whatsoever at law, in equity, or otherwise which I or my heirs, personal representatives, executors, administrators, successors, or assigns (as to whom this Release is also binding) ever had, now have, or may have against any of the Releases for all events and occurrences from the beginning of the world to the date on which I have signed this Release. I do not however, release or waive any Claims that may arise after the date this Release is executed.

I understand that this Release includes any and all Claims, whether such claims are now known or later discovered, I may have relating in any way to my employment by UNC Pembroke or the conclusion of that employment, including without limitation any Claims under the law of contract or tort; the Age Discrimination in Employment Act of 1967, as amended U.S.C. [Section] 621 et.seq.), including the Older Workers Benefit Protection Act of 1990; Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C.[section] 2000e et.seq.), including the Civil Rights Act of 1991 and the Civil Rights Acts of 1866, 1970, and 1871 (42 U.S.C. [section] 1981 et.seq.); the Fair Labor Standards Act (29 U.S.C. [section] 201 et. seq.); the Americans with Disabilities Act (42 U.S.C. [section] 12101 et.seq.); and the Rehabilitation Act of 1973; or any other federal, state, or local statutory common laws relating to employment discrimination or employment.

I also acknowledge that I have been provided with a notice, as required by the Older Workers Benefit Protection Act of 1990, that contains information about individuals covered under the Program, time limits applicable to the Program, the job titles and ages of the employees designated to participate in the Program, and the ages of all individuals in the same job classification who have been designated to participate in the program.

I understand and acknowledge that, as provided in the Older Workers Benefit Protection Act of 1990, I have the right, and that I have been encouraged, to consult with an attorney before entering into this Release. I understand that I have at least forty-five (45) days in which to consider this Release and the Reemployment agreement and may revoke this Release and the

Reemployment agreement within seven (7) calendar days after signing the Release. The Reemployment Agreement and this Release will not be effective or enforceable until the expiration of this seven-day period.

I understand that, as used in this agreement, references to The University of North Carolina include all the University's constituent institutions, present and former members of the Board of Governors and the Boards of Trustees of the constituent institutions, faculties, employees, agents, successors, and assigns. I also understand that references to the State of North Carolina include all the State's political subdivisions, administrative agencies, employees, agents, representatives, successors, and assigns.

By executing this Release, I acknowledge that I understand all of its terms and that I have executed it voluntarily and without duress of any kind, and with full knowledge and understanding of its significance. I also acknowledge that I am entering into this Release in exchange for consideration in addition to anything of value that I am otherwise entitled to receive. I further agree that should a portion of this Release be held void, the remainder shall continue in full force and effect.

Date

Employee Signature