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US Lawmakers Propose Legislation to Protect Wellness Plan Effectiveness

Sen. Lamar Alexander (R-Tenn.) and Rep. John Kline (R-Minn.) along with six other Republican lawmakers recently introduced legislation to provide what they call “legal certainty” for employers confused by the Equal Employment Opportunity Commission’s (EEOC) stance on employee wellness programs. Employers have said that the Affordable Care Act’s incentives for promoting wellness in the workplace seem to run counter to what the EEOC is saying and doing in recent actions they have taken. The EEOC has been in a running battle with Honeywell International Inc. over that corporation’s wellness program, which the agency said penalized workers who do not take part in their wellness initiatives.

In November 2014, a federal judge rejected a bid by the EEOC to have the court block Honeywell from assessing health benefits-related surcharges for those not participating in its wellness offering. The new legislation proposed by the law makers, called the Preserving Employee Wellness Programs Act, would allegedly reaffirm existing laws which allows for employee wellness programs tied to a financial reward.



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