



# CCD NEWS UPDATE

Fourth Quarter • 2016

## CALIFORNIA CLUBS OF DISTINCTION

The Trade Association of Health, Racquet & Fitness Clubs in California

# CCD'S Vendors Bring You The UpDate

See Article On Page 2



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## Our Vendors Bring You The CCD News UpDate



**Lin Conrad**  
Executive Director

The 4th Quarter **UpDate** cover is intended to be a BIG “Thank You” to our loyal and supportive advertisers. Without their continuous support over many years, we would not be able to bring the **CCD News UpDate** to your club each quarter. I know how many of you appreciate and enjoy our publication because we continue to hear from clubs about how much they like the **CCD** newsletter. Frequently, other organizations ask to rerun articles that appear in the **UpDate**. Recent issues are posted on the **CCD** website.

It may be interesting for you to realize how many of our Associate Members have been advertisers in every issue of the **UpDate** since the very beginning. We began the **CCD News UpDate** in the third quarter of 2002. Barbara Mathew has been the only editor during this time. Fitness Pak, Petra, Precor, and CheckFree-Fiserv now Jonas Fitness have been in every issue since the very beginning. Life Fitness and Balanced Body have been there since 2003 and 2004. All of the advertisers on the cover deserve your thanks and recognition. We hope to continue to keep you well informed about the club business in California through the **CCD News UpDate**.

### Animals At The Club Could Be A Profit Center

Whether sitting on a plane, eating in a restaurant, or coming to work out at your club, it's more and more common to see assistive animals accompanying their owners. What are the rules relating to animals at work, specifically assistive animals for those with disabilities?

### Animals Can Be A Reasonable Accommodation

In California, if a worker is disabled, there are broad protections for bringing assistive animals to work as a reasonable accommodation. In fact, these protections increased on April 1 of this year, when new Department of Fair Employment and Housing regulations became effective and expanded the ability of disabled employees to bring assistive animals to work. When a disabled employee requests any type of accommodation, the employer must engage in a timely, good faith, interactive process to determine a reasonable accommodation.

### Does My Animal Count?

Although you may automatically think of a dog as an assistive animal, California law does not restrict the type of animal a disabled employee can bring to work. For example, a cat might fit the bill. Indeed, California employees use a wide variety of animals for assistance, such as rats and snakes that were used to warn of spasms or seizures. The recently amended disability regulations define an “assistive

animal” as “an animal that is necessary as a reasonable accommodation for a person with a disability.” Some examples include: 1. A dog trained by a person licensed by the State Board of Guide Dogs for the Blind to assist the visually impaired; 2. A dog or other animal trained to alert a hearing-impaired individual to sounds; 3. A dog or other animal trained to assist an individual in a wheelchair, which might include protection work, rescue work, pulling the wheelchair or retrieving dropped items; and 4. An animal that provides emotional, cognitive or other similar support to an individual with a disability. Recently, a duck was used as an assistive companion on a national airline.

### Minimum Standards

Employers may require that assistive animals meet “minimum standards” for service. Employers may require that an assistive animal at work is: 1. Free of offensive odors; 2. Displays habits appropriate to the work environment (e.g., house trained); and 3. Does not endanger the health or safety of anyone in the workplace. California's amended disability regulations eliminated the requirement that assistive animals be “trained to provide assistance for the employee's disability.”

You could, of course, add a new service to your club. Venus De Fido, a dog and human fitness/spa club, in Palm Desert, recently opened. Inside, members are greeted by a concierge. Wide open windows allow for natural lighting throughout. On the human level is a café which offers a selection of healthy foods and drinks. Other human amenities include a pet-themed gift shop, a full-service spa, hair and nail salon, massage rooms, salt cave (relief to people with respiratory problems), weight and cardio room with treadmills, stationary bikes and elliptical machines. There is also a spacious group fitness room. Most of the amenities provide ancillary income.

The dog amenities are offered on another level: grooming, day care, and a climate-controlled indoor dog park that can also be used as a special events center. A variety of dog behavioral classes are also offered at an additional cost. But, the best addition is the spacious patio area that will ultimately have a bar and other amenities for outdoor events, including “Yappy Hour”. Memberships and day-use options for both humans and dogs are available. Check it out for fun at [www.venusdefido.com](http://www.venusdefido.com).

So, it sounds a little crazy but it works in the Coachella Valley because people are crazy about their dogs. Perhaps there's something people in your area are crazy about that you could exploit in 2017.

May your year end in good cheer and good profits!





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## Is It The People? OR It's The People!



By Bill McBride

There is a lot of talk about people being the key to a successful business. We all get it. People are the key. Big, successful companies strive to be voted on **Fortune's Top 100 Companies to Work For** list each year by adding unique and sometimes crazy perks to attract and retain the BEST people.

Yet even when you make this list, you still can't satisfy all employees: These are reviews for some of *Fortune's Top 100 Companies to Work For*, as noted on Glassdoor.com: (1) "Very busy all of the time, hard work, have to deal with rude customers, must park off site on the weekends to allow spots for customers." (2) "Very hectic on Mondays and the initial training period is without breaks. So expect to stand on your feet from the time you come in till the time you leave for nearly 6 hours. Not so bad though if you're used to it." (3) "Sometimes people are promoted or moved to another area and are not properly trained. I've noticed that this leads to miscommunications and problems."

We could easily hear these reviews from some of our employees in the fitness industry. No matter the perks you offer, it comes down to people - the way they feel internally and what motivates them individually. In reality, people are motivated by what benefits

them personally. When an employee is not engaged in the mission of the company or the work that they do, an employee's self-interests seem heightened to the company. If your employees feel like they are working with a "stranger" or even worse, an entity that one does not trust, self-interests are amplified to a sense of "self-protection" and "getting what one deserves." I believe this sense of misalignment (justified or not) is what leads to high turnover, egregious wage, hour and employment lawsuits and a lack of premium performance.

One does not typically give less than 100% to a friend or family member and rarely does one sue a friend or family member. Organizations are legal entities created only on paper. People are what bring organizations to life. This is not always easy territory to navigate. Hiring good people with good character can avoid many problems; training, aligning goals and compensation while showing appreciation can avoid many as well. We need a two-pronged approach: (1) Hiring. (2) Managing/Leading. A simple example is to look at the reviews mentioned above about Fortune's top companies that employees fight to work for. In the first review, the employer is rated poorly because the employee feels he/she is very busy, has to work hard, deal with rude customers and park far to save the good parking for customers.

As an employer you may read this and think, "I pay you to be busy, work hard, handle customer issues (both good and bad) and to make the best possible experience for our customers, which in this case, means saving the good parking for them. How do you not expect this? You agreed to the pay rate, the job description and expectations that were set during the hiring process and on your first day. Hopefully you have had regular conversations around performance and expectations. Why would you write us a negative review?"

Is the employee wrong for feeling this way (underappreciated, over worked) or is the employer wrong for not doing enough to create trust, recognition, appreciation and clarity? A lot of times, the truth usually lands somewhere in the middle. However, it is our job as employers to figure out the problem. We need to discover how to hire engaged individuals who are just as passionate about our business as we are. What motivates each individual - not as group - not as generation - not as department. Figure out how to keep the good ones by building on their motivation with recognition and reward. I know this is not an easy task especially because of the amount of different personalities in the workplace today.

Did you know we currently have five generations in the workforce? It's the first time in history that this many generations are working together. While the age spectrum is welcomed and even celebrated, this creates challenges for both engaging employees and collaborating with colleagues. Try Googling each type: Traditionalist: 71 plus years of age; they enjoy the traditional mindset for work: the more experience and the longer you stay the more respect and status you earn. They are hardworking and loyal. Boomers: 52-70 years of age; also hardworking and loyal. This is probably the last generation that you will hear "they have worked for me for 30 plus years" and is

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excited for the gold watch for their years of hard work and service. They value money and “stuff” and need to see you at work. Gen X: 36-51 years of age; claim to fame is demanding “work/life balance”. They value productivity, not how many hours you are at work, but what you get done; and need flexibility to care for both parents and children. Gen Y (Also generally categorized as Millennials): 20-39 years of age; claim to fame is being called “too entitled.” They grew up with technology and information at their fingertips. They teach the older generations about technology and enjoy mentors to help them learn fast. Managers in this generation prefer collaboration and input into decision making. Gen Z: Under 20 years of age; too early to tell, but more reliant on technology than Gen Y, especially communicating through technology.

Now that is a lot of various personalities to manage and please in the workforce! However, all people want similar things: respect, recognition, rewards (monetary and non), communication and connection to the company’s mission. It is the way each individual prioritizes these wants that differ. A Millennial may want to work-out in the middle of his/her shift, while a Gen X employee may want to work through lunch to get home earlier. It is our job to utilize flexibility to achieve a fair workplace while rewarding our valued employees with what motivates them, uniquely.

No matter what generation you are from, “lack of involvement leads to lack of commitment”. So, one lesson for us all is to involve those

affected by decisions and to get their input and involvement before the decisions are made. It doesn’t mean you do something different, but at least we have all the facts and the implications of decisions BEFORE we implement.

We have all lost a “good” employee or someone we wish would have stayed a little longer. Unfortunately, we are either too late to learn how to keep him/her or we weren’t what the employee wanted and perhaps he/she would have left anyway. These people normally have “potential”, but we may not have been able to afford to pay more or to lessen their workloads. Have regular conversations about their job and what excites and motivates them. In today’s work environment, do you really expect to keep your employees for 20 plus years? Can you even afford to do this? Historically, employees were kept by offering pensions to fully paid benefits for their families. We can’t always economically do that today. We need to find out what will make employees stay or create the best win-win with them during their tenure, however long that may be.

Whenever you lose someone that you didn’t want to lose, there are lessons. If you learn from those, you can improve your talent retention. At Active Wellness, we try to do all the right things: **(1)** Use a professional, consistent system for hiring with printed out interview questions. **(2)** Understand traits that are non-negotiable versus those that can be trained. **(3)** Writing example (cover letter, detailed questions, one-page

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## 5 Strategies To Grow Your Personal Training Revenues



By Casey Conrad

If you are like most club operators, you are constantly trying to improve non-dues revenue. Let's face it, increasing ancillary revenue creates greater financial stability. The one area where clubs have the greatest opportunity to generate revenue is within the personal training department.

Let me share five strategies that you can integrate into your PT program that can immediately help you generate more revenue.

### 1. Make a clear operational distinction between fitness orientations and personal training.

Believe it or not, many clubs set themselves up for failure when it comes to selling more personal training. Here's why: they blur the lines between fitness orientations and personal training. Think about it; most clubs tell new members, "When you join you are going to get three free sessions with one of our personal trainers to help you get started on your fitness program." Oh, sure, these workouts are done with a trainer but let's be honest, they are NOT personal training sessions. Typically they are an assessment, a cardio equipment, and a circuit equipment orientation. Some clubs do a great job with these orientations while others don't. The latter can happen in situations where trainers resent the fact they have to give these sessions at a reduced "floor time" rate. Whether it was a good or bad orientation, often the member walks away thinking "Gee, that was a personal training session? Glad I didn't pay \$65 for that!"

What clubs need to do is clearly distinguish the difference between fitness orientations and personal training and establish systems to deliver each in the appropriate circumstance. This ensures there is absolutely no question for the trainer or the member what they are receiving and when. By making this distinction the expectations for new members are more realistic and the value of personal training will go up.

### 2. Educate both prospects and members on the difference between fitness orientations and personal training.

Having a system to distinguish between fitness orientations and personal training is one thing but ensuring that people understand the difference is even more important. Whether it is a prospect taking a tour or an existing member inquiring about services, it is important for your club to have a single educational sheet or bi-fold brochure that outlines what one gets with a fitness orientation and what one gets with a personal training session. Not only does an educational piece ensure the consistent delivery of information but it can be used by the sales team and the trainers as a visual tool when selling. As you will see with the next strategy, the educational piece is a perfect entrée to a personal training "up-sell."

### 3. Offer a personal training introduction package.

Once members have a better understanding of what personal training is (and isn't) their curiosity will more likely be piqued.

However, unlike buying a consumable item, the services of personal training are intangible and come with no guarantees. Further, since most people have never worked with a trainer there is always the fear of the unknown. "Will I like it?" "Can I do it?" and "What will happen?" are just three common concerns that an individual may have. The challenge, however, is that often the consumer is asked to make a substantial investment just to "try the service out." This approach kills potential sales. Clubs that offer a simple, low-barrier introduction package make it easy for the customer to try without a big financial or emotional risk. Now the trainer has the opportunity to show his/her stuff, build trust and rapport and transition into a regular package of training.

### 4. Always offer the personal training introduction package at the point of sale.

Let me paint you a picture. A prospect comes into the club to inquire about membership; the salesperson finds out his/her goals and then proceeds to take them on a tour. After learning he/she is new to exercise, a stop is made at the fitness desk; a bi-fold brochure is picked up and used to discuss the new member fitness orientation process that will be given to introduce them to their fitness program. From there, a discussion of what personal training is and how it can help the new exerciser get off to a great start is had. The salesperson then mentions that a very nice and inexpensive introduction to personal training package is available and will show him/her that option when the salesperson discusses the memberships. This is a rather simple, natural conversation and process, yet one that is powerful. First, the member feels comfortable knowing that he/she will receive a full fitness orientation as part of the membership. Second, he/she has learned the benefits and value of personal training services. Third, the prospect knows that a special offer is available to them as a new member. Not only is this reflective of good sales skills but it sets the stage for the later conversation about the personal training purchase.

What this means is that your rate presentation sheet must be modified to add the introduction to personal training package as an option for every new member. This "add-on" sale should now be much easier for inexperienced salespeople to ask for because of the preliminary work that was done during the qualifying and touring. Just like the cashier at McDonald's always asks, "Will you like fries or a drink with that order," so too will your sales people ask, "Would you like the personal training introduction package that we discussed added to that membership?" Even if they don't do it well, the asking alone will result in more personal training sales, giving your trainers a much better opportunity to gain a valuable new client.

### 5. Provide sales training for all personal trainers.

As you can tell from the previous four strategies, I have learned that for most trainers selling is not a passion but rather a punishment. The systems and strategies I now advocate take the initial sales pressure off the trainer and put it in the hands of those that are hired to sell. This alone makes a huge difference. That said, trainers must learn basic selling skills so they can increase their conversion rate of intro packages into full time clients and work with members on the floor. Most trainers tell me

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## Your Best Marketing Tool Is A Complaining Member



By Justin Tamsett

The fitness industry is hyper competitive currently and most probably into the future. This is no longer the new world - it is the current world we live in. You compete with other fitness providers, DIY fitness fanatics, wearables/devices and the couch. Surely it makes sense to examine every option to differentiate ourselves beyond price and facilities.

Let's start by changing our own mind set and embracing what Tony Hseih, CEO of Zappos, says, "We don't look at customer service as an expense, we look at it as an extension to our marketing budget. We've created a legion of promoters, which saves us dollars in terms of having to market because we let our delighted customers do it for us." What a powerful outlook on service.

Now imagine for a moment every time a member calls the club, stops at the front desk, talks to his/her personal trainer or grabs the group fitness instructor that there are 15 other members listening to the discussion between your staff member and this member. Would your staff member have a different approach with 15 spectators than if it was just a one-to-one discussion?

The concept may seem far fetched but that's precisely the world we live in. These interactions are conveyed: Privately through word of

mouth, same as we have done for thousands of years; Publicly through social media and review sites, such as Google and Facebook.

John Dulus wrote "*The Customer Service Revolution*" and he describes a differentiating factor for your business could be that you "outlove your competition." This means you have an unrelenting focus on your customer - a laser focus on your members.

**Remember these key customer service facts:** (1) 95% of disgruntled customers never complain to the entity responsible for their dissatisfaction. The insight here is that 5% of your customer base give you the road map on how to fix what is wrong with your business! These are the vocal members who can help you shape and strengthen your business. (2) 80% of businesses think they deliver 'superior' customer service; only 8% of customers agree. We have a distinct mismatch between what businesses think and what consumers think.

**There are 4 benefits to answering complaints:** (1) Turn an unhappy customers into a happy or at least a neutral customer; (2) Create customer advocacy. When people have a problem that is solved for them, they love you! And they tell people about their experience. (3) Help gather valuable insights and intelligence on both your business and the needs of your members. (4) Differentiate yourself from your competitors.

We have already identified that many businesses do poor service, so this can be a key factor in growing your business. The number one benefit from research shows that a successful service recovery can lead to 20 times more positive word of mouth than regular advertising. So, customer or member service IS a marketing tool. The biggest disadvantage of not answering complaints is that your member will not respond and this is a response. It says "I don't care about you." Answer the complainers and build their advocacy for your business, your service and your team.

What is important to acknowledge is that the most dangerous customer is not the person who complains but the "meh" customer. These are the members who neither compliment us or complain. If we take the earlier statistic that only 5% of members complain and consider that at the other end of the spectrum only 5% compliment, then we have 90% of customers who could be classified at 'meh.' With this group of members, we have no idea what is going on in their head. We don't know if we can help them have a better experience with us. These members are the ones who are ripe for being lured away from you by your competitors. They have no loyalty to your business.

Now don't assume just because a member says they hate you or they have been disappointed by you that they actually hate you or are going to leave you. They tell you what they think because they are upset with you. They still kind of love you, otherwise they wouldn't be taking the time to tell you what they think.

**Our complaining members can be divided into two types:** 1. **Off Stage Complaining Members.** 2. **On Stage Complaining Members.** Your Off Stage Complaining Members (a) Complain in private – phone, email, in



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person; (b) Are generally older and less tech savvy; and (c) complain less often. Most importantly for Off Stage Complaining Members is they want an answer! Their expectation at minimum is a response and they expect a response within 8 hours.

If you receive an email complaint and it is not answered, we see a 56 percent decline in advocacy! When handled poorly, the writer can become an on stage complainer. To handle your Off Stage complainers requires money and effort. In fact, it appears handling a customer interaction via email could cost \$2.50 or \$5,00 and via phone is around \$6.00. Nevertheless, they want to hear from you. This 'cost' is an investment in your ongoing business and marketing.

**Consider following this 5 step process to handling Off Stage Complainers:** (1) Human - be a real person when listening to your member; (2) One channel - just use one channel to listen and respond, ideally the method they used; (3) Unify your data - ensure that you have all the information in front of you when speaking with the member; (4) Resolve the issue - listen to the member and then resolve the issue; (5) Speedy response - from an email complaint the response time has blown out from 8 hours to 44 hours. You must be better to do better than this and your members expect it.

On Stage Complaining Members can be summarized as: (1) They complain in public, social media, review sites, discussion forums. 71 percent of social media complaints are on Facebook. (2) Generally younger; (3) Love mobile tech; (4) "Complain" or comment often; (5) They want an audience; (6) Less than 50 percent expect a response.

The statistics around on stage complaining members indicate there is lots of room for improvement: 39 percent of social media complainers expect a response within an hour but on average it is five hours. Your members have come to anticipate a style and response speed from all businesses. If you can defy or exceed those expectations, it will create a 'shock and awe' effect. This will increase your chances of developing advocates of your business.

**When dealing with your On-Stage Complainers, there are also 5 elements:** (1) Find all mentions - you have to know when people talk about you! You must use Google alerts and Mention.net or a social media listening software; (2) Empathy is critical - criticism can be taken to heart. Before you reply breathe and think 'how would I want to be spoken to?' It's about understanding; (3) Answer publicly - customer service is a spectator sport, people are looking for your response, so respond publicly; (4) Reply only twice - if it is not resolved after two replies then move on from a public forum and go to an Off Stage communication method; (5) Switch your channels - after your initial response then move to a call, email or direct messaging in the channel.

If a member calls you to comment or complain, would you ever hang up the phone on them? Unlikely? Highly unlikely? Well not responding on social media is akin to this, only worse! Because there are other people watching and listening to your response. Responding to a complaint on social media will have an average 20 percent lift in your advocacy, as people see your response. Not responding will see a drop of around 43 percent in advocacy! **CONTINUED ON PAGE 21**

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## Are You Ready For The New Year?



By **MaryBeth Bradley**

Here you are getting ready to wrap up another successful year at your club. The season has changed from fall to winter, the clocks have been reset which means it is getting dark earlier in the day and your club traffic has increased as people have settled into their normal workout routines. These are all good signs for all of us in the club industry. Now, here comes your next task on the endless “to do” list: Establishing your 2017 marketing plans!

### Let's Keep It Simple And Take A Few Steps To Get You Started

**Step 1:** Take time to reflect on your results from 2016 and perhaps 2015. Let's start with two simple questions: Did you meet your monthly membership goals? And did you have enough leads each month to achieve those membership goals? Let's assume that the answer to both questions is “NO!” I suspect that you are like most club owners who report having more and more competition in their market. Since we have seen a parallel increase in the total number of club members, the end result is that each club is (potentially) seeing fewer prospects and few members. However, if

you did have enough leads and didn't reach your membership goals, then you should focus on your front line service and sales techniques. But for most clubs, the problem is in lead generation.

**Step 2:** Where do those leads come from? Did you have the proper tracking in place to identify the sources of the leads that called or came into the Club? When you look at all the marketing efforts you put forth this year what worked well? Were you on budget? Did you spend enough (5-7% of revenue) to meet your goals or did you bury your head in the sand when nothing seemed to be working? This step is about creating a simple grid that lists all of your marketing efforts and the number of leads that came from those sources. After that, assign the dollars spent on those marketing vehicles to best determine if you should include this vehicle in your 2017 plan. If you didn't have proper tracking systems to clearly answer these questions, then be sure to include this as one of your primary goals for the New Year. Remember-you can't manage what you can't measure!

**Step 3:** Let's look at the possible targets when planning your New Year marketing calendar: Current members (think member referrals, profit center revenues, gift card sales); former members; corporate marketing; former guests; community events; charity alliances and fundraisers and local residents (think new movers and direct mail campaigns). These are just a few of the target areas to get you thinking about where to put those valuable marketing dollars. Get your membership sales staff involved, as surely they have good ideas to share!

**Step 4:** Finally, while you evaluated the cost effectiveness of your efforts in Step 2, now it's time to evaluate the variety or “mix” of strategies you employed. Clearly there is no shortage of marketing strategies to include in your 2017 plan. Be careful not to put all of your marketing time, energy and money into just one or two strategies. Our most successful clubs have a diverse plan that includes traditional print media (yes, direct mail still works!), digital (social media and web) and guerilla marketing/community outreach. Go back to Step 3 and be sure you are reaching out to those target groups and add others that may apply to your particular club.

One final thought, when planning your New Year marketing plan, why not reach out to two or three of your colleagues in the industry and ask them what has worked well for them in 2016? My experience is that all of us love to share ideas and network with others. Let's continue to learn from each other!

Wishing you a joyous holiday season and tremendous success in 2017!

*MaryBeth Bradley has been a marketing coach for Susan K. Bailey Marketing and Design for 10 years. In her prior life, she was a GM of many clubs for 21 years. She has presented at several national and regional conferences and is an ACE certified personal trainer. You can reach MaryBeth at 888-349-4598 or marybeth@skbaily.com.*



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# Point Of Sale Pitfalls: How To Get The Most Out Of Your Point Of Sale Transactions And Minimize Risk



By Alex Caraceo

Convincing potential clients to sign up for services and amenities is a critical step in the successful operation of a gym, spa, or health club. However, the next step, referred to as point of sale, is just as critical and should not be overlooked. Point of sale ("POS") or point of purchase refers to the capturing of data and financial information necessary to establish the membership and payment relationship between the customer and the club. The POS

transaction is completed using a variety of devices, including computers, optical scanners and bar code scanners, magnetic card readers, cameras, or a combination of these devices. While many of these devices have simplified and streamlined the process, businesses are still exposed to potential missteps that can result in an unenforceable membership contract and/or potential violations of the Americans with Disabilities Act ("ADA"). This article will discuss these potential missteps and explore ways to avoid them.

## Ensure That Your POS Process Complies With ADA Guidelines

When businesses think about the Americans with Disabilities Act, they tend to think about practical accommodations such as wheelchair accessibility, hand rails, and handicapped parking spaces. However, POS devices and their use are also governed by the ADA. High-tech advancements in POS devices present new challenges regarding widespread accessibility. As POS devices have become an increasingly prevalent part of the POS process, so have ADA class action lawsuits filed against businesses that use said devices. Generally, the ADA prohibits discrimination on the basis of disability in an effort to ensure equal opportunity for persons with disabilities. Under Title III of the ADA it is unlawful to discriminate against the disabled "in the full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of any place of public accommodation."

A recent trend in ADA lawsuits involves allegations that POS card-swipe devices do not meet ADA accessibility requirements. Specifically, plaintiffs contend that the flat touch screen devices, rather than textured keys, are not discernable to or independently usable by the blind. In order to use the device, the blind customer must reveal their pin numbers to cashiers, exposing them to potential bank fraud. Plaintiffs allege that such devices discriminate against blind and visually impaired customers. Similar lawsuits were filed against various banks and financial institutions alleging that their automated teller

machines ("ATM") were not accessible to persons with disabilities because their voice-operation features were not functional.

Presently, there are no specific ADA standards for the many electronic POS devices commonly in use. As a consequence, plaintiffs and the courts must rely on analogous provisions of the ADA. In 2010, the ADA's Standards for Accessible Design addressed the technical requirements for ATMs, vending machines, and change machines. These standards can be applied, by analogy, to determine what accessibility requirements all POS devices must meet. In addition to "clear space and reach range" guidelines, the ATM standards require that the operation of the device shall be accessible to and independently useable by individuals with vision and hearing impairments.

Using the ATM standards as a reference, now is the time for clubs to proactively ensure that card readers and other POS devices comply with the ADA. The following is a list of considerations when purchasing and implementing POS devices: 1) the machine should include speech output for the hearing impaired; 2) the machine should include tactilely discernable input keys for the vision impaired; and 3) a display screen that is visible from a distance of at least three feet for the vision impaired. Clubs should avoid POS devices that consist solely of a touch screen. Compliance with ADA standards will not only assist in the enrollment of new members, but prevent costly and unnecessary litigation.

## Ensure That Your Membership Agreement Is Signed

Most membership agreements contain a release and express assumption of risk provision. The State of California enforces such provisions as long as the agreement has been signed and comports with California's Health Studio Services Contract Law. In the not-too-distant past, these agreements were signed and sent to storage. Today, most clubs use some form of touch screen and digital pen to complete the point of sale transaction. Often, the same digital pen and pad used to capture contact and payment information is used for the new member to sign his or her membership agreement. While such devices facilitate the efficient execution and storage of the agreement, it may come at the price of enforcement.

A growing tactic by claimants to avoid enforcement of the exculpatory provisions of the membership agreement is to deny that they signed the agreement. When the agreements were traditionally signed, with pen and paper, a forensic expert could analyze handwriting samples and confirm the authenticity

CONTINUED ON PAGE 24



# It's Time for Your Club to Go Mobile.

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# How To Monitor Participants' Intensity In Group Fitness Classes



By Sabrena Jo

How do you ensure that your club's clients are getting the most out of group fitness classes? You provide movement experiences that are both memorable and safe. It is critical that your group fitness instructors (GFIs) not only consider things like music, choreography and class design; but that they also feel confident assessing participants' exercise intensities through recognized performance standards.

and 5 (strong). You can also gauge your intensity by feelings that correspond to the words 'weak,' 'moderate,' 'hard' and 'very hard.' We want to work somewhere between moderate and hard, and avoid weak and very hard."

## Monitoring Intensity

Potential methods for monitoring intensity include Target Heart Rate, the Talk Test, Rating of Perceived Exertion and the Dyspnea Scale. GFIs should give students opportunities to monitor intensity throughout the class, and coach the class on how hard they should be working to bring about the desired outcome. GFIs also have a duty to inform participants that it is their individual responsibility to monitor their own intensity and work at an appropriate level of exertion; and to demonstrate high, medium and low-intensity options while teaching multi-level classes.

## Target Heart Rate (THR)

To calculate THR, use an estimated maximal heart rate (MHR) of 180 beats per minute (bpm). To calculate an individual's exercise HR range, which corresponds to 50 to 70 percent of MHR, perform the following steps: Lower limit:  $180 \text{ bpm} \times 0.50 = 90 \text{ bpm}$ ; Upper limit:  $180 \text{ bpm} \times 0.70 = 126 \text{ bpm}$ ; Target HR range = 90 to 126 bpm.

## How Your GFI's Can Monitor Intensity Via Target Heart Rate

GFI to participants: "As we are working today, be mindful of your HR and make sure to stay within your THR range. We will be working within 50 to 90 percent of your MHR. I'll give you several opportunities to check your HR and then I'll let you know how hard you should be working at each point. If it feels too easy or too hard, adjust your intensity so that it matches the intended conditioning level of the workout."

## Rating Of Perceived Exertion (RPE)

RPE focuses on rating an exerciser's perceived fatigue on a scale of 0 to 10 or by using descriptive words.

## How Your GFI's Can Monitor Intensity Via Rating Of Perceived Exertion

GFI to participants: "During class today, think about how hard you're working in terms of rating it on a scale of 0 to 10, with 0 being resting and 10 being maximum intensity. To get the most out of our conditioning, we want to work at a steady pace between 3 (moderate)

## Talk Test

At the start of cardiorespiratory exercise, breathing rate gradually increases and levels off once steady-state exercise has been achieved. As exercise progressively becomes more challenging, breathing rate rises, and talking becomes more difficult.

## How Your GFI's Can Monitor Intensity Via The Talk Test

GFI to participants: "If you can comfortably answer a question during our conditioning while still feeling like you're getting a good workout, you're probably working at an appropriate intensity. However, if you feel like you can't speak, you're working too hard. If you feel like you can easily sing a song, you're probably taking it too easy."

## Dyspnea Scale

The dyspnea scale is a subjective score that reflects the relative difficulty of breathing as perceived by the participant. It is normal for participants engaging in cardiorespiratory exercise to experience mild and even moderate difficulty breathing, but those suffering from severe difficulty should be instructed to stop exercising and breathe deeply to recover from intense exercise.

## How Your GFI's Can Monitor Intensity The Dyspnea Scale

GFI to participants: "Throughout class today, I'll be asking you to pay attention to how easy or how difficult it is for you to breathe, based on a scale of 1 to 4 with 1 being very easy and 4 being very difficult. Working at intensities that cause us to breathe at a rating of 2 (mild difficulty) and 3 (moderate difficulty) is appropriate. Avoid reaching a level of 4, which would indicate that you need to stop or drastically reduce your intensity so that you can catch your breath."

It is up to the GFI to choose an intensity-monitoring method that matches his or her skills, as well as one that is most practical for the class setting, so that its application is simple and easy for participants to understand.

*Sabrena Jo has 20 years of experience in the health and fitness industry, where she has successfully developed continuing education and educational videos, and served as a speaker at fitness conferences nationwide. She is a Level 1 CrossFit Trainer and a long-time ACE Certified Professional. Sabrena holds a master's degree in physical education from University of Kansas. Sabrena can be reached at [sabrenajofitness@gmail.com](mailto:sabrenajofitness@gmail.com).*







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# California Legislature Ends With A Flurry Of New Employment Bills



By **Todd Scherwin & Colin Calvert**

most relevant and salient employment law bills that will effect California employers in the new year.

## Out-Of-State Litigation Now Less Likely For California Employees

SB 1421 adds a section to the California Labor Code prohibiting employees who primarily reside and work in California from being required, as a condition of employment, to agree to adjudicate their disputes outside of California (also known as a “forum selection clause”). It also prohibits similar clauses or agreements forcing an employee to agree to resolve disputes under the laws of a state other

The deadline for Governor Brown to sign or veto bills passed by the California Legislature was September 30, and as expected, a series of new bills were signed at or near the deadline. While there have been literally hundreds of bills that reached the Governor’s desk this year, we have put together a handful of the

than California if the provision would deny the employee a substantive protection they would ordinarily enjoy under California law (also known as a “choice of law” provision). Notably, this law applies to both judicial and arbitral forums for dispute resolution. The new law treats such provisions as voidable by the employee, with the employee entitled to recover attorneys’ fees incurred to enforce his or her rights under the new law. However, these forum selection/choice of law prohibitions do not apply to a contract negotiated between an employer and an employee where the employee is represented by counsel in negotiating the agreement.

## Equal Pay Act Now Applies To Ethnicity and Other Changes

The Fair Pay Act, signed into law in 2015, enhanced the Equal Pay Act, which prohibits pay disparity among similarly-situated employees, to prohibit employers from paying employees of different genders for substantially similar work. SB 1063 expands these provisions to prohibit employers from paying employees of one race or ethnicity less than similarly-situated employees of a different race or ethnicity. Further, AB 1676 amends the Equal Pay Act to expressly provide that salary alone is not alone a sufficient justification for pay disparity, making it more difficult for employers to show an alternative reason for a given pay disparity.

## Juvenile Convictions No Longer A Topic Of Discussion For Applicants

Recently, jurisdictions across the country have been enacting what are known as “ban-the-box” provisions, which limit the ability of employers to make pre-employment inquiries into the criminal record or history of potential employees. AB 1843 amends the California Labor Code to prohibit employers from inquiring about, or from utilizing as a factor in determining any condition of employment, information relating to convictions, arrests, or similar actions that took place while the potential employee or employee was a juvenile or subject to the jurisdiction of a juvenile court.

## Stiff Penalties For Employment Verification Penalties

Verifying an applicant’s authorization to work appears to be a straight forward process, but minor pitfalls and slip ups can now lead to substantial liability for employers. SB 1001 adds a section to the California Labor Code making it an unlawful employment practice for an employer, in the course of verifying an applicant’s authorization to work, to (1) request more or different documents than are required under federal law; (2) refuse to honor documents tendered that on their face appear to be reasonably genuine; (3) refuse to honor documents or work authorization based upon the specific status or term of status that accompanies the authorization to work; or (4) attempt to reinvestigate or re-verify an incumbent employee’s authorization to work using an unfair immigration-related practice. Applicants or employees who are subject to a violation under this statute are entitled



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to file a complaint with the Department of Labor Standards Enforcement and recover a penalty of \$10,000 per violation.

### **An Employer-Friendly Bill**

In a sea of legislation that makes life difficult for employers in California, AB 2535 offers a glimmer of hope, and I do mean glimmer. AB 2535 clarifies the onerous wage statement requirements to state that wage statements need not include data related to hours worked for employees who are exempt and are not paid based on hours worked. This has potential ramifications for a significant portion of the workforce and a great relief for employers.

### **Not To Be Left Out, California Passes A Bathroom Bill**

AB 1732 now requires all single-user restroom facilities in any business establishment, place of public accommodation, or government agency to be identified as “all gender” facilities rather than being designated as male or female only. Public inspectors or building officials are also authorized to inspect these facilities for compliance with the new law. Ordinarily bills signed into law during the 2016 session have an effective date of January 1, 2017; however, this bill goes into effect March 1, 2017, giving employers a little extra time to bring their “facilities” into compliance.

### **The One That Got Away**

For at least two years now, the legislature has been working to expand parental leave rights, with some success and some failures. The most

recent bill, SB 654, would have required an employer having twenty or more employees within a seventy-five mile radius of a requesting employee’s worksite to provide the requesting employee up to six weeks of leave to bond with a new child if the employee had at least twelve months of service and worked at least 1250 hours in the twelve months preceding the request. This leave would have been in addition to the four months of pregnancy disability leave that California employers are already required to provide, but would not have been in addition to any FMLA or CFRA leave entitlements.

*Todd Scherwin is managing partner of the LA office of Fisher & Phillips LLP. His practice involves representing employers in various aspects of labor and employment law, discrimination, harassment, state and federal wage-hour matters, class actions, employment handbook preparation, trade-secret protection and day to day employment matters. Todd can be reached at (213) 330-4450 or tscherwin@laborlawyers.com.*

*Colin Calvert is an associate in the Irvine office. His practice includes all areas of labor and employment law, with a focus on claims of discrimination and harassment under the California Fair Employment and Housing Act, as well as class action wage and hour lawsuits. Colin’s practice also includes traditional labor relations work, including collective bargaining, labor grievances, and arbitrations. Colin can be reached at (949) 798-2160 or ccalvert@laborlawyers.com.*



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## Functional Training For Every "Body", All Fitness Levels, All At Once



By **Mary A. Schultz**

A seemingly unsolvable dilemma in the health and fitness club industry has been this: create a way to serve all fitness levels and all ages together in the same session. With the advent of the new Total Gym® Elevate Circuit™, the only adjustable incline resistance bodyweight driven circuit group on the market, the quandary is solved.

The Elevate Circuit is ideal as self-serve units on the gym floor, for personal training, and for small group training (SGT). This unique circuit group of six different stations lifts club members to new levels of capability instantly. For club owners, managers and trainers, the functional training for every body, every level all at once generates a boost for profits.

### Clubs Win, Trainers Win, Club Members Win

With a Total Gym Elevate Circuit workout, club members can progress quickly regardless of fitness level. This is especially true when members engage in small group sessions.

Members crave and get the focus and attention of trainers. They save on costs, since they share what would otherwise be a one-to-one session. Camaraderie builds. They avoid boredom and plateau. Support and encouragement from the trainer and the group enhance the experience and produce a fun workout that gets results. All of these contribute to retention and retention helps the bottom line.

### The All-Important Secondary Revenue Stream

According to recent year surveys conducted by both IHRSA and Club Industry, after dues, secondary income sources accounted for 32 to 35 percent of health clubs' gross revenues, respectively. Within that secondary income stream, personal training led all other secondary sources by a landslide.

SGT with the Elevate Circuit enables personal trainers to be compensated more per hour than they would be for one-on-one trainings, and this boosts that secondary income stream for the club owner. Scheduling becomes easier for trainers, since it accommodates multiple people at any given session. The minimal adjustments and simple exercises make managing groups easier. Plus, with a smaller group, the trainer can watch every move. The result: less injury risk.

### Meet Elevate Circuit, the Bodyweight Circuit for Every Body™

The Elevate Circuit was created to provide a self-serve opportunity in the incline bodyweight resistance training arena that wasn't present before. Each machine in the Elevate Circuit targets certain muscles

and muscle groups. The transition from one machine to another is seamless. Each unit carries a maximum 400 lb. user weight capacity to accommodate the broad population of club members and it's available at a very affordable price.

### Jump Trainer

The Jump Trainer is the plyometric jump training variety pack. It incorporates bungees and plyometrics so that anyone of any age and any performance level can jump again or jump higher than they have ever jumped before. Of the entire Circuit, the Jump Trainer is the machine likely to be most sought after by club members, since they experience success from jump one.

### Core Trainer

The Core Trainer provides total core strengthening. It recruits abdominals, back, hips, shoulders and abdomen to work in unison for better balance and stability. It facilitates a dynamic plank via arm or leg movement. For those who have never done core work, the Core Trainer easily opens the door to success and provides progressive challenge.

### Pull-Up Trainer

The Pull-Up Trainer helps anyone do proper pull-ups because it unloads to only a percentage, not 100 percent of body weight. At its lowest of seven available incline levels, even a club member at the first workout can successfully achieve a pull-up. At its highest level, advanced performance athlete club members experience a challenge sure to surprise and delight them.

### Press Trainer

The Press Trainer is the only closed chain shoulder press machine designed to let anyone, even first-time workout club members do a hand stand push-up for the first time. A totally new way to perform a shoulder press, it strengthens all the muscles of the upper body. Like the rest of the Circuit, the Press Trainer challenges serious workout aficionados.

### Leg Trainer

The versatile Leg Trainer facilitates controlled instability through forward, backward, side lunges and step-ups which makes lunging more challenging. In addition, it has a 15" step-up box jump platform on the back that can be integrated into circuit training. For those who are looking for a great leg and glutes workout, this is the go-to machine. It can replace glute, quad and hamstring machines, which saves the club owner on space and equipment budget.

### Row Trainer

The Row Trainer, the newest addition to the Circuit, is a bodyweight rowing machine for a workout that engages all muscle

groups simultaneously. It provides both concentric and eccentric load through the acceleration and deceleration of the rowing movement. With both a high and a low adjustment level, any client's adjustment needs can be easily met. It provides low compression on the joints, especially the lower spine.

### More Athleticism Sooner

Resistance bodyweight training on the Elevate Circuit helps build greater athleticism sooner for a combination of reasons. Not only are club members using specific muscles and muscle groups to perform the circuit exercises, they are also recruiting even more muscle activity as their stability is challenged on the incline. When the circuit is performed correctly, the club member gets a full body workout in only 30 minutes.

### A Variety of Resistance Drivers

Resistance drivers for the Core Trainer and the Leg Trainer include not only body weight, but also body position and body movement. With the Leg Trainer, the club member can increase resistance by holding an external weight, a dumbbell, a medicine ball, a kettle bell, while performing lunges or box jumps.

### A Variety Of Extras

Three components of the Elevate Circuit, the Press Trainer, the Jump Trainer and the Pull-up Trainer, each have seven incline levels. Raising the incline increases resistance and uses a greater percentage of bodyweight. Conversely, lowering the incline employs less resistance and therefore uses less bodyweight.

The Jump Trainer has a special 'bonus' way to add resistance, bungees underneath the glideboard. These can be attached to provide up to 70 pounds of linear resistance in 10 pound increments. This is in addition to the 80 percent of bodyweight already built in.

A review by the American Council on Exercise found a number of things to like about the Jump Trainer. Among these are that the curved platform helps "create dorsiflexion and a positive shin angle at almost any foot placement." Another is that the angle and elastic resistance are easy to adjust, allowing for quick transitions between higher and lower-intensity exercises." And a third is about the unique pneumatic braking feature that "allows for smooth transitions from the peak of the ascent phase to the descent phase during an explosive jump." Additionally, the Jump-Ometer provides a handy color-indicator to let the club member gauge jump height at a glance.

### Integrated, Intuitive Built-In Instruction

The Elevate Circuit includes another element that facilitates both independent workouts and SGT sessions. Each of the six circuit stations comes equipped with an intuitive instructional placard.

If the club member performs as the placard suggests, a 30-minute total body workout is the result. Additionally, by scanning the QR code on each placard, the club member can tap into videos of additional workouts on that machine and see the exercises in motion.

CONTINUED ON PAGE 22



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## Is It The People? OR It's The People!

CONTINUED FROM PAGE 5

assignment, etc.) (4) Work style assessment. (5) Multiple interviews. (6) Background checks. (7) Reference checks. (8) We are continuously working on our training and development programs. (9) We do our best to live our core values. (10) We recognize and share appreciation. (11) We are continuously working toward being competitive with compensation and benefits. Even with this commitment and focus, we find areas where we miss the mark.

Sometimes people leave organizations based on the organization's doing, but most times people quit based on their direct supervisor and the relationship they have with him or her. Many people stay loyal to a "bad" organization because of a "great" boss. The "Boss" carries "The Culture". According to a Gallup poll of more than one million employed U.S. workers; a bad boss or supervisor is the number one reason people leave due to the environment their boss creates and how they feel they've been treated.

Let's lead by example and train our managers and supervisors to be great bosses. This will pay off in spades by developing a great culture. We need to focus on how to manage all of the generations, but companies really need to pay close attention to Millennials as they will make up 49 percent of the workforce by 2020.

In a Business Insider article dated April 23, 2015, Dan Schwabel notes four things Millennials want from an employer:

**1. The chance to work with talented people.** I believe this includes the notion that the talented people spend time mentoring, coaching and teaching the new team member.

**2. The opportunity to create meaningful work.** We have the most meaningful work there is, supporting people in healthy lifestyle change and living. "An ounce of prevention is worth a pound of cure."

**3. Flexible hours.** While we are a retail business with retail hours, we do offer schedule flexibility as our work hours start early and end late. This can be attractive with some weekdays off, mornings off, etc. We aren't a 9-5 grind. We are a lifestyle with flexibility.

**4. Higher salaries.** This is one of the bigger challenges in an industry with relatively low profit margins. Rent and payroll are typically the two largest expenses for a health club. This is an area we need to spend some time figuring out. Pay for performance or incentive pay for results generated is an area we all can spend more attention on to allow people to make more for contributing more. This is a big challenge, but not one to ignore. I am a believer in the old adage that in most things in life, "You get what you pay for". This industry is particularly difficult on this front, but we shouldn't stop trying to figure out the right balance for performance pay and club level margin.

After re-reading this article, I realized that I must be a Millennial and so is just about everyone in our organization. I guess Millennials aren't so different from the rest of the artificial classifications of people. Maybe people aren't fundamentally changing as much as their environments are changing. The key is how we all react and adapt to those changes. Our ability to successfully adapt to a changing world will dictate our success. People come first, before, now and always. Let's keep focusing on people, our staff and our members and we will be ready to face an exciting future in the club business!

*Bill McBride is Co-Founder, President & Chief Executive Officer, Active Wellness (dba Active Sports Clubs) & BMC3. He is a health club industry veteran with over 25 years of experience leading and managing all aspects of commercial health clubs, medical fitness centers, community centers and corporate fitness centers. BMC3 is a health club consulting company. Bill has served as Chairman of the IHRSA Board of Directors, on the ACE Industry Advisory Panel and is actively engaged in industry consulting, education and speaking on industry topics throughout the world. You can reach Bill at [Bill.McBride@ActiveWellness.com](mailto:Bill.McBride@ActiveWellness.com) (415) 299-9482; [www.ActiveWellness.com](http://www.ActiveWellness.com); [www.BMC3.com](http://www.BMC3.com); Twitter: [billmcbride65](https://twitter.com/billmcbride65) or [www.linkedin.com/in/billmcbride](http://www.linkedin.com/in/billmcbride).*





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### 5 Strategies To Grow...

CONTINUED FROM PAGE 6

they did not take any sales courses in school or with their certification. This means that it is the responsibility of your club to encourage and provide sales training if you want to generate more revenue. I'm not asking trainers to be good "closers"; the goal is to get them to understand the basic steps and be comfortable simply asking for the sale.

We've all heard the quote "If you continue to do what you're doing, you'll get what you're getting." If your club isn't getting 10% of your members to engage in some level of personal training then you are missing a huge opportunity to help members get the results they want, help retain members longer and generate lots more revenue in the process. By making some key strategic changes now to the way you offer personal training, you will be on your way to building ancillary sales in the upcoming busy season and creating more raving personal training fans in the process.

*Casey Conrad has been in the health club industry for over 25 years. She is a featured speaker around the world and has authored over 25 different books, audios and DVD's on sales and marketing. Visit [www.HealthClubSalesTraining.com](http://www.HealthClubSalesTraining.com) for training products and programs and look for her new Selling Personal Training program being featured by PT On The Net.*



### Your Best Marketing Tool...

CONTINUED FROM PAGE 9

Moving forward in customer service will require discipline and innovation from you! Can you offer: (1) Pro-active service: you reach out to them before they have a reason to complain. (2) Self-service: 72 percent of customers prefer to use your website to solve their problems. (3) Community based service: using forums on your site can reduce costs by 10-50 percent. (4) Mobile messaging: your Millennials would love to text their issues.

Embrace your complaining members, as they give you a powerful insight into the state of your business. It is fair to assume that if one member has an issue (the 5 percent that complain) that there are others. Listening and acting will please your members. Improving how you handle complaining members is the easiest marketing strategy you can roll out in your business. It is also a clear differentiator for you.

*Justin Tamsett is recognized world-wide as a thought leader who challenges the status quo for the industry. As a speaker, he shares practical ideas that can be implemented immediately. He has presented in 17 countries and has 100's of clubs who are members of Active Management. They receive monthly education to #GROW their businesses. As business coach, Justin runs the Industry Leaders' Roundtable for club owners, personal trainers and Anytime Fitness franchisees in Australia and the US. He is also the Director of [www.TheFitnessBusinessPodcast.com](http://www.TheFitnessBusinessPodcast.com). You can now become a member of Active Management and reap many benefits. Go to [www.ActiveMgmt.com.au](http://www.ActiveMgmt.com.au) for free downloads.*



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# IHRSA RETURNS TO LOS ANGELES IN 2017!

## IHRSA 2017

MARCH 8-11 | LOS ANGELES, CA

The entertaining L.A. LIVE campus will be the site of IHRSA's Annual March gathering of club leaders from around the globe. Mark your calendars now for another outstanding Trade Show and educational & networking event!

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### HOW TO REGISTER:

- Visit [ihrsa.org/go2017](http://ihrsa.org/go2017)
- Call 617-951-0055



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International Health, Racquet & Sportsclub Association • 70 Fargo Street, Boston, MA 02210 USA

## Functional Training For Every "Body"...

CONTINUED FROM PAGE 19

These placards not only remind the club member of the next exercise, in an SGT circuit they allow the trainer to focus individualized attention when and where it is needed.

### More Than 90 Joint-Friendly Exercises

Exercises on the Elevate Circuit can be progressed or regressed to accommodate all fitness levels and the safe and intuitive ease of the equipment allows for over 90 exercises. Additional exercise options can be found on the Total Gym website: [totalgym.com/elevate-circuit-exercises](http://totalgym.com/elevate-circuit-exercises). The Elevate Circuit, like all bodyweight resistance equipment from Total Gym, is joint friendly and non-compressive.

### An Easy Fit Anywhere

The Elevate Circuit fits in a floor space area of 225 square feet. Club members on the floor can observe SGT or one-on-one sessions. The always-busy and active Circuit draws members, and that is a way to increase those secondary revenue streams.

*Total Gym has operations in over 23 countries and continues to lead the industry with innovative functional training products including their multi and single purpose incline bodyweight trainers. The Total Gym mission is 'helping millions get healthier.' The Elevate Circuit is a tool to help clubs and fitness facilities help members become healthier members. For more information visit [www.learn.totalgym.com/Elevate-30-CCD](http://www.learn.totalgym.com/Elevate-30-CCD) or call Carrie Binder at 858-764-0034.*

*Arizona-based award-winning writer Mary A. Schultz has contributed articles to magazines, newspapers and online media publishers with a special focus on health and fitness.*

#### References:

Club Industry: Health Clubs Count on Ancillary Revenue More Than You Think [www.clubindustry.com/profits/health-clubs-count-ancillary-revenue-more-you-think](http://www.clubindustry.com/profits/health-clubs-count-ancillary-revenue-more-you-think)  
 IHRSA: Personal trainers bring added revenue to your club. [www.ihrsa.org/home/2012/5/9/personal-trainers-bring-added-revenue-to-your-club.html](http://www.ihrsa.org/home/2012/5/9/personal-trainers-bring-added-revenue-to-your-club.html)  
 American Council on Exercise [US]: PRODUCT REVIEWS: Total Gym Jump Trainer [www.acefitness.org/acefit/product-review/233/total-gym-jump-trainer/](http://www.acefitness.org/acefit/product-review/233/total-gym-jump-trainer/).



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# ASSOCIATE MEMBER SPOTLIGHT



**FitnessPak** has been a leading risk management program specializing in the health club industry for over 30 years, and a partner of CCD for over 15 years. Administering successful health club loss control requires pro-active programs and demands a dedicated team of professionals to serve clients at the highest level available. The **FitnessPak** team embraces the significant role fitness plays in a healthy lifestyle, and has always appreciated the opportunity to serve as a consultant to over 300 clubs throughout the Western USA.



*Left to right: Kerry Forwalter, Cody Conway, Tony Pozas, Matt Bauer, Daniel Dimeo, Diane Quackenbush and Ken McKay (not pictured)*

In its infancy, **FitnessPak** was designed to provide solutions to the rapidly diversifying and expanding health club industry.

Seasoned insurance advisors created a methodology to build customized insurance programs that broadened coverages unique to health clubs. Several carriers over the years have adopted this model and adjusted their policies to meet expectations. Ultimately, the **FitnessPak** team is hired by clients to represent their best interests to the insurance companies capable of providing solutions, not the reverse. The leveraging of insurance carriers results in reduced cost and broadened coverage.

Dedicated claims advisors were added to the **FitnessPak** team to create relationships with clients and insurance carrier claims adjustors alike. The primary goal, which remains today, is to “bridge the gap” between health club management and insurance company claims adjustors. The capabilities of claims advocates reduce both frequency and severity of claims as well as timely and equitable resolutions.

Loss control consultants were made available to all **FitnessPak** clients almost 15 years ago to analyze club-specific hazards and develop programs for health clubs to utilize in training and education, along with daily administration of safety programs. Technology now plays a significant role in the distribution of various risk management program templates, human resource support, access to current trending health club related safety topics, individual club incident tracking/trending capabilities, and much more. Most importantly, **FitnessPak**

clients can always contact their dedicated loss control representative for direct consultation and assistance with unique scenarios.

Like most business firms these days the **FitnessPak** team is evolving, and recently said goodbye to one of the founders and managers of the program in Jim Foley’s retirement. Good luck Jim! In an effort to perpetuate the program and continue to attract the finest sports clubs in the West, **FitnessPak** has brought in a new producer in Cody Conway. Welcome Cody! Cody will be solely focused on health clubs with an appetite to pro-actively reduce risk, and obtain cost effective insurance coverage.

Contact Kerry Forwalter at (530) 897-3120 or [kforwalter@iwins.com](mailto:kforwalter@iwins.com), Cody Conway at (530) 897-3191 or [cconway@iwins.com](mailto:cconway@iwins.com), Tony Pozas at (530) 895-1010 or [tpozas@iwins.com](mailto:tpozas@iwins.com), Matt Bauer at (800)873-3725 or [mbauer@iwins.com](mailto:mbauer@iwins.com), Daniel DiMeo at (530) 897-3192 or [ddimeo@iwins.com](mailto:ddimeo@iwins.com), Diane Quackenbush (530) 897-3142 or [dquackenbush@iwins.com](mailto:dquackenbush@iwins.com) and Ken McKay at (530) 897-3187 [kmckay@iwins.com](mailto:kmckay@iwins.com) or visit [www.iwins.com](http://www.iwins.com).





## Point Of Sale Pitfalls: How To Get The Most Out Of Your Point Of Sale Transactions And Minimize Risk

CONTINUED FROM PAGE 12

of the signature on the agreement. Unfortunately, the same is not possible when the agreement is signed on an electronic pad or with a digital pen.

According to forensic handwriting expert A. Frank Hicks, it is extremely difficult to identify the writer of one of these electronic signatures. First, the writing surface and the writing instrument used on POS devices are inherently different than writing with a pen and paper. Depending on the type of pad and how it is mounted when made available to the writer, the angle of the writing instrument is different than a typical pen and paper signature.

Second, many POS devices have a limited or restrained space for the signature. These limitations are unfamiliar and can lead to a signature that does not reflect how the writer normally signs a document. Third, the resolution of a printed electronic signature is typically very low and results in a jagged rough image. The low resolution of the printed signature makes it impossible to discern the details of the pen movement, including when the pen was picked up or put down or whether the signature was written in one continuous writing motion. Lastly, most POS devices lack a signature line. A blank surface without a signature line affects the baseline alignment or how the bottoms of the letters relate to the signature line. Without a signature line, the writer may write uphill or downhill in a manner inconsistent with the writer's typical signature if a line were present.

One solution to the signature problem is to incorporate another common point of sale practice, the member photograph. Many clubs take a photograph of the member for purposes of verifying their identity when they use their card or key fob to enter the club. A second photograph of the member signing the agreement would solve the authenticity problem. Another solution would be an electronic fingerprint reader. Many of the most popular handheld

devices including smart phones and laptops use electronic finger print pads for security. Incorporating this technology would be a practical and efficient solution for obtaining a new member's consent to the terms and conditions of the membership agreement.

### Email Your New Member A Copy Of The Agreement

Under Section 1812.82 of the California Health Studio Services Act, a new member must be given a copy of the contract at the time the member signs the contract. At worst, the failure to provide a new member with a copy of the contract will result in an unenforceable contract; at best, it creates a fact dispute that could preclude early dismissal of lawsuits based on the waiver and release provision of the contract. Therefore, another tactic by plaintiffs to avoid or delay enforcement of the waiver and release provisions of the agreement is to deny being provided with a copy of it.

Where the law requires a person to provide, send, or deliver information in writing to another person, the California Uniform Electronic Transactions Act provides that the requirement may be satisfied if the information is delivered in an electronic record. During the POS process, most clubs require an email address. Sending the member an electronic copy of the membership agreement, via email, ensures that the member is provided with a copy of the contract at the time of the execution. In addition, the club has created digital evidence that the membership was properly provided to the new member, thus avoiding any contention that the agreement was never provided.

The development of higher-tech POS devices will require clubs to take a progressive and proactive approach to the POS process. While these devices make the process more convenient and efficient, they may present new accessibility challenges for members with disabilities. Using the ADA's ATM standards as a reference, clubs can proactively ensure that all potential members are treated equally. Clubs should take advantage of their POS technology to ensure there is no factual dispute that the agreement has been signed and to provide the member with an electronic copy of the executed agreement. It is important to consult with your legal counsel to assure that you are complying with all applicable laws and protecting your club to the extent possible. Keeping these considerations in mind will help your club avoid potential lawsuits and put it in the best position to defend them.

*Alex Caraveo, Esq. is an associate with Manning & Kass, Ellrod, Ramirez, Trester, LLP's Los Angeles office where he is a member of the firm's Sports, Recreation and Attractions Litigation Team. Alex can be reached at (213) 624-6900 or by e-mail at AYC@manningllp.com. All information provided is of a general nature and is not intended nor represented to replace professional, specialized legal advice, nor should the information be relied upon as same.*



<b>2017 Event Calendar</b>	
<b>March 8 - 11</b>	<b>IHRSA Convention Los Angeles, CA</b> See registration information on page 22.

# CCD Associate Members

## Architects/Interior Design/Club Art

**Joel B. Cantor - AIA Architect** • www.jcantorarchitect.com  
415-957-9755 • jcantoraia@aol.com  
Serving the fitness industry since 1977, offers a full range of architectural, planning and consulting services for new facilities, additions and extensive remodeling.

**Fabiano & Associates** • www.fabianodesigns.com  
Rudy Fabiano • 973-746-5100 • Rudy@fabianodesigns.com  
Architects and interior designers providing smart, efficient and creative designs that will help your club's project or renovation to be successful and within your budget. Our services are affordable and our experienced staff of 20 years will develop design solutions that will satisfy your business plan as well as your programming needs. Our spaces are designed to keep people motivated, happy and most importantly healthy.

**Maxion Design** • www.maxiondesign.com  
Cindy Maxion • 619-668-5678 • cindy@maxiondesign.com  
Maxion Design has designed more than 300 fitness facilities across the country and abroad. Relying on our vast experience as artists, interior designers, graphic artists and color specialists, we make clubs real showstoppers. New technology makes it possible to present everything electronically to our clients from anywhere in the world. Clients can see what they're buying before they buy it. We have printed on vinyl, sheer fabric, paper, window film, wood, metal and acrylic. Our art can come in any size, style or color. It can be three dimensional, integrating play or fitness equipment, cutting edge lighting and movement.

## Associations

★ **IDEA Health & Fitness Association** • www.Ideafit.com  
Kelly Nakai • 858-535-8979 • nakaik@ideafit.com  
The world's leading membership organization of fitness and wellness professionals with over 23,000 members in over 80 countries. Since 1982, IDEA has provided personal trainers, group exercise instructors, fitness program directors, mind-body teachers, health club owners and fitness center managers with pertinent information, educational opportunities, career development programs and industry leadership.

★ **IHRSA** • www.ihrsa.org • 800-228-4772  
Pam O'Donnell, V.P. of Member Experience • membership@ihrsa.org  
IHRSA - The International Health Racquet and Sportsclub Association helps clubs improve profitability to grow and stay competitive.

**Medical Fitness Network** • www.MedicalFitnessNetwork.org  
Lisa Dougherty • 949-378-4505 • Lisa@MedicalFitnessNetwork.org  
Medical Fitness Network is a free national referral service for those with chronic disease/medical conditions looking for fitness and health facilities. We have over 100 national businesses supporting this project. If you would like to have your facility and all those who work at it listed on our website please contact us for more details.

## Certification

★ **ACE (American Council on Exercise)** • ACEfitness.org.  
Comron Yahyapour • 800-825-3636 ext 771 • Comron.Yahyapour@ACEfitness.org  
ACE has created a path for facilities that starts with ensuring your team has the knowledge and skills to empower members to long-term change. Rooted in 30 years of science from ACE, our NCCA-accredited certifications and specialty certifications are trusted by 55,000 professionals and tens of thousands of clubs.

**National Academy of Sports Medicine (NASM)** • 800-460-6276 • info@nasm.org  
Brad Tucker, VP Sales • brad.tucker@nasm.org  
David Correia • david.correia@nasm.org  
"Since 1987, the National Academy of Sports Medicine (NASM) has been a global leader in providing evidence-based certifications and advanced specializations for fitness professionals. In addition to its NCCA-accredited Certified Personal Trainer (CPT) exam, NASM offers a progressive career track with access to Continuing Education Units (CEUs) and specializations including the Corrective Exercise Specialist (CES), Fitness Nutrition Specialist (FNS) and Performance Enhancement Specialist (PES). Academic institutions nationwide incorporate NASM's leading fitness content into curriculum as part of Certified Personal Trainer courses, and bachelor's and master's degree programs. The vision of NASM is to empower fitness and wellness professionals, supporting them in their goal of motivating clients to lead healthier lives."

★ CCD Partnership discount

## CCD Membership Is An Excellent Return on Your Investment: \$400 Membership Fee = \$3000 in realized benefits.

CCD membership pays for itself in very measurable ways. With all the helpful tools and savings it's a business investment that puts every membership dollar you spend to good use. Here's how CCD membership works on your behalf:

- 1. CCD Legal Advisor.** Access to legal advice 15 minutes per month via phone. Also, annual review of club contracts and waivers. **VALUE: \$2,200**
- 2. Access to Human Resource CalifClubs.** Did you know that CCD provides the most up-to-date information on human resources, compliance and employment law? Through www.califclubs.com members can obtain tools they need for day to day responsibilities and a discounted Membership to CalChambers HR California Express for \$99. Additionally, you receive the HR News UpDate E-News monthly. **VALUE: \$500**
- 3. Access to insurance plans,** which you may not otherwise qualify for, provides valuable options. Depending on your club size and loss records, you may qualify for discounts through CCD Partners Fitness Pak Interwest Insurance or State Fund. **VALUE: Better rates for CCD members.**
- 4. Additional 10% discount on your IHRSA dues.** If you currently are an IHRSA member you can take 10% off the final tally of your annual IHRSA dues as a CCD member. **VALUE: Minimum \$150**
- 5. Access data from Compensation Survey.** Avoid overpaying new employees by participating in the Annual Compensation Survey which covers most positions in the industry. **VALUE: Stay Competitive**
- 6. Online Education.** CCD provides a variety of online seminars which service the needs of every club department. **VALUE: Don't have to pay for travel time**
- 7. Legal Webinars.** A series lead by Jeffery Long of Prout LeVangie Lawyers, and sponsored by InterWest Insurance/Fitness Pak. Free to CCD members. **VALUE: \$150 per Webinar**
- 8. Additional Savings** on a variety of products and services are also available through CCD Partnerships:
  - **IHRSA Partnership** – Save 10% on all ActiveCareers.com job postings and Featured Employer packages.
  - **ACE Partnership** – offers discounts to CCD members on all educational products.
  - **IDEA Partnership** – offers discounts to CCD members on all educational products.
  - **First Service Partnership** – offers discounts to CCD members on club operations supplies.
  - **Petra Hygienic Systems Partnership** – offers discounts to CCD members on personal care products for the locker room and club.
  - **Join Fitness Focus Business Council** hosted by Michael Scott Scudder – first year for \$39 (33% discount). Benefits worth \$500.
  - **Legal** – Our legal vendors offer discounts to CCD members.

Could any one of these benefits add to your bottom line? Call CCD today to get started saving money!  
**510-243-1532**



Come see us on the web at [www.califclubs.com](http://www.califclubs.com)



# CCD Associate Members

## Consulting/Training

### Aktiv Dynamic Training Solutions

www.AktivSolutions.com

Larry Domingo, VP of Human Performance  
310-730-3110 • ldomingo@AktivSolutions.com  
Jarred Willis, Director Key Accounts, West  
310-487-8131 • jwillis@AktivSolutions.com  
Aktiv Solutions designs and amplifies functional training spaces. Today's consumers want open spaces for movement based workouts and opportunities to exercise in groups. We take a design first approach to ensure your Dynamic Training space will be deliberate, inclusive and engaging.

### Bill McBride (BMC3) • www.BMC3.com

415-299-9482 • BillMcBride@BMC3.com

BMC3 is an agency specializing in consulting, coaching and club management. We focus on operational strategy, operational excellence, sales & marketing, fitness program design, class schedule optimization and staff training.

### Premium Performance Training • 303-417-0653

Karen Woodard-Chavez • karen@karenwoodard.com

Karen has owned & operated clubs since 1985 and now consults and trains club staff worldwide in marketing, selling, service and management skills. Services available on-site, online, by phone, books, tapes, and manuals.

### Active Management based in Australia

Justin Tamsett • jt@activemanagement.com.au

612-9484-5501 (Australia)

Consulting service for Clubs around sales, marketing, culture & thinking differently. Our #1 product is our on-line Business Membership.

## Court/Club Equipment

### ★ First Service • 800-227-1742

Dan Goldblatt • firstservice@clubstuff.com

First Service is privileged to be a longstanding CCD associate member and preferred supplier. Look to us for top quality athletic equipment (tennis, basketball, volleyball, wall padding, gym curtains and scoreboards), specialty flooring (weight room, gymnasium, aerobic, water draining, locker room and protective floor covers), and club furnishings (lockers, bleachers, benches, stools, outdoor tables and benches). Take advantage of our 35 years of industry experience!

## Diet/Nutrition

### Communication Consultants WBS, Inc.

Take It Off weight loss • Casey Conrad

401-932-9407 • takeitoffweightloss@yahoo.com

This is a complete, turn-key, in-club weight loss program.

## Fitness Equipment

### Balanced Body Pilates • 800-PILATES (745-2837)

Tony Tran 800-745-2837 x 206 •

tony.tran@pilates.com • www.balancedbody.com

Balanced Body believes that mindful movement can change your members' lives. We are the leading resource for Pilates and mindful movement

equipment, information and training for CCD member clubs. Start or expand your programming with Pilates, MOTR™, Bodhi Suspension System™, Balanced Body Barre™ or CoreAlign®. Call and get started today.

### Core Health and Fitness

Rick Nelson, Dir. Western Regional Sales

714-801-5527 • rnelson@corehandf.com

Mike Westcott, Nor CA Territory Manager

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Nicole Hagar, Territory Representative

562-522-5548 • nhagar@corehandf.com

Core Health and Fitness is the world's fifth largest marketer and distributor of commercial fitness products to health clubs, community recreational centers, hotels, government, educational facilities and more. Core markets its products under the Star Trac, Spinning®, StairMaster, Schwinn and Nautilus brands. Headquartered in Vancouver, Washington, we employ over 400 people worldwide and serve a global customer base. Core maintains sales, engineering service offices throughout the U.S. (Vancouver, WA; Irvine, CA; Independence, VA) as well as in the United Kingdom (High Wycombe); Germany (Munich); Spain (Madrid) and Brazil (Sao Paulo). We operate our primary warehouses in the U.S., the Netherlands and China. Visit Startrac.com and StairMaster.com.

### Keiser Equipment • 800-253-6568

Gary Klein • garyk@keiser.com

Keiser air powered exercise machines create the power in human performance via strength training and functional training. We offer group cycling rear wheel drive bikes, the Total Body Trainer, M5 Strider, M3+Megnetic bike with front to back adjustable bars and back-lit display, Air Power Racks, special programs for senior training (STEP) and athletic performance plus power testing for athletes. Keiser is known for our Institute on Aging and Xpress 30 minute workouts.

### Life Fitness

Joel Pigott, West Coast Director of Sales

949-702-1313 • joel.pigott@lifefitness.com

Michael Pooler, SW Regional Sales Manager

714-393-7139 • mike.pooler@lifefitness.com

Nathan Green, San Diego Area Sales Rep

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Brendan McGury, LA Area Sales Rep

310-753-4932 • brendan.mcgury@lifefitness.com

Nathan Berti, SF Bay Area Sales Rep

707-616-0231 • nathan.berth@lifefitness.com

Craig Spence, N. California Area Sales Rep.

916-705-5973 • craig.spence@lifefitness.com

Over 30 years of research, development and expertise in the fitness world has put Life Fitness in the unique position to offer you what no other company can - innovative products with unparalleled support. As the leader in commercial exercise equipment, we're able to provide over 300 different cardiovascular and strength-training products, including the renowned Hammer Strength brand.

### Power Systems • 800-321-6975 ext 7893

Patty Daugherty • pdaugherty@power-systems.com

www.power-systems.com

Founded in 1986, Power Systems is the leading provider of fitness and performance products and is

recognized throughout the sports and fitness industries for its complete selection, superior customer care, and fast delivery. Power Systems is committed to quality, innovation, and service through our knowledgeable team that is dedicated to exceeding customer expectations. About our Parent Company – PlayCore. PlayCore helps build stronger communities around the world by advancing play through research, educations, and partnerships. For more info visit playcore.com

### Precor

Jason Blair (Central California)

866-205-2063 • jason.blair@precor.com

Adam Guier (Southern California)

619.315.9914 • adam.guier@precor.com

Precor designs and builds premium fitness equipment for effective workouts that feel smooth and natural. Our equipment is chosen by health clubs, hotels, spas, universities, and individuals all over the world. For nearly three decades, we've driven fitness forward with a passionate focus on ergonomic motion, proven science, and superior engineering. We constantly study and anticipate the needs of the people and organizations we serve, and continually redefine the levels of innovation, quality, and service necessary to deliver the very best fitness experiences – all with the goal of improving the ways people improve themselves.

### SPRI® Products, Inc.

Jonna Pento • 847-968-7925

SPRI® is the leading manufacturer of rubberized resistance exercise products. SPRI® continues to expand into related markets such as functional and strength training accessories. SPRI®'s line of products has grown to include educational materials and videos.

### Technogym • 800-804-0952

Northern California: Joe Harris • 925-584-5077

jharris@technogym.com

Southern California: Justin Saunders • 949-679-11815

jsaunders@technogym.com

West Coast Manager: Tony Kowalczyk

847-922-7191 • tkowalczyk@technogym.com

Technogym is a fitness and wellness equipment manufacturer headquartered in Italy. Technogym has an extensive product line which includes: cardio, strength, flexibility and functional training.

### Total Gym • www.totalgym.com

Carrie Binder • 858-764-0034 •

commercialfitness@totalgym.com

Total Gym® is the world's leading privately-held manufacturer of functional and bodyweight training equipment for home consumers, fitness professionals, athletic trainers and rehabilitation specialists. Founded in 1974, the San Diego-based company's Total Gym® equipment is used in 14,000 physical therapy clinics, athletic training facilities, hospitals, universities, professional sports teams and health clubs worldwide. Total Gym continues to lead the industry with innovative functional training products and the award-winning GRAVITYSystem®.

### TRX Training • www.trxtraining.com

888-878-5348 • sales@trxtraining.com

Created by the U.S. Navy SEALs as a means to staying fit on missions, TRX training uses tools like the TRX Suspension Trainer™ and the TRX Rip Trainer™ to leverage bodyweight to build strength, lose weight and

★ CCD Partnership discount

# CCD Associate Members

increase flexibility. TRX is dedicated to leading the way in functional training, offering an array of high-quality products that includes the TRX Suspension Trainer™, the TRX Rip Trainer™, education courses, commercial business solutions, and comprehensive programming.

## Insurance

★ **FitnessPak: CCD Endorsed Provider**  
Cody Conway • 530-897-3191 • cconway@iwins.com  
Ken McKay • 800-444-4134 • kmckay@iwins.com  
Matt Bauer • 800-873-3725 • mbauer@iwins.com  
Tony Pozas • 530-895-1010 • tpozas@iwins.com  
Club insurance specialists.

**Fitness Underwriters**  
Phil Borner  
pborner@fitnessunderwriters.com  
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After 50 years, Fitness Underwriters remains your trusted partner for the most comprehensive insurance and financial products and services available to the Health & Fitness Industry. Our extensive programs include property & casualty, employment practices, workers compensation, umbrella and surety bonds.

**Sports & Fitness Insurance Corp**  
Jennifer Urmston Lowe • 800-844-0536 X 12333  
JUrmston@sportsfitness.com  
General liability, property and professional insurance.

## Legal

★ **Bradley & Gmelich** • 818-243-5200  
Tom Gmelich • tgmlich@bglawyers.com  
John Flock • jflock@bglawyers.com • 818-331-6822  
General counsel for health & fitness centers throughout California. Specializing in membership agreements, employment matters, business counseling and litigation, and general liability matters. Our holistic approach to practicing law benefits your entire operation. Please call for a free consultation.

**Fisher & Phillips LLP**  
Todd B. Scherwin • 213-330-4500  
tscherwin@laborlawyers.com  
444 S. Flower St., Suite 1590, Los Angeles, CA 90071  
Colin Calvert • 949-798-2160  
ccalvert@laborlawyers.com  
2050 Main Street, Suite 1000, Irvine, CA 92614  
We are a law firm committed to taking a practical, business-like approach to solving labor and employment problems for employers. Labor and employment law is all the firm does, offering deep and broad knowledge and experience in the area of the law their attorneys know best. We help clients avoid legal problems, are dedicated to providing exceptional client service, and are there when you need them. We have advised health clubs and fitness facilities on wage-hour related issues, including pay plans and compensation agreements, discrimination/harassment claims from employees and members and general employment policies in the industry. In California, the firm has offices in Irvine, L.A., San Diego and San Francisco.

**Manning & Kass, Ellrod, Ramirez, Trester LLP**  
Anthony Ellrod • 213-624-6900 •  
aje@manningllp.com • manningllp.com  
Legal counsel with a focus on the health club industry,

including drafting membership agreements and other contracts, providing risk management and general counsel services, advising on and litigating business, commercial, personal injury, employment, and workers compensation matters. Offices in L.A., Orange County, San Diego, San Francisco, and Phoenix.

★ **LeVangie Law Group: CCD Endorsed Provider**  
916-443-4849 • www.lg-law.com  
Jeffery Long • jeffery.long@lg-law.com  
Specializing in conducting risk management analysis for health clubs, preparing valid waiver and releases, and general health club litigation.

## Locker Room Amenities

★ **Petra Hygienic Systems: CCD Endorsed Provider**  
John Mickelson • 775-530-7133  
john@petrasoap.com  
Matt Anderson • 877-888-6655 ext 6  
matt@petrasoap.com  
Personal care products for the locker room and club.

## Marketing

**Reach Media Network** • reachmedianetwork.com  
Brent Arnold • 541-915-8428  
brent@reachmedianetwork.com  
Reach has its own digital signage network that is in over 500 athletic, health and fitness clubs, university fitness and recreation centers, ice arenas, YMCAs and JCCs throughout the United States. The advertising supported Reach Network features large high-definition flat screen digital televisions, with flash screen technology, that inform, entertain and educate members and visitors at partner facilities.

**Susan K Bailey** • 888-349-4598 • www.clubads.com  
MaryBeth Bradley • marybeth@clubads.com  
Creates effective direct marketing pieces that cut through the clutter and let you target market. Advertising that works out!

## Retention And Reward Programs

**Retention Management** • 800-951-8048  
Billy Dawson • billyd@retentionmanagement.com  
Retention Management helps fitness centers increase retention, ancillary revenues, sales and profitability. Our Email Services deliver automated email targeting every segment of their membership and marketing broadcast emails to promote club services and program utilization. Our Social Media Services create and actively manage a club's Social Media presence; maximizing fan recruitment and interaction, marketing initiatives and profitability.

★ **The Retention People**  
Sophie Adams • 647-248-9831  
The Retention People are the leading providers of Customer Experience Management software and solutions to the fitness industry. We invest heavily on retention studies and research and use this to drive product development of our cloud-based technology solutions, retention consultancy, professional education and coaching. We extend membership life spans.

## Software/Internet Programs

**ABC Financial Services** • 800.622.6290  
Steve Ayers, Chief Revenue Officer  
1-800-551-9733 sales • 501-515-5066 direct  
steve.ayers@abcfinancial.com  
ABC Financial is the leading service provider of key financial services including software, billing, payment processing, and merchant services for the health and fitness industry. In addition, ABC provides comprehensive on-site training and club marketing.

**In Touch Technology**  
www.intouchfollowup.com  
Kim Hanson-Burgoyne • 604-362-3831  
khanson-burgoyne@intouchtechnology.com  
InTouch Follow-Up is sales and retention software that has been built specifically for health clubs. We help clubs capture all their leads and proactively communicate with them so they sell more memberships and personal training. Health clubs define their own lead and member follow-up to fit their own sales process. All sales activities are tracked in InTouch Follow-Up so owners and managers can hold staff accountable. Over 900 health clubs in 17 countries use InTouch Follow-Up to drive their revenue by increasing membership sales and member retention.

**Jonas Fitness** • 801-501-9673  
Jan Harms • jan.harms@jonasfitness.com  
A comprehensive and scalable solution that combines the best of club management software, managed member data services and payment services. When these three vital club functions are fully integrated, your club reaches the peak in profitability and operational efficiency.

**MembersFirst**  
Dawn Taylor • 508-310-2360  
dtaylor@membersfirst.com  
Internet-based marketing and member communication solutions to the Health & Fitness Industry. We build, design and manage club web sites to support all aspects of membership from acquisition, activation, engagement and retention.

**Shapenet Software**  
Larry King • 212-826-9502  
larryking@shapenetsoftware.com  
Cloud based club management software, payment management services.

**Twin Oaks**  
Carole Oat • 860-829-6000 x281 • coat@tosd.com  
Eric Claman • x273 • eclaman@tosd.com  
Joanna Truong • x293 • jtruong@tosd.com  
Brian Bugnacki • x292 • bbugnacki@tosd.com  
Twin Oaks Software has been named the IHRSA 2015, Associate Member of the Year. Developed by former club owners and serving the industry since 1991. Focused on delivering reliable products and services, offering both a web or desktop software, processing billing, and following up with returns management.

★ **CCD Partnership discount**



**California Clubs of Distinction**  
**38412 Camino Aguacero**  
**Indio, CA 92203**

**Membership Application**

Membership in CCD is open to health, racquet, and fitness facilities which pay property taxes and do not accept tax-deductible contributions of capital or operating costs, e.g., 501 c(3)'s, government agencies and their subsidiaries. Applicant facilities must sign the Pledge below to activate a membership. Your club will be reviewed by the Executive Director upon application, change of ownership, or if a questionable ethic is brought before the Board. If you have any questions, please contact Lin Conrad, the Executive Director, at 510-243-1532. CCD reserves the right to make final decisions on applications for membership.

Club Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Owner: \_\_\_\_\_ Manager: \_\_\_\_\_

e-mail address (for CCD use only): \_\_\_\_\_

Web site: www. \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Membership Pledge**

As a member of CCD, I agree to operate my club in the best interest of the consumer and the industry by:

- Assuring that my club is a service driven club
- Abiding by all federal, state, and local consumer protection laws and all other applicable legislation
- Engaging in a positive sales approach
- Opening membership to persons of all races, creeds and places of origin.

I agree to abide by this Membership Pledge:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please mark the appropriate box for annual dues:

- 1 club with 2,000 sq. ft. or less = \$225
- 1-4 clubs = \$400 each facility (all clubs must be members)
- 5-9 clubs = \$315 each facility (all clubs must be members)
- 10-14 clubs = \$300 each facility (all clubs must be members)
- 15+ clubs = corporate membership (contact CCD for dues)

IHRSA Members receive a 5% discount.

Number of Clubs: \_\_\_\_\_ Amount enclosed: \$ \_\_\_\_\_

Mail check to: CCD, 38412 Camino Aguacero, Indio, CA 92203

CCD, a non-profit association, is the voice of the club industry in California. CCD's purpose is to promote responsible growth of the California club industry and to enhance the professionalism, effectiveness and profitability of its members through networking, education and positive legislative change.