

Marquette University Notice Regarding 2020 Wellness Program

The Marquette University wellness program is a voluntary 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.

As part of the 2020 wellness program, you have the option to enroll in the Virgin Pulse Program. Virgin Pulse collects anonymous and Personal Information about you in order to provide you with the Virgin Pulse services. If you choose to share it, the Personal Information that Virgin Pulse may collect, process and use includes:

- Your gender, date of birth and age;
- Biometric information such as your blood pressure or weight;
- Information about your health and healthcare outcomes;
- Information about your fitness and related wellness activities offered within the Program;
- Information about your participation and performance in challenges; and
- The rewards you may be able to earn through the Program.

Virgin Pulse collects Personal Information you voluntarily provide as you submit it through the web-based platform and the mobile application, by reviewing your use of the web-based platform and mobile application (for example through the completion of a health assessment), your use of a synched tracking device such as a MAX or MAX BUZZ and when you participate in phone or on-site services and events. Virgin Pulse also collects Personal Information through your use of additional services such as the Virgin Pulse Activity Tracking Devices and the Health Stations.

Virgin Pulse offers an online health risk assessment questionnaire to assess your overall health and your lifestyle across multiple areas of wellbeing. You do not have to complete the health assessment if you do not want to share this type of information. You may also have access to Health Stations on campus. Health Stations allow you to measure your blood pressure and weight and input that information in the Program.

Virgin Pulse will use the Personal Information collected only to provide you with access to their services, including:

- To administer and manage your Virgin Pulse account and membership;
- To track your progress in the Program and the rewards you earn; and
- To provide you with information about the Program and Program features

You are under no obligation to provide any Personal Information to Virgin Pulse at any time. However, if you choose to withhold some Personal Information, Virgin Pulse may be unable to provide you with certain services.

You are not required to participate in the wellness program by enrolling in the Virgin Pulse Program, completing a biometric screening, or other medical examinations. However, employees and spouses who are enroll in a Marquette sponsored medical plan who choose to participate in the wellness program can each earn rewards for completing qualifying wellness activities which include tracking healthy habits, participating in Marquette University sponsored GROW, meditation and group exercise

classes, tracking your activity with a fitness device, or participating in health coaching to name a few. A complete list of activities can be found on the wellness website at <https://www.marquette.edu/employee-wellness/virgin-pulse.php>.

- All employees and spouses, regardless of whether or not you are enrolled in a Marquette sponsored medical plan, are eligible for entries into quarterly drawings during 2020. Prizes, each valued at \$50 and paid as PulseCash (which can be used in the Virgin Pulse Store, to purchase a gift card or to donate to a charity), will be given away each quarter, with drawings held in March 2020, June 2020, September 2020 and December 2020.
- Employees and spouses enrolled in a Marquette-sponsored medical plan can also earn up to \$125 each or up to \$250 each in the form of an FSA or HSA contribution, respectively, depending on points earned and on the medical plan selected for 2021. FSA and HSA contributions will be awarded in January 2021 (payable to the employee FSA or HSA account).

We recognize that it may be difficult for some individuals to fully participate and earn points in the program due to medical conditions or disabilities. To ensure all employees have equal opportunity to earn points and benefit from the program, there is a reasonable alternative to earn points. You may request a reasonable alternative by reaching out to the Virgin Pulse Member Services team via chat or phone (888-671-9395), and they will provide you with the appropriate form(s). You will need to print and fill out the form according to the instructions. Once the form has been received, verified, and approved, an exception will be applied to your account and a confirmation email will be sent to you with further instructions.

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 Marquette University wellness program may use aggregate information it collects to design a program based on identified health risks in the workplace, it will never disclose any of your Personal Information publicly, 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 personally identifiable health information will only be shared with approved wellness vendor partners to provide you with services under the wellness program. As a global company, Virgin Pulse has a number of offices and subsidiaries around the world. Virgin Pulse has office locations in the United States, the United Kingdom, Canada, Bosnia, Switzerland, Singapore, Brazil and Australia. Employees at these locations may be required to access your Personal Information to allow Virgin Pulse to provide you with quality services, including Member support services through the Virgin Pulse Call Center. These employees are obligated to respect the confidentiality of your Personal Information and are only authorized to access your Personal Information as necessary to provide you with services or support. In the event that Virgin Pulse would (a) undergo reorganization, or (b) that Virgin Pulse is sold to a third party, any Personal Information they hold about you may be transferred to the re-organized entity or third party, in accordance with applicable laws. In the event that such acquisition occurs, the new entity will continue to use your Personal Information within the limits of the Virgin Pulse Privacy Policy, to ensure continuation of service.

Virgin Pulse may use or disclose your Personal Information to allow your participation in additional third-party provided wellness services and programs. Virgin Pulse will only disclose your Personal Information for the following limited purposes:

- To coordinate enrollment in such additional services;
- To enhance your program experience;
- To provide you with information about the services available to you through the program and platform, or provided to you by a program partner or a third-party provider;
- To ensure that you receive appropriate rewards for participation in our services and other similar services provided by your program sponsor or third-party providers;
- To evaluate the overall quality and effectiveness of the program(s) you may participate in; and
- To assess your eligibility for other programs that your program sponsor or third-party provider may offer.

These program partners are industry leading wellness providers selected to enhance your experience. In certain instances, the use of such program partners may require you to provide additional Personal Information and data to these program partners. If you choose to use program partner services or you provide additional Personal Information and data to these program partners, you will be subject to the program partner's privacy policy and terms of use. The complete Virgin Pulse Privacy Notice is available for review at <https://www.virginpulse.com/privacy-notice/>

All medical information obtained through the wellness program will be maintained separate from your personnel records, information stored electronically will be secured, 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.

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 the Marquette University Human Resources Department at (414) 288-7305.