

## Service

Labor & Employment

## Professional

CATARINA A. COLÓN

MILWAUKEE:

414.978.5534

CATARINA.COLON@

HUSCHBLACKWELL.COM

# Reopening Considerations for Fitness Facilities

As more contagious variants of the virus spread across the United States and the world, it is important to stay up to date on best practices with respect to mitigating the spread of COVID-19. To that end, BarBend – a team of over 70 experts, contributors, researchers, photographers, and athletes from around the globe – has released helpful guidance for gym owners and members related to preventing the spread of COVID-19 in fitness facilities and the impact generally of COVID-19 on fitness facilities in the United States.

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The pandemic has taken a heavy toll on the fitness industry. Gyms and fitness facilities face unique challenges in ensuring the safety of their patrons and employees. Headlines report that:

Many states categorize gyms as nonessential;

Extended closures have forced even the largest national facilities to lay off workers;

The \$94 billion fitness industry has confronted lost revenue;

Fitness is among the last industries that officials have allowed to reopen.

Now that gyms in some parts of the country are able to reopen, their owners and managers must ask strategic questions: How to keep those visiting gyms safe? What measures can be taken to sufficiently clean equipment and facilities? Which types of workouts are safe and which are not? How to best protect employees?

### **Best practices for gyms and fitness centers**

The Centers for Disease Control and Prevention has issued Factsheets for both employers and employees of fitness facilities, outlining precautionary measures to mitigate the spread of COVID-19. These recommendations include:

Identify an on-site coordinator to oversee COVID-19 assessment and control;

Implement flexible sick leave and supportive policies for employees;

Perform in-person or virtual health screenings of employees;

Encourage gym patrons to clean equipment before and after use;

Limit group fitness class capacity or conduct open-air workouts;

Designate hours and sessions for older populations.

Recommendations for reopening have also been issued by independent organizations such as the American Industrial Hygiene Association (AIHA) at [BackToWorkSafely.org](https://www.backtoworksafely.org) and the Association of Fitness Studios. AIHA has published a number of industry-specific guides with practical advice for safely reopening, including one for gyms that discusses best practices for physical distancing, ventilation, employee communication and wellness, enhanced cleaning procedures, and more.

### **Contact us**

If you have questions on how to open your fitness center safely while maintaining compliance with federal, state and local laws, please contact Catarina Colón or your Husch Blackwell attorney.

*Husch Blackwell summer associate Miller Jozwiak contributed to this alert.*

### **Comprehensive CARES Act and COVID-19 guidance**

Husch Blackwell's CARES Act resource team helps clients identify available assistance using industry-specific updates on changing agency rulemakings. Our COVID-19 response team provides clients with an online legal Toolkit to address challenges presented by the coronavirus outbreak, including rapidly changing orders on a state-by-state basis. Contact these legal teams or your Husch Blackwell attorney to plan a way through and beyond the pandemic.