

Could Corporate Wellness Programs Land A Business In Hot Water?

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The EEOC recently filed suit against an employer after it established a self-improvement program based on the “Onionhead” belief system. The Onionhead belief system is related to the Harnessing Happiness Foundation. The Harnessing Happiness Foundation is a “501c3 nonprofit organization dedicated to emotional knowledge and intelligence, conflict resolution and life handling skills for all ages.” The Foundation’s website offers the following description of the belief system:

“Onionhead is part of Harnessing Happiness. We used an onion as a medium to express peeling our feelings, as a way of healing our feelings. * * * Onionhead is this incredibly pure, wise and adorable character who teaches us how to name it - claim it - tame it - aim it. Onion spelled backwards is ‘no-i-no’. He wants everyone to know how they feel and then know what to do with those feelings. He helps us direct our emotions in a truthful and compassionate way, which in turn assists us to communicate more appropriately and peacefully. We then approach life from a place of our wellness rather than a place of our wounds.”

The EEOC claims that the employer administered the program by requiring employees to say “I love you,” engage in prayer sessions and discuss personal issues with co-workers and management. Various employees were allegedly subjected to adverse action for refusing to participate in such activities. According to the EEOC, “What defendants glibly call 'self-improvement workshops' and 'corporate wellness programs' were actually compelled religious activities led by ... management in violation of Title VII.” What is the take-away? Employers should avoid creating a culture where employees feel compelled to participate in “wellness programs” or other similar activities. Even seemingly harmless activities can potentially result in a lawsuit down the line.

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