

Notice for Employer-Sponsored Wellness Programs

The ODP Corporation (“ODP”) sponsors a voluntary wellness program (the “Program”) that is available to eligible 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.

Type of Programs

The Program has a specific requirement set forth in The ODP Corporation Welfare Benefits Program Summary Plan Description (the “SPD”). The Program is completely voluntary. However, the Program provides monetary incentives for completing an annual preventive physical or health screening. The monetary incentives are set forth in the SPD. From time to time, additional Programs may also be offered as set forth in the SPD, the Benefits Guide, or other communications.

Requested Health Information

The Program may ask you to complete an annual preventive physical or health screening, which includes lab tests. You are not required to complete these requirements. But, if you do not, you will not receive the monetary incentives provided by the Program. If you participate in any other Programs as set forth from time to time in the SPD, Benefits Guide, or other communications, you may be asked to provide information with respect to your current health and health conditions. If you participate in an onsite health fair, you may be asked to complete various screenings or lab tests.

Use and Disclosure of Health Information

The health information obtained through the Programs will be used to provide you with information to help you understand your current health and potential risks, may be used to offer you additional services through another Program, may be used for Program design and administration purposes, and may be used or disclosed for any other purpose to the extent allowed by the HIPAA privacy rules.

Protections from Wrongful Disclosure

ODP is required by law to maintain the privacy and security of your personally identifiable health information. Health information obtained through a Program will only be used or disclosed as set forth above, will not be provided to your supervisors or managers, and will not be used to make decisions regarding your employment. In addition, all health information obtained through a Program will be maintained separate from your personnel or employment records. You can't be discriminated against in employment because of health information you provide as part of participating in a Program, nor may you be subject to retaliation if you do not participate.

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 Program or as otherwise allowed by the HIPAA privacy rules. You will not be asked or required to waive the confidentiality of your health information as a condition of participating in a Program or receiving an incentive. A third-party administrator or services provider may receive your health information provided through a Program for purposes of administering the Program (or for any other purpose as noted above). A third-party administrator or services provider may also operate one or more Programs.

If you have any questions or concerns regarding this notice, or about protections against discrimination and/or retaliation, please contact BenefitsTeam@theodpcorp.com.