

The University of Texas Health Science Center at Houston

Procedures For Waiver Under the  
Age Discrimination in Employment Act of 1967 (ADEA)  
and the  
Older Workers Benefit Protection Act (OWBPA)

Handbook of Operating Procedures 208  
Attachment B

Faculty who have initiated discussions regarding the possibility of Phased Retirement must be:

- 1) Provided a copy of HOOP 208 Phased Retirement for Tenured Faculty and its Attachments by the dean or department chair;
- 2) Advised in writing by the dean or department chair that entering into a Phased Retirement Agreement includes voluntarily waiving any rights, claims, or causes of action that he or she may have had through the effective date of the Agreement under the Age Discrimination in Employment Act of 1967 (ADEA) and its 1990 amendments effected by the Older Workers Benefits Protection Act (OWBPA);
- 3) Provided a copy of the Phased Retirement Agreement for consideration at least twenty one (21) days before signing;
- 4) Advised in writing by the dean or department chair to consult with an attorney at the faculty member's expense before signing the Phased Retirement Agreement; and
- 5) Advised in writing by the dean or department chair that he or she has a period of seven (7) days after execution of the contract during which he or she may revoke the contract; absent such revocation, the contract shall go into effect on the eighth (8th) day following its execution by the parties.

A copy of this document should be given to the Faculty Member and the original placed in the Faculty Member's personnel file.

Name of Faculty Member: \_\_\_\_\_

Date of Agreement: \_\_\_\_\_

Department Chair certification that the above criteria have been met: \_\_\_\_\_