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Wellness Gone Wild, Human Resource Executive ft. Anna Maria Tejada

By Kecia Bal
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A new Equal Employment Opportunity Commission lawsuit — the first to directly challenge a company's wellness program under the Americans with Disabilities Act — accuses a Wisconsin company of overstepping its bounds by requiring an employee to undergo medical exams and inquiries, which it contends were not job-related or consistent with business necessity. The suit also alleges the company's wellness program was mandatory.

Manitowoc, Wis.-based Orion Energy Systems violated federal law by requiring an employee to undergo multiple range-of-motion tests and complete medical history information to participate in a wellness program, the federal agency alleges. The lawsuit also alleges the penalty for not participating was paying 100 percent of the premium cost for health benefits, or $413 monthly, says John Hendrickson, regional attorney for the EEOC's Chicago district.

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