

Notice Regarding Wellness Program

The Dermalogica Wellness Program is 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 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 Annual Physical Exam Certification Form, signed by your primary care physician, stating that you have completed your annual physical between the dates of 9/1/2017 and 9/1/2018. You will also be asked to complete a Biometric Screening, which will include a blood test for Total Cholesterol, HDL, TC/HDL Ratio and Non-Fasting Glucose and an exam which will include Height, Weight, Blood Pressure and Body Mass Index. You are not required to complete the Annual Physical Exam Certification Form or to participate in the Biometric Screening or other medical examinations. Finally, we are asking that you attend a Wellness Lunch and Learn and submit an evaluation form.

Employees who choose to participate in the wellness program will receive a discount on their medical premium in 2019 based on renewal rates. Although you are not required to complete the Annual Physical Exam Certification Form, participate in the Biometric Screening, or attend a Wellness Lunch and Learn and submit an evaluation form, only employees who do so will receive the discount on their medical premium in 2019.

Additional incentives, in the form of gift cards and prizes may be available for employees who participate in certain health-related activities throughout the year. If you are unable to participate in any of the health-related activities or achieve any of the health outcomes required to earn an 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 Jennifer Gaw at jgaw@dermalogica.com or via phone at 310-900-0753.

The information from your biometric screening will be used to provide you with information to help you understand your current health and potential risks, and may also be used to offer you services through the wellness program. You also 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 Dermalogica may use aggregate information it collects to design a program based on identified health risks in the workplace, The Dermalogica 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 the Quest Diagnostics Registered Nurse and Quest Diagnostics who is administering the biometric screening in order to provide you with advice and reporting after your screening.

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 Jennifer Gaw at jgaw@dermalogica.com or via phone at 310-900-0753.