

RISK COMMUNIQUÉ

Fitness Facility Use by School Staff

Schools promote employee wellness in a variety of ways such as health screenings, preventative medicine and fitness incentives. Some school districts may negotiate group discount rates at local health clubs for the benefit of their staff while others offer fitness centers as part of the physical education program and allow access to school staff. Although this can be a low cost benefit and another method to encourage healthy lifestyles, there are consequences to consider and risk management steps to take beforehand.

Should school staff be allowed to use the campus facilities as their own fitness center? If a coach strains his/her back in the weight room would it be compensable under the district's workers' compensation insurance coverage? Is it acceptable if the science teacher uses the gym at lunch? Since there are no definitive answers to these questions, the circumstances of an employee or student injury would determine compensability after it has happened. The district, as the employer, may have to determine if the benefits outweigh the risks and take precautions to minimize their financial exposure.

Possible benefits of allowing employees to use school facility fitness areas include:

- Improved staff health and fitness by encouraging weight loss and healthy habits.
- Lower health care costs.
- Fewer workers' compensation injuries from strains and sprains.
- Stronger, healthier employees.
- Increased weight room supervision.
- Team building, increased morale, camaraderie, fun, staff convenience.
- Low cost employee benefit.
- Employee retention.

Potential risks of allowing fitness facility use by employees include:

- Unauthorized use of district time in recreation.
- Employee injuries or legal expenses to defend a workers' compensation claim from strains and sprains.
- Increase in health care costs from injuries.
- Additional wear and tear on the equipment.
- Less equipment available for use by students.
- Perception of inequity if some employees take advantage and some do not.
- It may be difficult to discontinue a benefit once started and may be viewed as a right as opposed to a privilege by employees.
- Shower, laundry and sanitation arrangements may be needed to facilitate employee convenience and personal privacy.
- Disruption of custodial cleaning schedules.
- A potential for an increase in harassment or other claims and lawsuits due to increased use of the facilities.
- The school athletic staff may feel responsible for supervision of untrained users.

This is a sample guideline furnished to you by Glatfelter Public Practice. Your organization should review it and make the necessary modifications to meet the needs of your organization. The intent of this guideline is to assist you in reducing risk exposure to the public, personnel and property. For additional information on this topic, you may contact your GPP Risk Control Representative. www.glatfelterpublicpractice.com

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Risk Reduction Considerations

There are several reasons not to open your school's weight room, fitness center, gym and other recreational facilities to employees. Other options to consider include an arrangement for group discounts at a local gym or bringing in a non-profit organization to supervise and manage the facility after hours.

If your district chooses to allow employees to use school recreational facilities, consider addressing the following:

- Establish clear procedures and rules including hours of use, prohibition of use during scheduled school events, prohibition from use on paid time, appropriate clothing and behavior and sanitation requirements.
- Provide a copy of the rules on an annual basis, have employees enroll and sign off that they received a copy.
- Sign a waiver of liability that clearly states that employees take personal responsibility for any injuries, damage to equipment or other problems.
- Consult with legal counsel on the text of the waiver.
- Reserve the right to end employee use at the district's discretion at any time.
- Post emergency numbers and provide a telephone.
- Suggest employees work out in pairs and discourage off-hours solo use.
- Explain that friends and outside trainers are not permitted to use the facilities.

Conclusion

While you may want to encourage staff to keep fit, it's important for each district to determine if the benefits are worth the risk before permitting employees access to the fitness facilities. For school districts that allow employees to use the fitness facilities, establish clear rules that are acknowledged by the staff and consistently applied.