

BORGWARNER WELLBEING PROGRAM NOTICE

The Premium Incentive Program is a voluntary wellbeing program available to all full-time BorgWarner employees. The program is administered by WebMD according to federal rules permitting employer-sponsored wellbeing 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 wellbeing program you will be asked to complete a voluntary health assessment or “HR” that asks a series of questions about your health-related activities and behaviors and whether you have or had certain medical conditions (for example, cancer, diabetes, or heart disease). You will also be asked to complete a biometric screening, which will include a blood test for total cholesterol, LDL cholesterol, and blood pressure. You are not required to complete the HR or to participate in the blood test or other medical examinations.

However, employees who choose to participate in the wellbeing program will receive an incentive in the form of a premium discount. Although you are not required to complete the HR or participate in the biometric screening, only employees who do so will receive a premium discount.

- **For all participants** – If you think you are unable to meet a standard for a reward under this wellbeing program, you might qualify for an opportunity to earn the same reward by different means. Contact the WebMD team at 1-877-443-1607 and they will work with you and, if you wish, your doctor.
- **For all participants who may have impairment** – If you are unable to participate in any of the program events, activities or goals, because of a disability, you may be entitled to a reasonable accommodation for participation or an alternative standard for rewards. Contact the WebMD team at 1-877-443-1607 for accommodations.

The information from your HR 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, and may also be used to offer you services through the wellbeing program, such as telephonic coaching. You also are encouraged to share your results or concerns with your own doctor

In answering the HR questions, do not include any genetic information. The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request. “Genetic information” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. Please do not include any family medical history or any

information related to genetic testing, genetic services, genetic counseling or genetic diseases for which an individual may be at risk.

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 wellbeing program and BorgWarner, Inc may use aggregate information it collects to design a program based on identified health risks in the workplace, WebMD 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 wellbeing program, or as expressly permitted by law. Medical information that personally identifies you that is provided in connection with the wellbeing 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 wellbeing program, and you will not be asked or required to waive the confidentiality of your health information as a condition of participating in the wellbeing program or receiving an incentive. Anyone who receives your information for purposes of providing you services as part of the wellbeing program will abide by the same confidentiality requirements. The only individual(s) who will receive your personally identifiable health information is WebMD in order to provide you with services under the wellbeing program.

In addition, all medical information obtained through the wellbeing program will be maintained separate from your personnel records, information stored electronically will be encrypted, and no information you provide as part of the wellbeing 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 wellbeing 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 Benefits Department at 3850 Hamlin Road, Auburn Hills, MI 48326.