

## Regulatory EEOC Notice for ConocoPhillips' Sponsored Wellness Programs

Rules published on May 17, 2016, under the Americans with Disabilities Act (ADA) require employers that offer wellness programs that collect employee health information to provide a notice to employees informing them what information will be collected, how it will be used, who will receive it, and what will be done to keep it confidential. This notice meets ConocoPhillips' obligation to inform you regarding information collected, used, transmitted and stored under the ConocoPhillips' sponsored wellness programs as described below.

Biometric screenings will be available to all U.S. ConocoPhillips employees as a voluntary program. The Houston Wellness Center's MicroFit Assessments are also voluntary and available generally to all local Houston employees. These wellness programs are 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 a biometric screening, this will include a blood test that will determine, your Total Cholesterol and glucose; a blood pressure, and pulse rate; and a screening for height and weight to determine body mass index.

If you choose to participate in the Houston Wellness Center's MicroFit Assessment, you will be asked to complete a screening, which will include providing your height, weight, blood pressure, maximal oxygen uptake (VO2 max), waist circumference measurements, and body fat composition.

The results from your biometric screening (and Houston Wellness Center Programs' screenings) 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 doctor. Additionally, if you are a participant in the ConocoPhillips Medical and Dental Assistance Plan, you may earn incentives that reduce your medical cost in the following calendar year. If you would like additional information on the incentive program, please see the following [link](#). Note - if you have a medical condition that makes it unreasonably difficult for you to meet the incentive standard (or if it is

medically inadvisable for you to attempt to meet the incentive standard), we will work with you (and, if you wish, your doctor) to find a reasonable alternative. You may request a reasonable accommodation or an alternative standard by contacting the Benefits Center at 800-622-5501.

### **Protections from Disclosure of Medical Information**

We are required by law to maintain the privacy and security of your personally identifiable health information. Please reference the [Notice of Privacy Practices](#) for purposes of the biometric screenings. Although the wellness programs and ConocoPhillips, as program sponsor, may use aggregate information it collects to design a program based on identified health risks in the workplace, personal information either publicly or to the Company will not be disclosed. Medical information that personally identifies you that is provided in connection with the wellness programs 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 programs, and you will not be asked or required to waive the confidentiality of your health information as a condition of participating in the wellness programs or receiving an incentive. Anyone who receives your information to provide you services as part of a wellness program will abide by the same confidentiality requirements. The only individual(s) who will receive your personally identifiable health information are service contractors of both the biometric screenings and Houston Wellness Center, as well as any company designated wellness professionals in order to provide you with services under the wellness programs.

In addition, all medical information obtained through the wellness programs 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 programs, 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 wellness programs, 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 Allison Van Natter at 281-293-4374 (for wellness programs offered by the Houston Wellness Center) or Ethan Gonzales at 281-293-5627 (for the biometric screenings).