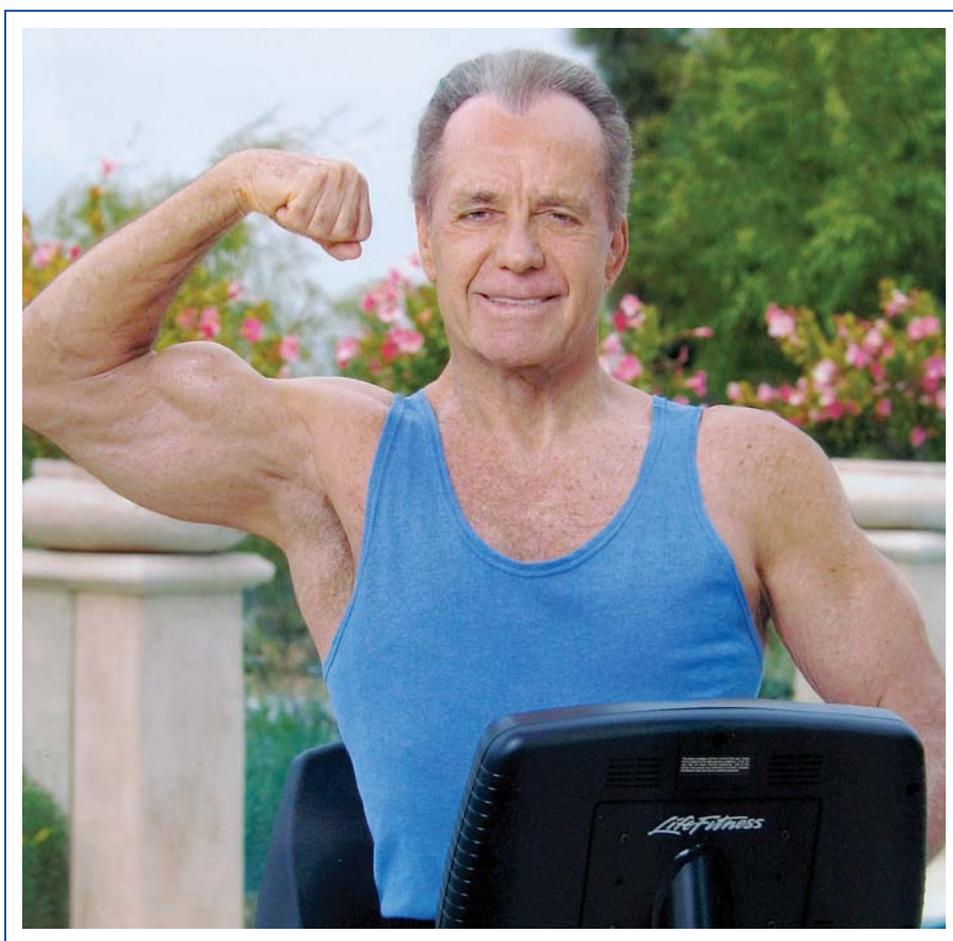


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CELEBRATING 29 YEARS OF TRUST

The *LIFE* and *TIMES* of Ray Wilson



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Ray Wilson Passes Away at Age 94

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Norm Cates'

CLUB INSIDER

CELEBRATING 29 YEARS OF TRUST

The *LIFE* and *TIMES* of Ray Wilson *Ray Wilson Passes Away at Age 94*

By: Norm Cates

The health and fitness club industry lost a **TRUE LEGEND** on **August 22, 2022** when **Mr. RAY WILSON**, a man who has had a very prolific **75+ year career** in the health, racquet and sports club world of development, building and operations, passed away at the **age of 94**. This **Memorial Cover Story** is intended to honor and recognize the many contributions Mr. Ray Wilson made to our industry during his amazing 75+ year career.

On August 22nd, when Ray passed away at his beachside home in Mexico, he left nine offspring. That number consisted of two sons who previously worked in the health and fitness club industry with him: his son, **Packy Wilson**, and his elder son, the late **Perry Wilson**, as well as **Randi, Everett, Rhonda Yarro, Sue McKinely** and **Ray Wilson, Jr.**

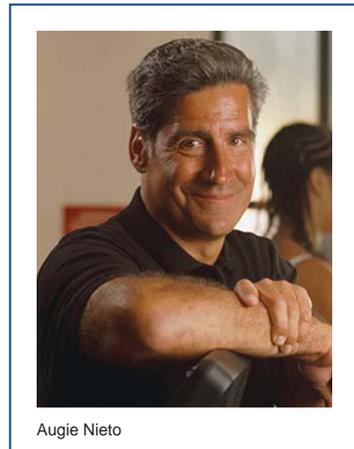
During the latter portion of Ray Wilson's career in the health and fitness club industry, his approach to the industry evolved, shifting his staff's previous direction from that of a high pressure membership sales approach to one where his operations employed a more subtle approach to membership marketing and sales. That *evolution* of Ray Wilson's approach actually began at *IRSA's first Convention and Trade Show* in Las Vegas in 1981. And, his evolution in our great industry *NOT ONLY* benefitted Ray Wilson, it benefitted the *entire* health and fitness club industry *worldwide*.

This **Memorial Tribute** to my friend, the man I have always called "**Mr.**" Ray Wilson, includes recollections and

comments about **The *LIFE* and *TIMES* of Ray Wilson** provided by eight individuals who've known Ray during the last 75 years that he's been in our industry. Within, you will see various photos chronicling Mr. Wilson's Life and Times. And, at the end, I provide an invitation for anyone who'd like a PDF copy of the amazing book produced by Mr. Wilson's son, Packy Wilson. Please read on.

Club Business Icons Weigh In on the Life and Times of Mr. Ray Wilson

I have received, and shared herein with you all, comments about Mr. Ray Wilson from several industry icons who wanted to share their thoughts and memories of him. Those individuals include: **Augie Nieto**, *Lifecycle Developer and Marketer, and Founder of Life Fitness*; **Mark Mastrov**, *Chairman of New Evolution Ventures*;



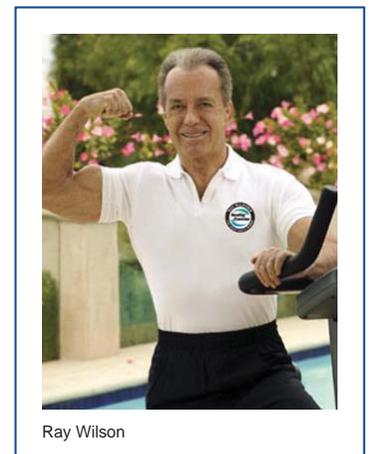
Augie Nieto

John McCarthy, *IRSA/IHRSA Co-Founder and 25-Year Ex-Officio Executive Director*; **Geoffrey Dyer**, *Principal, CR Fitness Holdings LLC dba Crunch Fitness*; **Robert Lineberger**, *CEO of Fitness 19*; **David J. Wakefield**, **Paul Schaller** and yours truly, **Norm Cates**, *Club Insider Founder and Tribal Leader Since 1993 and IRSA/IHRSA Co-Founder and 1st President in 1981*.

Comments From Augie Nieto

"Ray Wilson was not only a fitness industry pioneer as a successful club owner several times over, but he also resurrected the *Lifecycle* bike that ultimately evolved into the company that I grew into *Life Fitness*. His legacy lives on in those he mentored over his eight decades in the business."

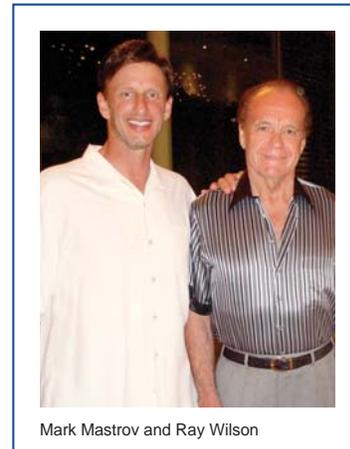
-**Augie Nieto**



Ray Wilson

Comments From Mark Mastrov

"Ray Wilson was my friend, mentor, partner and just a flat-out legend within our industry. We had a special relationship and enjoyed some great times together building *24 Hour Fitness* from our merger of *Family Fitness* and *24 Hour Nautilus*. He loved to tell stories, often repeating them many times, as they were his favorites. Whether it was when he wrestled or built fitness companies in the U.S. or Mexico, you could be sure Ray had some hilarious stories to tell. Put him in a room with **Packy** and the now late **Perry Wilson, Eric Levine, Ron Thompson, Steve Clinefelter, Larry Gurney, Ival McMains** and countless others, and Ray would hold court for hours. He loved to gamble and bet
(See Ray Wilson Page 10)



Mark Mastrov and Ray Wilson

Inside the Insider: Edition #346

■ Exercise IS Medicine - **By: Mike Alpert**

■ Rising Up - Rising Out - Rise Together - **By: Sara Kooperman, JD**

■ OSHA's Whistleblower Protection Program and What Employers Need to Know - **By: Paul R. Bedard, Esquire**

■ Designing the Ultimate Member Experience - **By: Jeffrey Pinkerton**

■ Key Takeaways From SCW Atlanta Mania 2022 - **By: Chris Stevenson**

■ Two Steps to Successful Medical Fitness Center Marketing and Enrollment

■ IHRSA Fitness Brasil 2022 Achieves 'Indisputable' Success

■ And, of Course, *Norm's Notes*

Norm's Notes

■Hello Everybody! This is your **Club Insider Founder and Tribal Leader Since 1993** checking in with our **346th monthly edition!** College football season is rolling along, and I am enjoying every minute of it!

■Is AMERICA a GREAT COUNTRY, or WHAT? Hmm... Hmm... Hmm!!! Yes, I know, you're probably sitting there reading this and thinking, "Here he goes again! GEEZZZZ... will this knucklehead EVER quit repeating that message about America being GREAT? Of course, WE KNOW AMERICA IS A GREAT COUNTRY!" HAHA! So, Folks, my reply to anyone asking that question is this: **HECK NO!** I'm never going to quit emphasizing that TRUE message via this keyboard every month. So, stay tuned all you very fine Folks! And, **JUSTIN and I want to THANK YOU ALL for reading Club Insider!**

■As I write this Note, it is **Sunday, September 11, 2022.** I'm writing this Norm's Note in memory of the **2,977 people** who were murdered that day in the **9/11 terrorist attacks.** These attacks continue to be the deadliest terrorist acts in our history. Most of those who perished were civilians, except for **343 members of**

the **New York City Fire Department and 71 New York Police Department Officers.** At least **102 countries** lost citizens in the attacks. **May ALL who perished on 9/11/2001 REST IN ETERNAL PEACE!**

■Folks, unfortunately this Note is also a sad one. On **August 22nd, industry veteran and legend, Mr. Ray Wilson passed away at the age of 94.** I was informed by our mutual friend, **GEOFFREY DYER.** This month, we have dedicated our Cover Story to the one and only Ray Wilson. Within, we share comments from eight individuals in our industry who were **Mr. Wilson's** friends and who knew him well.

I want to say **THANKS** and express my very **SINCERE APPRECIATION** to the following for their contributions to this Memorial Cover Story: **AUGIE NIETO, MARK MASTROV, JOHN MCCARTHY, GEOFFREY DYER, ROBERT LINEBERGER, DAVID J. WAKEFIELD** and **PAUL SCHALLER.** You can read the Cover Story beginning on **Page #3.**

MAY MR. RAY WILSON REST IN ETERNAL PEACE.

■As previously mentioned, this month's very special Cover Story is a **Memorial**

to the one and only, **MR. RAY WILSON,** and to be honest, it **REALLY** is a special article that we put a lot of work into producing. However, when you compare this month's Cover Story that we produced in memory and honor of Mr. Wilson, the amount of time it took me to produce it was *miniscule* when compared to the **200+ hours** of work **PACKY WILSON, Ray's son,** put into the production of a book honoring his Dad on his 94th Birthday. If you would like to read **Packy Wilson's** special book about his Dad, email me at **Norm@clubinsideronline.com.**

■Our friends at **Crunch Franchise** announces their newest locations in Memphis, Tennessee and Fargo, North Dakota. Check out the **Crunch Ad** on the **Inside Front Page.**

■This is from our friend **GEORGE JACKSON, Founder and Owner of TG The Gym: TG The Gym** has partnered with the **Mitchell Thorp Foundation** for over 10 years, helping directly and indirectly raise over \$1M to assist children suffering from life threatening diseases and disorders. TG partners in 5K run/walks, annual youth baseball tournament, and on August



Norm Cates

20, 2022, the first TG The Gym Deadlift Challenge - "Every Rep Matters" took place. **Keep up the great work, George!**

■**ABC Fitness Solutions** announced it has completed its acquisition of **Glofox** in accordance with the definitive agreement entered into by both parties on July 29, 2022. One of the fastest-growing fitness management platforms, Glofox has now *(See Norm's Notes Page 8)*

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Exercise IS Medicine

By: **Mike Alpert**

Millions of Americans are in poor health as a result of poor lifestyle habits. Many more are affected by chronic illness. The current solution is costly drugs and costly procedures, which are driving up health insurance costs and putting a tremendous financial burden on our Healthcare system.

First, here are some facts to consider:

Cancer:

- Cancer kills 600,000 people annually in the United States;
- It is the leading cause of death in the U.S.;
- The average cost of medical care and drugs per person tops \$42,000 in the year after diagnosis;
- Some treatments can exceed \$1,000,000, and it leaves 100 million people in debt;

Diabetes: According to the CDC (Centers

for Disease Control and Prevention):

- The disease is caused by too much sugar in the blood;
- 34 million people in the U.S. (1 in 10) have diabetes and 88 million adults (1 in 3) have prediabetes;
- Nearly 1 in 5 adolescents (ages 12 - 18) and 1 in 4 young adults (ages 19 - 34) have prediabetes;
- Studies show that lifestyle change programs can reduce the risk of Type2 Diabetes by more than 50% for people at high risk;
- The annual cost to treat diabetes is \$327 billion on direct medical costs and an additional \$90 billion on reduced productivity;
- \$1 out of every \$4 in U.S. Healthcare costs is spent caring for people with diabetes;
- 61% of the costs are for people 65 years of age and older, which is mainly paid for by Medicare;

■ 48 - 64% of lifetime medical costs per person with diabetes are for complications related to diabetes, such as heart disease and stroke.

Parkinson's: According to the APDA (American Parkinson's Disease Association):

- \$52 billion is spent each year on Parkinson's related expenses;
- \$25 billion is shouldered by Social Security (the Government) and Medicare;
- It affects 1 million people in the U.S.;
- 60,000 people are diagnosed each year;
- It affects men more than women;

Would you want to help improve their overall quality of life and health issues using *Exercise, Nutrition and Social Interaction*? What if I could show you a way to do that in your club at a cost to the participant between \$150 - \$300 per month with a net income to the club of 38% - 69%? To find out how, contact me at



Mike Alpert

mike@smarthealthclubs.com.

And make no mistake: **Exercise IS Medicine!** It is actually the most powerful medicine we have today.

(Mike Alpert is the COO of Smart Health Clubs. He can be contacted at mike@smarthealthclubs.com or 951 - 205 - 1136.)

Two Steps to Successful Medical Fitness Center Marketing and Enrollment

LOMBARD, IL - As we enter the fourth quarter of 2022, enrollment at medically-integrated fitness centers is close to attaining pre-COVID levels. *Power Wellness* has uncovered two keys contributing to our centers' success with attracting and retaining members that differ from commercial gym marketing and sales: *Positive Branding and Personalization*.

Positive Branding: Medically-integrated fitness centers are frequently owned by a hospital or health system, located on the hospital campus and named after the hospital. This name recognition, along with the hospital's positive brand imagery, "...goes a long way towards instilling confidence among potential members that the hospital-branded fitness center will provide the same level of high-quality

care [as the hospital]," says **Jennifer Parrilli**, *Power Wellness Director of Sales*. This "halo effect," combined with *Power Wellness'* white label approach, takes maximum advantage of the hospital brand to boost medical fitness center enrollment success.

Personalization: While commercial gyms strive for volume, medically-integrated fitness centers target specific consumers with an organized and process-driven approach to growing center enrollment. *Power Wellness* uses detailed consumer analytics to find and connect with prospective members who best fit the medically integrated fitness model. Analyzing prospective members' behaviors and interests, *Power Wellness* creates customized messaging designed



to generate engagement. This targeted approach means *Power Wellness'* managed centers are able to focus on fewer prospects with a greater potential marketing ROI. Results are tracked in real time within a shared Customer Relationship Management (CRM) system: "Prior to having a CRM in place, sales conversations were about how we 'felt' we were doing; now we have visibility into each separate piece of the process, plus we can see the

overall flow," added Jennifer Parrilli.



Positive branding and a personalized approach, combined with real-time results tracking, are vital to medical fitness center enrollment success. *Power Wellness* can help grow your medical fitness center. Learn more at www.powerwellness.com.

Make It Fun Every Day!

IHRSA Fitness Brasil 2022 Achieves 'Indisputable' Success

BOSTON, MA - After a three-year absence due to the pandemic, *IHRSA Fitness Brasil* returned ready to revive the Latin American health and fitness industry. The Transamerica Expo Center in São Paulo was vibrant with energy and optimism during the four-day event.

"In quantitative terms, the success of the event is indisputable," says **Gustavo Almeida**, Executive Director of Fitness Brasil. "We had more than 11,000 total attendees, over 150 speakers, dozens of practical classes, and importantly, happy exhibitors. Everything was very well accepted, and we closed the event in a state of grace."

Honored to welcome IHRSA Fitness Brasil 2022 attendees was *IHRSA President and CEO, Liz Clark*. During her welcome address, Liz updated the crowd on *Global Health & Fitness Alliance* efforts, including its most recent publication, *Economic Health & Societal Well-being: Quantifying the Impact of the Global Health & Fitness Sector* report, and the recently launched IHRSA Portuguese website. She also praised the ability to gather in person again.

"The joy of being together again in person was stamped on people's faces," exclaims **Jacqueline Antunes**, *IHRSA Latin America Director*. "Exchanging experiences, doing business, nothing compares to face-to-face interactions. Not only to see long-time friends, but it's essential to negotiate and discuss new partnerships."

Key Highlights From IHRSA Fitness Brasil 2022

Topics involving innovative ideas, strategic initiatives, as well as the latest trends in management, marketing and technology filled the education sessions. Attendees also had the opportunity to hear four noteworthy keynotes, including:

■ *The Future of Wellbeing*, by **Martha Gabriel**, Author of the bestsellers *Marketing in the Digital Era* and *You, Me and the Robots*;

■ *How the Growth of Surfing in Brazil Can Inspire Innovative Initiatives*, by **Ivan**

Martinho, *CEO of the World Surf League (WSL) for Latin America*;

■ *Black Belt Leadership*, by **Fabio Gurgelco**, *four-time Jiu-Jitsu World Champion and Co-founder and CEO of Alliance Jiu-Jitsu*;

■ *Creative Management: Collaborative Networks and Innovation*, by **Max Haetinger, Ph.D.**, *Director of Instituto Criar in Porto Alegre, Brazil*.

As uniting all sectors of the industry and promoting healthy lifestyles has become more important than ever, the event expanded its typical offerings to include special programming for physical education students, condominium and hotel managers and those pursuing healthy lifestyle habits.

The highly anticipated Trade Show was jam-packed throughout all three days with a notable emphasis on attendees participating in workout classes and testing out the pieces of equipment available from the 90+ brands on site. All in all, 8,000 Trade Show visitors made sure to make the most of the event by networking and closing deals.

Paulo Akiou, *President of ABC Internacional*, an IHRSA member, noted that the company had a record-breaking year at IHRSA Fitness Brasil 2022, signing more than 2.5 times the contracts signed at the event in 2019.

Additionally, *Matrix Fitness* ended the event with a new sales record, according to **Reginaldo Recchia**, *Managing Director of Johnson Health Tech*, parent company of Matrix Fitness and IHRSA member.

Looking Ahead to IHRSA Fitness Brasil 2023

For Liz, her first experience at the largest health and fitness industry event in Latin America has her eager to attend next year's edition. "I was really impressed with the entire structure of IHRSA Fitness Brasil and the energy of the Brazilian public," she notes. "It was great to see the reunions up close, the quality content shared with the delegates, and many deals being

done. I definitely want to come back in the next edition!"

IHRSA Fitness Brasil 2022 Gold Sponsors, *Gympass*, *Konnen Fitness* and *Pacto*, say that attending the event is critical for the entire industry, and they already plan to be back for 2023.

"IHRSA Fitness Brasil is an essential event for the market. Brands need to be present to consolidate their positioning, strengthen relationships

and capture opportunities," urges **Rafael Kahane**, *Marketing Director of Gympass*. "From this moment on, we have already started to plan our presence at IHRSA Fitness Brasil 2023 to gain even more relevance."

The 24th edition of IHRSA Fitness Brasil will take place August 16 - 19, 2023. More information regarding the event will be released in the coming months.

A promising future is ahead in employment for the Fitness Industry!

If you are finding that hiring qualified candidates is challenging, contact us today!



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IHRSA FITNESS BRASIL 2022

...Norm's Notes

continued from page 4

become a dedicated business unit servicing the boutique gym and studio sector within ABC.

■ **TRX** announced that *Founder and Former CEO, Randy Hetrick*, and partner, **Jack Daly**, have acquired the iconic, global fitness brand, TRX. Hetrick founded TRX after inventing the Suspension Trainer as a SEAL Team Squadron Commander and will now lead the company as *Chairman* with Daly, who will serve as the *Chief*

Executive Officer.

■ **Orangetheory Fitness** announced that **Kelly Lohr** has been named the company's *Chief Marketing Officer*. As Orangetheory continues to advance as a leader and innovator in the fitness and wellness space, Lohr will lead the company's marketing strategy, playing a critical role in driving an evolved member experience, brand relevancy and company growth. This is the latest executive hire for Orangetheory, who recently named **Jason Dunlop** *President of International.*

■ **MIKEL IZQUIERDO, Ph.D.**, a member of *IHRSA's Medical, Science, and Health Advisory Council*, co-authored a systematic review with meta-analysis of 16 studies, which found regular physical activity significantly lowers the likelihood of adverse COVID-19 outcomes. The authors note, "Overall, those who engaged in regular physical activity had a lower risk of infection, hospitalization, severe COVID-19 illness, and COVID-19-related death as compared with their inactive peers."

■ On a personal note, **CONGRATULATIONS to BOO CARRIGAN**, who's in his **4th year as Athletic Director of my Ala Mater, N.C. State University**. Boo also serves as *Chairman of the College Football Bowl Committee*. Well, congratulations are in order for Boo because *N.C. State has now won more ACC Atlantic Coast Conference Championships in more sports than any other ACC school!*

Reflecting back to 1967, when our great *N.C. State Football Team* had an 8 - 0 record and were ranked #3 in the country until we went up to play and lose to **JOE PATERNO'S Penn State**. Then, sadly, the next weekend, we lost to *Clemson's* legendary **FRANK HOWARD**. So, we finished with a 9 - 2 record after losses in two very close games, sadly, losses that knocked us out of a *National Championship* hunt! We recovered from those two losses by beating *The University of Georgia* in the *Liberty Bowl Game* in Memphis, Tennessee, giving us a final national ranking of #17 at the end of the season. Folks, as a nearly 77-Year-Old Geezer, I can tell you for sure that I feel very blessed to still be kickin' and able to share these amazing memories with you all. Since we're now well into the college and pro football seasons, I also feel blessed to be able to share my *N.C. State Team's* and my own personal football honors. I cherish the memories of what my Teammates and I achieved, and I wish all

of them who're still with us ALL THE BEST! And, may our N.C. State Teammates that we have lost **REST IN ETERNAL PEACE!**

■ **JUSTIN and I want to say Thanks for reading Club Insider!**

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■ **God bless our troops, airmen and sailors worldwide and keep them safe. Thank you, Congratulations and Welcome Home to all of our troops who have served around the world. God bless America's Policemen and women and Firemen and women; keep them safe. Finally, God bless you, your family, your club(s) and your members. God Bless America! Laus Deo!**

(Norm Cates, Jr. is a 48-year veteran of the health, racquet and sportsclub industry. He is the Founder and Tribal Leader Since 1993 of Club Insider, now in its 29th year of monthly publication. In 1981, he was IHRSA's First President, and a Co-Founder of the Association with Rick Caro and five others. In 2001, he was honored by IHRSA with its DALE DIBBLE Distinguished Service Award, one of its highest honors. And, in 2017, he was honored with Club Industry's Lifetime Achievement Award. He can be reached by phone at 770-635-7578 or email at Norm@clubinsideronline.com.)

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Thanks and Appreciation

At *Club Insider*, we are excited to be in our **29th Year** of this home-based health and fitness club trade publication! The thought that this publication was *founded to serve an industry I truly love*, and so that *I could become a Mister Mom* for my son, **Justin**, is still *intriguing and amazing* to us. So, I wish to extend my most sincere **Thanks and Appreciation** to everyone who has made this amazing 29-year run possible.

Very sincere *Thanks and Appreciation* go to **Rick Caro**, the **late Dr. Gerry Faust** and the **Faust Executive Roundtable #1** for helping me decide in 1993 what my home-based business would be. *Thanks and Appreciation* to my long-time friends, **Ron Hudspeth** and **Cathy Miller**, formerly of *Atlanta's Hudspeth Report* for the tremendous assistance they provided. *Thanks and Appreciation* to all of the folks at **Walton Press** in Monroe, Georgia. They've done an absolutely excellent job for us all these years and have printed every one of our monthly editions! And, of course, *Thanks and Appreciation* to the **United States Postal Service** for sending those editions to our readers! *Thanks and Appreciation* to all of our **READERS**. Sincere *Thanks and Appreciation* to our **Club Insider Advertisers**, past and present, for their kind and dedicated support of this publication. *Thanks and Appreciation* to all of our **Club Insider Contributing Authors**, past and present. *Thanks and Appreciation* to **IHRSA** for all it does for all of us. And, sincere *Thanks and Appreciation* to my son, **Justin**, who has become our Publisher and is a truly great partner. You name it and Justin does it each and every month!

Last, but surely not least, this writer who refused to fear failure when many told him he didn't have a chance of surviving the publishing business for even a year did survive. And, he would like to give his sincere *Thanks and Appreciation* to the power that made that survival happen: **God**.

Very sincerely, with love in my heart for you all,

Norm Cates, Jr.

Are You Worried that the Economy is Going to HURT YOUR BUSINESS?

Some thoughts from Donna Krech

Founder/CEO, Total Life Nutritionals & WOW Wellness



Industry Veterans Guide on How to Make Your Business Not Only Recession Proof - But DEPRESSION PROOF!

Wellness industry stats prove that 60 to 83% of your members... at this very moment... are spending money elsewhere on supplements because you don't offer them.

Not only is offering supplements a way to recoup money being spent elsewhere, (like a MINIMUM of \$100,000.00 to you!) it's also a smart move during a down economy.

According to NutritionInsight, "The supplements segment has historically been found to be recession proof."

And, according to a plethora of historical data collected, even during the *Great Depression*, consumers bought products to keep them healthy or restore their health.

All today's data says the same thing. Your clients are spending most of their dollars with someone else.

That's right. After working with thousands of Health and Wellness Professionals we discovered something shocking...

More than half of their clients were spending all their dollars on Weight Loss, Nutrition, and Wellness supplements, with one of their competitors. In fact, between 60% to 83% were spending money somewhere else.

The reason? We found that many clients were spending their money with other health and wellness competitors, simply because their coach did not OFFER them!

Think about this in your own business. If you only have 200 clients in your data base, between 60% to 83% of them are giving someone else, on average, \$167 per month.

Over the course of the year that means \$2000 per client is going into someone else's pocket instead of yours.

At 60%, that means 120 of your clients are buying product from someone else, which means you're losing \$20,040 every month or \$240,000 per year. (120 X \$2000 = \$240,000) Even if you only got half of those customers to buy from you instead of the competition, you're looking at \$120,000 that drops into your bank account this year.

If 83% are buying from someone else, you're losing \$33,200 every month or \$332,000 over the course of one year that is NOT going into your pocket, but someone else's instead.

Again, even if you cut that number in half, and gain back 41.5% of that, you could add \$166,000 to your income.

Would \$120,000 or \$166,000 make a difference to your business?

That money is there for you to take, you just need to see if you qualify for the TOTAL LIFE BETA LAUNCH program we've put together for you.

Imagine for just a moment... that you had an easy-to-implement marketing campaign that cost you ZERO dollars AND that each

prospect, not customer, but prospect were paying you \$549 EACH for you to market to them...

Imagine that you had physician grade quality, custom blended supplements with the highest potency and absorption available anywhere, with a markup between 70% and 120%...

...And that you, and you alone had exclusive rights to sell these supplements within a 50-mile radius...

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Imagine that you had a guaranteed way to get your clients walking through your door and paying you, monthly...

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...Ray Wilson

continued from page 3

on almost anything, especially boxing, which he always had the best seats for every Vegas fight. He probably told me not to f**k this thing up and go bankrupt about 1,000 times, and each time he said that to me, it made me work harder and smile just knowing I would one day prove to him that would never happen under our team's watch. I will miss Ray Wilson and those times we had together. But, I will *never forget him* and the impact he had on my life. *He was the best.* And, as I write this, I have a big smile on my face as I am thinking of him and knowing he is still with me every day. **Miss you Ray! - Love ya!**"

-Mark Mastrov

Comments From John McCarthy

"When I think of Ray Wilson, I often also think of Augie Nieto because Augie got his start with Ray Wilson and the Lifecycle, which gave birth to Life Fitness, which became the largest global fitness equipment company in the entire world. Long ago, I had the pleasure of visiting with Ray in his home near San Diego in Southern California. Ray was then a fitness missionary, a missionary who never cared who got the credit. He simply wanted to spread the gospel of fitness as fast and as far and wide as he possibly could. Ray was A leader, if not *THE* leader of that incredible Southern California band of brothers who together spread the gospel of fitness first to all of Southern California, and then ultimately, to the entire United States, and from there to the entire world... In a sense, Augie Nieto became Ray's most important and most Influential Apostle, an Apostle of Fitness par Excellence... So, in a sense, it's true that everyone of us who ever worked in the fitness industry, and all of us who made our living in the fitness industry, owe a debt of gratitude, first, to Ray Wilson, one of the modern-day fitness industry's true founders and, second, to Augie Nieto, who became Ray Wilson's greatest disciple and apostle."

-John McCarthy



John McCarthy



Ray Wilson and Mark Mastrov

Comments From Geoffrey Dyer

"I had heard many great stories about Ray Wilson during my early years in the fitness industry when I was in my early 20s. Ray had a reputation for building companies. He had created 12 separate companies. By the time I met him, he'd opened 600+ gyms, and he had gained a reputation of making his managers millionaires through his proven sales systems and unique payroll management and profit sharing. Ray and I had a mutual friend named **Bill Ward** who kept me up to date with all of Rays accomplishments throughout the '70s and '80s that ultimately led to the merger of *Ray's Family Fitness* with *Mark Mastrov's 24 Hour Nautilus* to form *24 Hour Fitness*, which became a juggernaut in the late 1990s.

A year or two after that merger, Ray was looking for a new opportunity for his two sons, Perry and Packy Wilson. Packy chose to leave 24 Hour and open clubs in Columbus, Ohio. Perry chose to open in Tampa, Florida, which was in my back yard where I had four clubs, mostly under-sized clubs that were vulnerable to competition. To announce his entry into the Tampa Bay market, the local newspaper said, *'Ray Wilson to Open Five Mega Fitness Clubs in Tampa!'* I was shocked and thinking worst case... I will go out of business! I immediately called Ray to introduce myself and suggested that we work together. He laughed when I called, and he told his wife, **Sonja**, 'Honey, I've got the competition on the phone, and were not even open in Tampa yet!'

Cutting a long story short, we connected well on calls, and then later in person, and he agreed to let my company manage his billing, payroll and all other home office functions for a reasonable fee. Learning how Ray did business allowed my company to move away from 2- and 3-year contracts and over to month-to-month memberships with no contracts, which was a game changer for me. My company exploded using the caption, *'Commit to a Lifestyle not a Contract.'*

In 1994, Ray lost his son, Perry. After that, Ray refused to come back to



Geoffrey Dyer, Ray Wilson and David Patchell-Evans

Tampa and encouraged Packy to move back to California to be close to their family. My company negotiated to buy Perry's one club in Tampa and Packy's four clubs in Columbus, Ohio. In the years that followed, I continued to stay connected to Ray and Packy, and I also had the opportunity to meet with Ray at any one of the handful of homes he had back in those days. Ray was quite a character. When he flew into Tampa, he would rent a \$600 hotel room and sleep on the floor because it was better for his back. He had many stories to share about sitting on the *Board of Directors of 24 Hour Fitness* along with **Cindy Crawford** and **Magic Johnson**. He loved **Mark Mastrov!** And, Ray loved to gamble and would think nothing about losing \$50K in 15 minutes on the tables in Las Vegas. He loved to tell stories about all of the people he helped become successful. There are too many to name. To use the words of Mark Mastrov, **'Ray was an inspiration to all of us!'**

I would describe Ray as *passionate, competitive, focused and driven...* these are just a few of the words

that come to mind to describe Ray! He has been through it all, from selling prepaid lifetime memberships, then later on evolving to month-to-month memberships. He has survived all of the challenges our industry faced during the past 75 years where he was an active leader. I was fortunate to see Ray celebrate his 92nd birthday two years ago in Mexico. He will be missed."

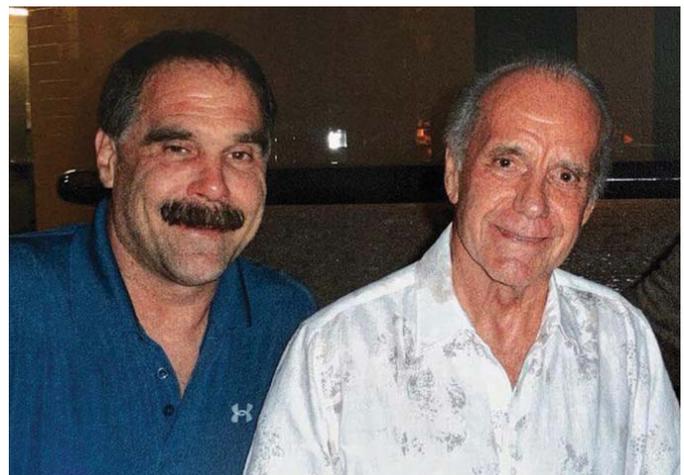
-Geoffrey Dyer

Comments From Robert Lineberger

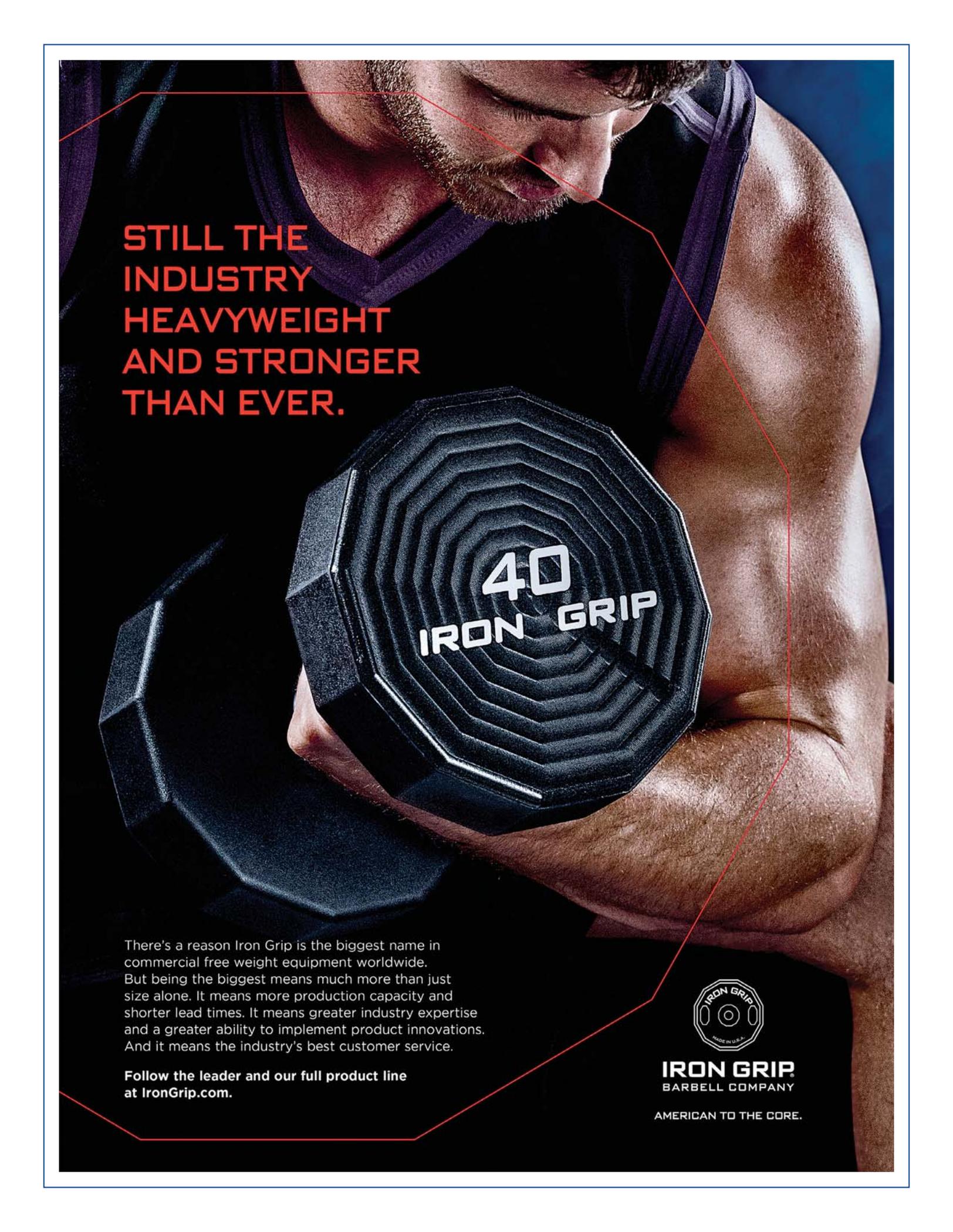
"Being fortunate enough to be partners with Ray's son, Packy, for the last 20 years, I was able to spend a lot of time with Ray in his later years. Ray loved the industry more than anyone I've ever met. But, he loved his family more. He was truly a wonderful person, and I miss him already. Ray will always be the **G.O.A.T. (Greatest of All Time!)** of the fitness industry."

-Robert Lineberger

(See *Ray Wilson* Page 12)



Robert Lineberger and Ray Wilson



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AMERICAN TO THE CORE.

...Ray Wilson

continued from page 10

Comments From David J. Wakefield

"Saying good bye to a friend of 61 years brings me to tears as I write this note. Ray was not just a *SUPPORTIVE FRIEND* but a *HUGE MENTOR* in my life. Not just in business, as the years have shown, but also in my personal life. Through *thick and thin*. Bankruptcy, Divorce and many other challenges. Ray always stood by me as *he did for MANY others*. He was not just a *Business Genius* but also a *Life Coach*. I worked with Ray in many Countries and places for 50 years. My fondest recollection of my time with Ray is when I lived in La Costa, California, just a few miles from him. After a 6AM run, I would work out in his three-car sized home gym and then visit with him to discuss what was happening with Family Fitness and get his '*Marching Orders*' for the day, sometimes with disagreement, which was most always won by Raymond! He will be missed *A LOT!* I left out his many business accomplishments as there are far too many to comment on, and I am sure others will. Thank you for this opportunity to say Good Bye to Ray! I appreciate it!"

-David J. Wakefield

Comments From Paul Schaller

"My name is Paul Schaller, and I was *President and CEO of ABC Financial Services* for many years. Unfortunately, I did not know Ray Wilson as long as I'm sure many others did. While I was very much aware of who Ray Wilson was and his place in the history of commercial fitness, I did not meet or interact with Ray Wilson until much later in his life during my visit with him in 2018 and a subsequent visit in 2019. Ray was kind enough to host **Geoff Harman**, his partner in Mexico, myself and a few other ABC representatives at his

home in April of 2018. I was so excited to meet and visit with *the man, the legend, Ray Wilson!*

I didn't anticipate how much I would enjoy the experience of his small fitness workout area and museum he had put together in the basement of his home. At 91, Ray was happy to demonstrate how active and able he was to workout with the various equipment he used, and whenever I got the chance, I would ask him about one of the many dozens of pictures from the 1950s through 1980s of actors, bodybuilders, wrestlers, athletes and himself! I was amazed at how many real stars this man knew socially and most of whom he referred to as friends! I would point at a picture, and ask, 'Sir, who is that or what was the story about this picture?' and Ray would respond with a vivid memory and detailed stories for those of us listening. And, believe me, we were all listening and holding onto every word he spoke.

I recall attempting to ask Ray about his early participation and leadership for the modern commercial fitness industry and how he was one of four men, including **Jack LaLanne, Vic Tanny and Joe Gold**, when Ray interrupted me with as fierce and direct message any 91-year-old could ever send: 'I was *THE MAN*, the f**king man who created the modern commercial fitness industry, and don't allow anyone else to tell you otherwise!' he exclaimed. This caused the entire audience to erupt in laughter, then Ray indicated how this reminded him of another story and off he went to tell another amazing tale without missing a beat!

Ray shared great stories of his past business ventures. I was so amazed at how much success and influence Ray experienced in his professional life, but candidly, I was also affected and impacted by his personal story. Ray Wilson was a man who experienced the extremes of what this life can offer to any of us. He had



Ray Wilson Sharing Stories in His Home Gym/Museum (Photo Credit: Paul Schaller)

the highs of highs and dealt with so much personal pain in his life, and yet, his outlook and energy was so inspiring.

In my short time knowing Ray Wilson, and subsequently doing business with him, I found Ray to be someone who liked partnerships and was sensible about ensuring a fair and equitable outcome. While he had strong convictions for what he and Geoff Harman wanted to accomplish in Mexico, he was also sensitive and alert about understanding how to structure things so all involved would be content with their participation. He wanted a **WIN - WIN** for all of us!

Yes, he was 91 at the time I met him, but he had the energy of a 40-year-old! He enjoyed very much taking part in weekly sales call meetings with his staff down in Mexico, and as Geoff shared with me, Ray was very much involved with negotiations for locations and how best to leverage the Ray Wilson name to enhance business performance as they began ramping up their early clubs in Mexico.

He wanted to have 100 clubs opened in Mexico by the time he was 100 years old. It isn't like I really thought he could pull it off. But, I was so impressed about how Ray set his goals, how he allowed for something to be his focus, his purpose and how he spent his waking hours thinking, strategizing and motivating others as to how he/they would achieve this goal! In the end, it wasn't important that he reached 100 clubs. In fact, Ray Wilson had far more achievements in his career than most of us could ever dream about. For Ray, I believe, it was about attitude, effort and creating something for purpose, something that would keep an old man going until God decided it was time for him to open some health clubs in Heaven!

Ray Wilson passed away at 94 years old. I had the privilege to visit with him twice and participated in a dozen or so calls with him over the last three years

of his life. What I am left to remember is a man who lived the life of three men! He didn't allow the success to make him lazy or content, and he didn't allow the personal pain he endured to defeat him! I could only hope and pray God allows me to live such a long life and provide me the strength and energy he provided for Ray Wilson. We aren't likely to see one of his sorts ever again."

Comments From Norm Cates

My memories of Mr. Ray Wilson go back over 41 years to when I first met him in Las Vegas. This fond memory comes from our *first IRSA Convention and Trade Show in Las Vegas* way back in 1981. (We had our first two IRSA Conventions in Las Vegas in 1981 and 1982, and yes, the acronym was IRSA back then because the 'H' for 'health' had not been inserted into the Association name yet.)

In the early days of IRSA, we didn't have enough staff to man the doors and check people's name badges to be sure they'd paid for their IRSA Membership and Convention/Trade Show registration, (See *Ray Wilson* Page 14)



The Old Era of the History of Fitness (In Ray Wilson's Home Gym/Museum) (Photo Credit: Paul Schaller)



Norm Cates



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...Ray Wilson

continued from page 12

so some of us IRSA Board Members would work the entry doors to the meeting rooms checking badges. On the first day at the Las Vegas IRSA Convention, I was working a door to one of the biggest rooms before the Opening Session, when all of a sudden, this fit fellow came flying by me. The guy didn't slow down long enough for me to check to see if he had a registration badge! So, I chased him down and told him my name and explained to him that our IRSA Convention was a 'private trade association' event, which required attendees to pay to register. Once paid, they would get a badge that would entitle them to enter all the events. He was very friendly and cordial when I explained things to him. Then, he asked me where he should go to register, and I directed him to the Show Registration Area.

On that day, Mr. Ray Wilson became an IRSA Member, and looking back on that experience, it is still one that I treasure because Mr. Ray Wilson and I became good friends from then on. We would laugh together about how and when we first met. Years ago, Mr. Wilson invited me to come down to his beautiful seaside mansion in Mexico, a visit I really enjoyed. From that visit, in June 1995, I produced a cover story featuring Mr. Ray Wilson on the *Club Insider* Cover. As you can see in the **Photo on This Page**, on that cover, Mr. Wilson and his two family members were posing with a *Lifecycle*. That photo was chosen for our cover because one of the amazing and really great things he had done for our entire industry was that Mr. Ray Wilson actually saved *Lifecycle*. After the company went into bankruptcy, he acquired it for \$500,000. Then, he hired Augie Nieto to run the company, which became *Life Fitness*.

Together, those two icons of our industry saved *Lifecycle*, arguably, one of the two most prominent and significant exercise machines in the entire history of our industry, the other being *Nautilus*, developed by the late **Arthur Jones** and **Jim Flanagan**. So, within that cover story, I credited Ray Wilson and Augie Nieto for the hugely important impact of their work with

Lifecycle and the creation of Life Fitness when I wrote: 'Ray Wilson has been in the health club industry for 47 years! Among his most significant accomplishments are the development of *European Health Spas*, the acquisition of *Lifecycle* from an early bankruptcy, then the refinement and re-launch of the Lifecycle aerobic training bike and subsequent expansion to become Life Fitness and *The Family Fitness Centers* chain of 72 clubs. Truthfully, however, the previous comment covers only a small percentage of The Life and Times of Ray Wilson! But, after a career full of ups and downs, Ray's quick to point to the contributions of others in advancing the state of the health club industry.'

Mr. Wilson also credited *Bally Total Fitness* for the positive impact they had early on by using celebrity endorsements in their TV advertising, citing exercise as '*The right thing to do*,' and he credited **Arnold Schwarzenegger's** popularity and fame as a movie star as having a lot to do with the acceptance and popularity of working out and fitness. Citing these accolades for others, Mr. Wilson shares his incredible life story in a candid and humble manner. While praising all these others, he seemed to almost hesitate to include himself as one of the greatest contributors in the history of our industry. The **TRUTH** is the *Ray Wilson Story* is a story of a man who has made a huge and positive contribution to the health and fitness club business worldwide.

I continued in that June 1995 cover story to make the following comments about Ray's feelings about what by that time was known as IHRSA. I wrote the following about Mr. Wilson: 'He gives credit to IHRSA (The International Health, Racquet and Sportsclub Association) for having a significant impact on the rapid growth of clubs and the increase in the understanding of the importance of regular exercise. He says, and I am specifically quoting him exactly: '*This industry didn't just happen... it happened because a lot of people did a lot of things along the way. IHRSA is one of the greatest things to ever happen in the industry.*' Mr. Wilson believed that, in a few years, 50% of club's revenues would come from corporate sources due to a health care shift from a primary business

of curing illness to that of preventing illness.

Finally, in that June 1995 cover story headline, I described him as a '**A Club Legend In His Own Time**,' and now, I feel that way even more. One day, a few months before he passed away, I spent a half hour on the phone with Mr. Wilson and his son, Packy. One thing Ray said really hit home with me. He commented that, 'Because of my influence on our industry, I've helped literally millions of people who join and workout at health clubs have much better lives.' He added, 'I truly believe that is a fact!' Folks, I'm very happy that Mr. Wilson fully realized the true magnitude of his contributions to the citizens of our world. I know he will **REST IN ETERNAL PEACE** with that knowledge.

We followed up our June 1995 cover story about Mr. Ray Wilson with one in August 1997, which featured a special report sharing the news about Ray being honored with *Wally Boyko's Lifetime Achievement Award* presented at *Wally's Convention* in Las Vegas (Mr. Wilson was previously awarded with *Club Industry's Lifetime Achievement Award* in 1992.). Importantly, contained in that edition was my interview with Mr. Ray Wilson about the conversion of his clubs from paid-in-full memberships to memberships paid by monthly dues pursuant to membership agreements which permits members to cancel their membership agreements should they decide to quit being a member without being sued by the clubs as they pursued enforcement of their *Retail Installment Contracts*. **This was an extremely important transition in our industry, and it provided a major positive reputation boost to health and fitness clubs all across America.**

To close this very special Memorial Cover Story for the most legendary person who has ever been involved in our industry, Mr. Ray Wilson, I have the following comments:

Below are **FREE Links** to four past *Club Insider* editions containing our cover stories and other articles about Mr. Ray Wilson. If you take the time to read those four editions of *Club Insider*, chronicling much of his truly amazing career, you will be glad you did.

If you are one who is truly a student of our industry, someone who really wants to actually know the *true HISTORY* of our industry from people who were there, then *trust me* when I write this to you here today. **IF** you read the following *Club Insider Cover Stories and Articles*, you will learn more about our industry than you will learn from any other source in our industry, bar none. Once again, there is *zero cost* to read these four articles. Simply, go to the links shown, and the articles will load:

- [Ray Wilson... A Legend in His Own Time - Part I - June 1995 \(bit.ly/raywilson1\)](#)
- [Ray Wilson... A Legend in His Own Time - Part II - July 1995 \(bit.ly/raywilson2\)](#)
- [Ray Wilson Honored for Lifetime Achievement - August 1997 \(bit.ly/raywilson3\)](#)
- [Ray Wilson and Dale Dibble First Ever "Health Club Pioneer of the Year" Award Winners - March 2004 \(bit.ly/raywilson4\)](#)

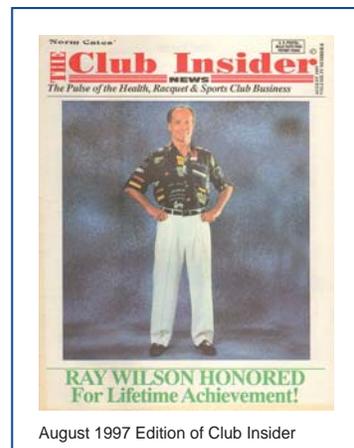
Finally, let me mention the book *Packey Wilson, Ray's son*, produced to honor his Dad on his 94th Birthday. This is an amazing digital book that's full of photos and information about **The LIFE and TIMES of the ONE and ONLY MR. RAY WILSON**. I have the PDF containing Packy's amazing book, and I have Packy's permission to distribute it. So, if you want to receive it... *courtesy of Ray's son*, the very kind **PACKY WILSON**, send an email to me at Norm@clubinsideronline.com, and I'll send the PDF to you at no charge whatsoever.

May Mr. Ray Wilson Rest In Peace.

(Norm Cates, Jr. is a 48-year veteran of the health, racquet and sportsclub industry. He is the Founder and Tribal Leader Since 1993 of *Club Insider*, now in its 29th year of monthly publication. In 1981, he was IHRSA's First President, and a Co-Founder of the Association with Rick Caro and five others. In 2001, he was honored by IHRSA with its **DALE DIBBLE Distinguished Service Award**, one of its highest honors. And, in 2017, he was honored with *Club Industry's Lifetime Achievement Award*. He can be reached by phone at **770-635-7578** or email at Norm@clubinsideronline.com.)



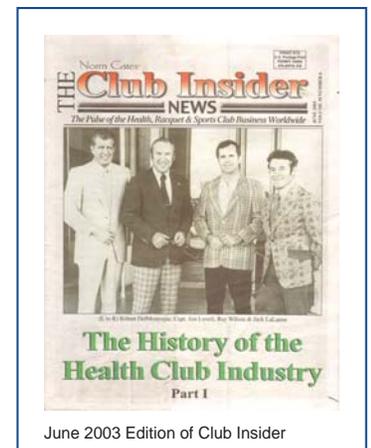
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Rising Up - Rising Out - Rise Together

By: **Sara Kooperman, JD**

It seems like every organization, every company and every inspired CEO is providing us a guide towards emerging from the pandemic. I have read multiple articles, all with numerous different approaches but none that target what I believe to be the most important elements: *balance* and *patience*.

The pandemic has been a completely new experience for our society. It has emerged not as a copy of the 1920s, nor as a duplication of our 2007 - 08 recession, but as a world situation like no other. Surviving any unique event requires patience. Patience means constant review and evaluation. It reminds me of balance. Balance is not static. Balance is constant movement. Little shifts of weight, small hedges in one direction or another, constant slight corrections.

Discussing how to emerge from this pandemic and anticipate action, in this article, we will review staffing needs, client requirements, financial adjustments, center reevaluation and personal revelations.

Staffing Needs

We must focus on retraining and readjusting our expectations of our staff. This is a new era. We have not begun a recession in its traditional sense, so relying on past 2008 or 2009 recession learnings can't even begin to address the requirements of staff evaluations. One of the greatest opportunities that the pandemic provided us with is the ability and need to reevaluate our staffing requirements. We do not want to totally reduce the number of staff needed if it will negatively affect our customer experience, but we can reevaluate and remove unnecessary and/or under skilled staff. This is the perfect time to gently move people out.

We can and should maximize high performers and minimize poor performers. Reevaluating our staffing needs will also help us rescue underperforming staff, adjust work hours and even double the effectiveness of our current employees.

Many clubs have focused intently on their top group fitness instructors, providing them with higher salaries and more hours. Instructors who had lower attendances, have been gently removed and often have intentionally sifted themselves out. The same goes with personal trainers. Raising the compensation of our highest trainers has served to retain their loyalty and increase revenue for both the employee as well as the club.

Our management staff has also been similarly adjusted. *Directors* and *Managers* who lead with creativity and passion must be rewarded with higher

compensation, greater autonomy and independence. Encouraging creativity and ownership supports innovative ideas and inspiration. This focus can grow our facility and empower our leadership. Removing those who have been sliding along positively affects the bottom line. Often as leaders, we think we can save everyone, train everyone and empower everyone. We see the good in everyone or we would not have hired them in the first place. Unfortunately, not everyone carries our dedication or meets our expectations. Now is the time to act aggressively and remain laser focused on the bottom line. Remove the ineffective and un-inspired, and reward the passionate who persevere.

Client Requirements

Due to facilities having been closed or altered significantly due to the pandemic, we need to onboard everyone. Even a loyal past customer requires onboarding, goalsetting and winning back of their loyalty. Typically, our dedicated exercisers found a way to exercise at home or away during the past 2.5 years. We need to bring them back and inspire them to stay.

Communication is the key. Communicate more often, more honestly and with greater selectivity. Connecting, resetting goals and re-discovering needs is more important now than ever. Re-discover what our loyal people want and need. Figure out new schedules and when they want it. Readjust our schedules, reacquaint us with their new needs and readjust our business models.

We cannot simply assume the world is into wellness by focusing on nature or meditation. Do not get caught up into spending more money on technological advancements just because of the excitement of the bells and whistles. Find out what your people want. Is wellness a true concern of our clients? Is the most modern technology a true need of our customers? Are massive pieces of equipment really outdated? And, one of the biggest questions remains what real programming trends have emerged or will emerge? Stay flexible and informed. Watch talk shows, webinars and read!

Our studios are no longer packed. Our training clients are not rushing back. No longer are dance programs or circuit programs surging in our club. Pickleball appears to be the only growing trend, so how do we capture this if we don't have courts in our studios? Trends will emerge as confidence and creativity grow. We will see a revolution of programming once we get our footing. But, we must support this. We must encourage the freedom that only stability can provide. Right now, we don't have that stability; we are living in a state

of fear, wondering what is next. Hold tight and breathe. Our time will come when our resolute few will embrace change and create new programs driving trends.

While I love franchises and pre-choreographed routines, we must analyze where these facilities and programs come from. They were born of creativity and dynamic commitment. They were independent and alone. Zumba began in a small studio in Miami. Orangetheory started with a single owner with a vision. Both were supported by private equity and a prayer. We must encourage this type of independent thinking and inspired orientation. While this is difficult to do during times of financial strain, this is essential for our free market economy.

Look for the opportunities. This is more important than ever.

Financial Adjustments

During times like this, when revenues are down because memberships are scarce, raising dues and maximizing ancillary revenue must be the focus. Now is the time to raise dues, but we must do so in a delicate manner with a close eye on customer relations. Sharing the rising cost of running a business with our clients, communicating openly and honestly seems to be working for many. Reducing onboarding expenses while raising membership dues has worked in the past and seems to be equally as successful now. Finding equity investors to support you during downtimes and renegotiating loans is also effective. Landlords don't want to lose us, and banks need our loyalty. If we can reduce our overhead while not disturbing customer satisfaction and infuse extra dollars into our business, we can make it through this challenging time.

But, it is not just about reducing expenses; it is about looking toward the future. Where can we invest? Are their struggling boutique studios out of business? Can we buy membership lists? Can we reach out to our competitors of the past and purchase their leads, take over their leases or even join forces and merge memberships to reduce overhead and survive?

It is always a struggle to be creative during times of limited resources. It is hard to look for opportunities and silver linings during times of trouble. Yet, survival requires the ability to look for the escape route to freedom... financial freedom and social stability.

Center Reevaluation

Rediscovering who we are and where we are is key. Figure out who the clients are who came back. Maximize those



Sara Kooperman, JD

individuals and encourage them to refer our facilities to like-minded individuals. Setting up referral programs where both the existing member and the new client both benefit. Notice how the tone and temper of your client base has changed and will continue to change. Your original goal to attract a certain clientele may alter. Follow the lead of your customers and let them guide you to adjust your messaging. Find out who they now are... surveys and questionnaires are more important than ever. Readjust and reevaluate your mission statement. Share the statement with your staff and with your clients. Host face-to-face meetings, not just zoom calls. Reconnect and reevaluate. Now is the time to get reacquainted with your team and your customers.

Personal Revelations

Take care of YOU. Stay in touch with where you are on a daily basis. Remember you must stay positive, and you must be the leader. Even when things seem the darkest, it is you, the *Owner*, *CEO*, *Director* or *Manager* who sets the tone. You are the visionary and create the focus.

Take time to take care of yourself. Join a group of analogous, like-minded individuals, whether they be fellow club owners or small business entrepreneurs. Join a group where these individuals are in your same situation. If you can find fellow club owners or a fellow facility manager, communicate and connect regularly. Be honest and open. Share your ups and share your downs. Find friends to lean on. Discover family members who have experience in financially challenging times. Get help. Ask! Find groups or individuals with whom you can share your successes and failures no matter how small. Be gentle on yourself. You will make mistakes. You will yell at staff who don't deserve it. You will cry in front of people who won't understand.

(See *Sara Kooperman, JD* Page 17)



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...Sara Kooperman, JD

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You will fall, but you will get up. Remember, you are always stronger than you appear.



Be patient! This too shall pass. Often, entrepreneurs jump into new ventures feet first; now seems to be the time we are jumping in headfirst. There are no answers.

If we look back at the 1920s, we all thought that, as soon as the pandemic was over, we would see a huge surge towards celebration... parties, spending money, traveling. The 1920s was the decade when America's economy grew 42%. Mass production customer goods, modern auto and airline industries were born. There was a rapid rise in prosperity induced by sweeping changes in technology, society and our economy. The overheated economy then burst signaling the great depression of the 1930s.

We are not dealing with the 1920s, and we are not emerging from a recession. The post pandemic is its own entity. We are in a new era where wellness, ecology and the great outdoors has extreme value. Yet, at the same time, we have science and technology rushing us into a virtual

reality. This dichotomy and tension pull us in divergent directions. Where is the balance; what is the outcome? This is where patience, attention to detail and communication are key. Balance and a need for stability is more important than ever. Patience and a deep, conscious breather must be our focus.

Emerging from the pandemic is a balancing act. Constant change. Like a yoga tree pose, subtle movements, readjusting and shifting on unstable ankles and a slight waving of the arms (as if signaling for help) will stabilize us. Slowing down our breath,

calming our nerves and reaching out to others for support has become our greatest strength. Taking care of oneself and others and being patient is more important now than ever.

Hang in there, and we will rise up, rise out and rise together!

(Sara Kooperman, JD, CEO of SCW Fitness Education and WATERinMOTION, is a visionary leader that has transformed the fitness education community. A successful business owner and advisor, she is a keynote speaker, published author,

podcast presenter and sought-after industry trailblazer. Sara has a unique ability to share her passion and devotion towards fitness education through her humor, enthusiasm, and her effervescent non-nonsense personality. She serves on the Gold's Gym Think Tank, was on the Women in Fitness Association Board of Directors and is a proud inductee into the National Fitness Hall of Fame. Sara currently serves on IHRSA's Headlight Committees for Facility Standards and has left an indelible mark on the fitness industry. Learn more about SCW at www.scwfit.com.)

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OSHA's Whistleblower Protection Program and What Employers Need to Know

By: **Paul R. Bedard, Esquire**

The *Occupational Safety and Health Act of 1970 (OSH Act)* included the creation of the *Occupational Safety and Health Administration (OSHA)*. OSHA is charged with ensuring safe working conditions for employees by setting and enforcing safety standards. OSHA also provides education, training, outreach and assistance to employers to help ensure employee safety across a variety of industries. Health clubs are classified by OSHA as, "Physical Fitness Facilities." These types of facilities are defined by OSHA to include, "health clubs, spas and similar facilities featuring exercise and other active physical fitness conditioning, whether or not on a membership basis." Establishments providing aerobic dance and exercise classes are also referenced within this OSHA classification.

OSHA is part of the *United States Department of Labor*. The OSH Act applies to most private sector employers and their workers, as well as some public sector employers and workers. The law applies in all 50 states and certain territories and jurisdictions under Federal authority, including the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa,

Guam, Northern Mariana Islands, Wake Island, Johnston Island and the Outer Continental Shelf Lands as defined in the Outer Continental Shelf Lands Act. States may also assume responsibility for the promulgation and enforcement of workplace safety standards. However, OSHA must approve the plan submitted by the State. As a condition of approval, the State Plan must provide for standards and the enforcement of standards that are "at least as effective" as Federal OSHA standards and enforcement.

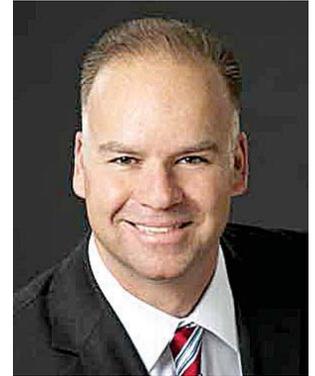
As it relates to whistleblower protection under a State Plan, OSHA defines "at least as effective" to mean "a provision, similar to section 11(c) (Whistleblower Protection Program), for necessary and appropriate protection to an employee against discharge or discrimination because the employee has filed a complaint, testified, or otherwise acted to exercise rights under the Act for himself or herself or others." Any such State provision must be enforced at least as effectively as the Federal OSHA provision. According to OSHA, 28 States and territories have OSHA-approved plans, 22 of which cover State and local government employees in addition to private-sector employees. The other six

approved plans apply only to State and local government employees.

OSHA's *Whistleblower Protection Program* enforces the provisions of Federal laws that protect employees from retaliation for engaging in what is defined as "protected activities." Protected activities include reporting conduct that an employee reasonably believes is a violation of a relevant Federal law, filing a complaint about a violation, and testifying, assisting or participating in a proceeding related to a violation. This includes an employee's internal reporting of concerns to his or her employer, as well as an employee's external reporting to Federal, State or local regulatory agencies. However, an employee's engagement in protective activities does not automatically render him or her immune from discharge or discipline if the employers' actions were for legitimate reasons dictated by non-prohibited considerations.

Retaliation is adverse action against an employee for engaging in a protected activity, including firing or laying off, demoting, denying overtime or promotion, denying benefits, disciplining failing to hire or rehire, intimidation or harassment, threatening, reassignment to a less desirable position or affecting promotion prospects, reducing pay or hours, blacklisting and more subtle actions such as isolating, mocking or ostracizing an employee. Retaliation also includes reporting the employee to the police or immigration authorities, as well as constructive discharge. Constructive discharge occurs when an employer makes an employee's working conditions intolerable, effectively forcing the employee to quit.

OSHA penalties include fines that can quickly pile up when assessed per violation. These fines can then compound per day when an employer fails to address confirmed violations with willful or repeated violations having an initial per violation penalty amount that can be approximately ten times higher than unwilful or first-time violations. In addition to being subject to these fines, an employer found to be in violation of OSHA's Whistleblower Protection Program may also be required to rehire or reinstate an employee to the employer's former position with back pay.



Paul R. Bedard, Esquire

Latest Interpretive Rule and Standard to Prove a Violation Has Occurred

In 1973, OSHA issued rules implementing and interpreting the whistleblower protection provisions. The purpose of these rules was to make available in one place interpretations of the whistleblower protection provisions of the OSH Act to guide the *Secretary of Labor* until otherwise directed by court rulings or a reexamination of an interpretation. These rules have been updated over time to reflect the current case law and interpretation.

The most recent interpretive rule went into effect on September 3, 2021. With this rule, OSHA clarified that the current burden of proof required to prove a causal connection between the protected activity and an adverse action under the OSH Act is to show that "but for" the protected activity the employee would not have suffered the adverse action. Previously, the interpretive rule indicated that if a protected activity was merely a "substantial reason" for the adverse action, the law had been violated. This prior interpretive rule provided two ways to prove a causal connection between the protected activity and adverse action in mixed-motive cases; if the protected activity was a substantial reason for the employer's action, or if the employer's action would not have transpired but for the employee's engagement in protected activity. In other words, the most recent interpretive rule makes clear that a plaintiff in an anti-retaliation case must now prove that retaliation was the sole motivating factor for an employer's adverse action. In other words, the employee wouldn't

(See *Paul R. Bedard, Esquire Page 19*)



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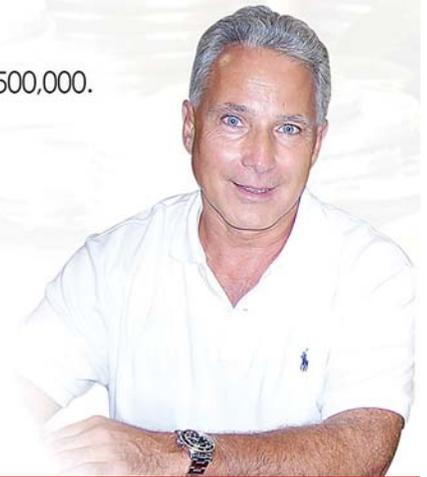
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...Paul R. Bedard, Esquire

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have been fired "but for" the employee's engagement in protected activity.

Takeaways

The facts of each case will ultimately determine whether a discharge or other adverse action was "but for" an employee's engagement in protected whistleblower activity. Therefore, it is critical that employers consistently and fairly enforce clear and conspicuous employment policies. At a minimum, these policies should be acknowledged in an employee handbook and placed within the employee's file. Employers should archive employee files, including documentation of any employee training, employee reviews, disciplinary action, incident reports, policy acknowledgments and any other relevant materials, for at least the applicable statute of limitations. Employee Handbooks should be regularly updated to reflect the current legal considerations, with any interim policy changes communicated via written memo with an express declaration that any such interim changes are immediately incorporated by reference into the

Employee Handbook.

Employees, especially those with the authority to take disciplinary action, must be regularly trained regarding the most updated versions of applicable local, State and Federal laws. Foster a culture that encourages open communication and the immediate addressing of any potential concerns. Protect employees against retaliation by affording confidentiality to the greatest possible extent within the reporting process, with a clear and credible assurance that retaliation is not tolerated by the employer. Implement a reporting process that allows multiple channels for reporting to maximize an employee's ability to internally report concerns without fear of threats, intimidation or retaliation. Ensure that all legally required workplace compliance posters and notices are updated and conspicuously posted for all employees.

This article is intended for educational purposes only. It is not offered as legal advice. Widely varying jurisdictional laws and standards, along with circumstances unique to each case, prohibit blanket recommendations. Therefore, please consider the following information as an educational guide,

and please consult an attorney for specific direction.

(Paul Bedard has nearly twenty years of management, leadership, and operations experience in the health and fitness industry. Paul is a solo practitioner at The Law Office of Paul Bedard, LLC, in Southington, Connecticut. As a practicing attorney, Paul's health and fitness industry experience provides him with a unique perspective when advising health clubs regarding employee training, handbooks, policies, contracts, disputes or premises

*liability claims. When not practicing law or spending quality time with his wife and daughters, Paul strives to be active in his local community. In addition to running his private practice, Paul serves as the Assistant Town Attorney for the Town of Southington, Connecticut. He has also served on the Southington Zoning Board of Appeals and the Board of the Central Connecticut Regional Planning Agency. Paul can be reached at **AttorneyPaulBedard@gmail.com** or **860-414-0110.**)*

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Designing the Ultimate Member Experience

By: **Jeffrey Pinkerton**

If you were going to design the ultimate member experience in group fitness, how would you do it? And, just for the sake of clarity, I am not asking you how you would design a single group fitness workout. I think we can all agree that different people gravitate towards different styles of training. Among my family of six, we all have different favorites when it comes to getting strength, cardio and mobility into our workouts. What I mean is: If you had unlimited resources and you could put together a team to craft the ultimate member experience in group fitness, where would you start? Who would you hire and who would you consult? What would be the primary objective and the

must-have ingredients? What expertise would be required?

Yes, you probably already have someone on your team who oversees group fitness, managing the instructor team, building schedules, filling vacancies, finding subs, maintaining spaces and stereos, promoting your programs and recruiting new talent to the team. It's a crucial role. But, I'm not talking about that person. I am talking bigger picture, like an architect would design a house, to develop a group fitness program that (at minimum) is safe and effective, but more importantly, is innovative and inclusive, inspiring and magnetic, and an experience that members love to be a part of and can't help but tell their friends about.

Is that something you have the

time and energy and breadth of expertise to carry out? Or, like most professionals, and indeed, most successful leaders, would you call in outside expertise? Consider how many professionals not only trust but require advice and input from other experts. Most singers don't write their own songs. Sure, there are a small handful who can do both, but the majority of popular music (and certainly most pop music) is written by a song writer and performed by a singer. Most actors don't write their own scripts. Most quarterbacks don't write their own playbooks. Most teachers don't write their own textbooks. Most musicians don't compose or arrange their own symphonies. Most athletes don't write their own workouts (this goes for recreation athletes (See *Jeffrey Pinkerton Page 22*))



Jeffrey Pinkerton

Key Takeaways From SCW Atlanta Mania 2022

By: **Chris Stevenson**

SCW Atlanta Mania is in the books, and it was a blast! There was a perfect combination of educational sessions, networking events and fun. **Marisa Hoff** and I presented several sessions at the event, so what follows are the topics we spoke on and a key takeaway from each one:

Lifelong Lessons in Leadership: Great leaders focus on four areas: *inspiration,*

communication, participation and appreciation. Inspiration means creating and infusing the company culture. Communication revolves around the skills it takes to be an effective communicator who delivers messages that resonate. Participation includes finding ways to give team members a voice as well as getting their feedback and input. Finally, appreciation is just that. Great leaders make sure that team members always know they are cared about and appreciated.

Small Group Training Profits and Programming: Small Group Training (SGT) is an effective way to service more members and increase ancillary revenue. A great way to decide on what kind of SGT to offer is by following external and internal trends, surveying your members and conducting focus groups. This allows you to use "real over feel" when creating your program, thus increasing your chance for success.

Solution-Based Sales: Old school sales is dead. The key to modern sales is uncovering a prospect's real problem and demonstrating that you provide the best solution. Invest time into building rapport, getting to know a prospect and *creating trust.* This makes sales a great experience for the consumer and the salesperson.



Chris Stevenson



Pump Up Your Productivity: If you want to maximize your productivity, you must address three areas: *time, energy and attention (TEA).* Creating a strategy which addresses those three areas is the key to success. Remember, busy doesn't equal productive, results do.

Lead Generation Bootcamp for Personal Trainers: To grow a successful personal training business, you need to find and recruit a steady stream of clients. To accomplish this, start by building a professional personal brand. Once that is built, you need to create traditional campaigns, grow email lists, network in the community, create referral programs and regularly post engaging content on social. A diversified and strategic marketing plan is the key to success!

These are all deep topics, but I wanted to make sure I shared at least one little nugget from each presentation that you could use. If you have more questions, thoughts or comments about these topics or anything else, please feel free to reach out. I love hearing from you! Finally, if you have never been to an SCW event, I recommend it. Learn when and where the next one is taking place by going to scwfit.com/mania.

(Chris Stevenson, former Power Ranger stuntman, is the Founder of The Empower Group, a full-service consulting firm with services ranging from staff training, workshops, full facility management and more. Stevenson has over 20 years of experience in many aspects of the health and fitness industry. Chris can be reached by phone at 818-519-6038 or email at chris@stevensonempowers.com.)

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...Jeffrey Pinkerton

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to travel-sport athletes to college athletes and certainly professional athletes). Most dancers don't build their own choreography. Most cheerleaders (at least based on the limited knowledge I gained from the Netflix phenomenon "Cheer") don't build their routines or stunts. Most salespeople don't build their own PowerPoint slides. Most models don't pick out their own outfits. Most cooks don't write their own recipes. Most Presidents don't write their own speeches. And, of quite less importance than Presidential speeches, one of my friends doesn't even write his own LinkedIn posts.

Great leaders, and certainly

my LinkedIn buddy, know when to enlist someone else's expertise.

Imagine if your *IT Director* was charged with not only making sure that everything in your organization was running proficiently and securely but was also tasked with creating the code and designing and building and implementing every program and platform that you use. They would need to ensure all programs were running smoothly on a day-to-day basis and updated regularly to serve your members and employees. They would need to be building out for the future, anticipating new technology needs, new delivery systems and new ways of leveraging technology for your business. They would need expertise across every major category of technology:

web design, application development, database management, payment processing and email marketing, just to name a few. Dive a little deeper, and you'd also want this person to be working on your SEO efforts, paid search marketing, social media marketing, SMS strategy and more. You would (and do) need an entire team of people and partners to design and manage your company's technology.

Is your *Group Fitness Director* alone in charge of the member experience at your facility? In addition to the long list of responsibilities mentioned earlier, are they making sure that it's running proficiently and designing and building every program? Are they looking to the future, anticipating the needs of a growingly inactive and

sedentary population? Are they experts across every major category of fitness?

Imagine if your *Group Fitness Director* had help with the heavy lifting of program development and design. What if they could leverage and lean on the support of a group fitness research and development department to build and test and deliver workouts that would infuse energy into your facility and get more members connected and moving. What if their role was less about designing the ultimate member experience and focused instead on building and developing a team that can deliver the ultimate member experience!?

To learn how MOSSA designs workouts using our proprietary *M4 Programming: Movement, Music, Motivation, and Metrics*, visit www.mossa.net. Or, connect with us and learn how our team can be your team's program designers, music engineers, playlist builders (it's an art and a science), training deliverers, field testers, room designers, future thinkers and marketing creators.

(Jeffrey Pinkerton is the Business Development Manager for MOSSA. Jeffrey can be reached by phone at 770-989-4737 or email at jeffreypinkerton@mossa.net.)

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