

**EEOC Notice Regarding CWRU Wellness Program
October 2018**

Case Western Reserve University has a voluntary wellness program available to all employees. The program is administered according to federal rules permitting employer-sponsored wellness programs that seek to improve employee health and prevent disease, including the Americans with Disabilities Act of 1990, the Genetic Information Nondiscrimination Act of 2008, and the Health Insurance Portability and Accountability Act, as applicable, among others. If you wish to receive the wellness program incentives, you will be asked to complete a voluntary health risk assessment or "HRA" that asks a series of questions about your health-related activities and behavior and whether you have or had certain medical conditions (e.g., cancer, diabetes, or heart disease). You will also be asked to complete a biometric screening, which will include: height, weight, and waist circumference, and a blood test for cholesterol and glucose. You are not required to complete the HRA or to participate in the blood test or other medical examinations.

Employees that choose to participate in the HRA, Biometric Screening, and the Tobacco Attestation Form, and have chosen university medical insurance coverage for 2019, will receive an incentive of \$25 per month throughout 2019. Although you are not required to complete these activities, only benefits-eligible employees who do so will receive the Wellness Premium Incentive.

Additional incentives of \$100 per program, up to a maximum reward of \$200 per year, are available for Wellness Program participants who meet participation guidelines in physical activity, nutrition or weight management, stress management, tobacco cessation, financial or community well-being programs. If you are unable to meet our participation guidelines to earn the Wellness Program Incentive, you may be entitled to a reasonable accommodation or an alternative standard. You may request a reasonable accommodation or an alternative standard by contacting the university's Medical Director at erc10@case.edu or 216-368-5790.

The information from your HRA and the results from your biometric screening will be used to provide you with information to help you understand your current health and potential risks. You also are encouraged to share your results or concerns with your own health care provider.

Protections from Disclosure of Medical Information

We are required by law to maintain the privacy and security of your personally identifiable health information. Although the wellness program and Case Western Reserve University may use aggregate information we collect to design a program based on identified health risks in the workplace, the wellness program and its vendors will never disclose any of your personal information either publically or to the University, except as necessary to respond to a request from you for a reasonable accommodation needed to participate in the wellness program, or as expressly permitted by law. Medical information that personally identifies you that is provided in conjunction with the wellness program will not be provided to your supervisors or managers and may never be used to make decisions regarding your employment.

Your health information will not be sold, exchanged, transferred, or otherwise disclosed except to the extent permitted by law to carry out specific activities related to the wellness program, and you will not be asked or required to waive the confidentiality of your health information as a condition of participating in the wellness program or receiving an incentive. Anyone who receives your information

for purposes of providing you services as part of the wellness program will abide by the same confidentiality requirements. The only individual(s) who will receive your personally identifiable health information are authorized providers utilized by the University's biometric screening and health coaching vendors and a fitness coach if you choose to participate in a University fitness assessment in order to provide you with services under the wellness program.

In addition, all medical information obtained through the wellness program will be maintained separate from your personnel records, information stored electronically will be encrypted, and no information you provide as part of the wellness program will be used in making any employment decision. Appropriate precautions will be taken to avoid any data breach, and in the event a data breach occurs involving information you provided in connection with the wellness program, we will notify you immediately.

You may not be discriminated against in employment because of the medical information you provide as part of participating in the wellness program, nor may you be subjected to retaliation if you choose not to participate.

If you have questions or concerns regarding this notice, or about protections against discrimination and retaliation, please contact Elizabeth Click at erc10@case.edu or 216-368-5790.