

**To:** Applicants for Faculty Positions with the University of the Incarnate Word and Affiliated Entities  
**Subject:** Dispute Resolution Program

All employment disputes between the University of the Incarnate Word or any of its affiliated entities (UIW) and faculty members (except faculty members who were granted tenure prior to August 1, 2005) will be automatically subject to resolution through the Dispute Resolution Program adopted by UIW and described in the attached documents entitled the *University of the Incarnate Word Dispute Resolution Plan* (the “Plan”) and the *University of the Incarnate Word Dispute Resolution Rules* (the “Rules”). This means that both you (unless you are a faculty member who was granted tenure prior to such date) and UIW will be automatically bound to use the Dispute Resolution Program, rather than litigation, as the exclusive, final, and binding means of dispute resolution.

Under the terms of the Dispute Resolution Program, if you are unable to resolve a dispute related to your employment through the applicable grievance procedure described in the *Faculty Handbook* or through voluntary mediation, then the dispute will be submitted to binding arbitration instead of through the courts. If legal action is instituted, the court will be requested to refer the matter back to the Dispute Resolution Program for final and binding resolution.

Your decision to accept employment means you have agreed to and are bound by the terms of the Dispute Resolution Program contained in the Plan and the Rules, as amended from time to time. This will be true both during and subsequent to your employment by UIW. Likewise, the terms of the Dispute Resolution Program are binding on UIW.

While you and UIW both retain all of your substantive legal rights and remedies under the Dispute Resolution Program, you and UIW are both waiving all rights (including the right to trial by jury) either may have to bring a lawsuit for employment related matters in state or federal court, including, but not limited to, lawsuits involving claims of discrimination based upon: race, sex, sexual orientation, religion, color, national origin, age, veteran status, or disability.

To acknowledge your receipt of this memorandum and the attached copies of the Plan and the Rules, please sign your name below in the space provided for your signature. By signing, you are also confirming that you have read, understand, and consent to the terms of the Plan and Rules constituting the UIW Dispute Resolution Program. Please feel free to consult with your own personal attorney before you sign.

Once you have signed this memorandum, please forward the signed original to the Human Resources Department, CPO #320, for placement in your personnel file. You may retain a copy for your own records. If you have any questions concerning the UIW Dispute Resolution Program, you may direct them to either the Human Resources Department or the Assistant to the President for Legal Affairs.

**Acknowledged and Accepted:**

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Faculty Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name