

## NOTICE REGARDING WELLNESS PROGRAMS

HBC U.S. Benefits Wellness Program is a voluntary wellness program available to all Associates, and their participating spouses/domestic partners, participating in one of HBC's medical plans. The program is administered according to federal rules permitting employer-sponsored wellness programs that seek to improve employee health or 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 choose to participate in the wellness program 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 behaviors and whether you have or had certain medical conditions (e.g., cancer, diabetes, or heart disease). You will also be asked to complete an Annual Physical with your physician. You are not required to complete the HRA or Annual Physical or any other medical examinations.

However, Associates and spouses/domestic partners who choose to participate in the wellness program will receive an incentive of up to \$250 Healthcare Savings Account for completing the HRA and having an Annual Physical. Incentives will be pro-rated if the program requirements are completed after March 31 each year. Although you are not required to complete the HRA or have an Annual Physical, only Associate and spouses/domestic partners who do so will receive up to \$250 incentive.

Additional incentives of \$10 per week reduction in employee medical plan contributions may be available for employees who participate certify that they are not tobacco users. If you are unable to certify that you are not a tobacco user, you may request a reasonable accommodation or an alternative standard by contacting HBC Benefits Service Center at 1-800-498-8705

The information from your HRA may be used to provide you with information to help you understand your current health and potential risks. You are encouraged to share your results or concerns with your own doctor.

### **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 HBC may use aggregate information it collects to design a program based on identified health risks in the workplace, HBC's U.S. Benefits Wellness Program will never disclose any of your personal information either publicly or to the employer, 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 connection 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 is (are) Cigna's service team, which may include a registered nurse, a doctor, or a health coach 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 provide 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 Toni-Failla Curtis, Director – Benefits, email: [TONI.FAILLA-CURTIS@HBC.COM](mailto:TONI.FAILLA-CURTIS@HBC.COM), telephone: (646) 802 7087.